



CME Market Data Policy

User Guide

March 1, 2014

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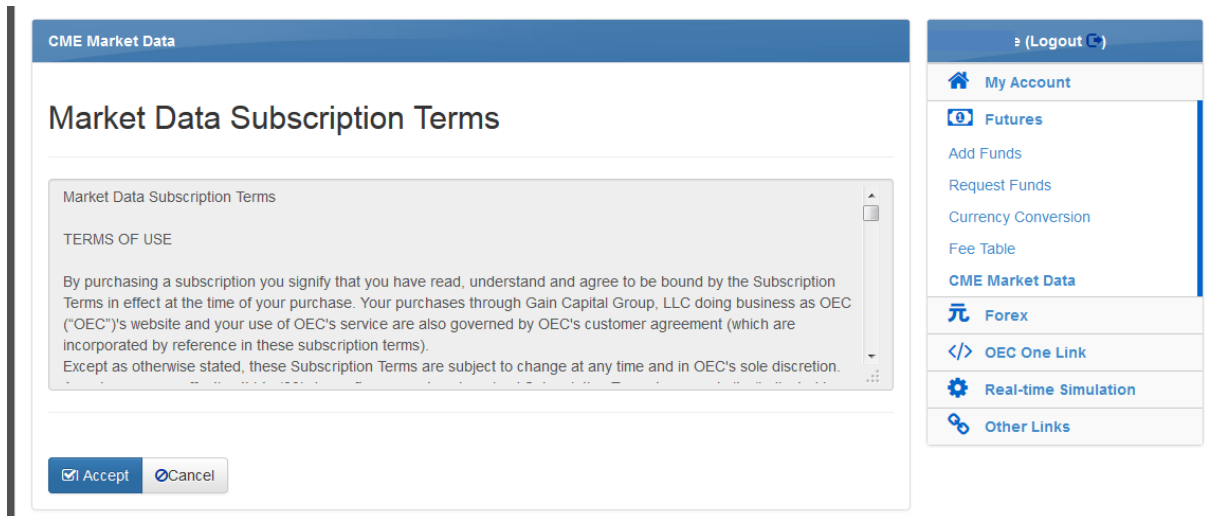
Adding Data Plan

For LIVE accounts opened after March 1, 2014, real-time data for CME exchanges will require subscribing to a data plan.

PLEASE NOTE: For existing GAIN Capital Futures accounts or accounts transferred from another Futures Commission Merchant (FCM) opened before March 1, 2014, this process will not be required as data fees will be waived in 2014. You are considered a legacy user and will be required to go through the data entitlement process for 2015.

For non-legacy clients, please login to the My Account portal. Click on the **Futures** section listed on the right side and go to **CME Market Data**. Review the terms and click on **Accept** to proceed.

(The terms are provided at the end of this document for offline viewing or printing.)



The screenshot shows a web interface for 'CME Market Data'. The main content area is titled 'Market Data Subscription Terms' and contains a scrollable box with the following text:

Market Data Subscription Terms

TERMS OF USE

By purchasing a subscription you signify that you have read, understand and agree to be bound by the Subscription Terms in effect at the time of your purchase. Your purchases through Gain Capital Group, LLC doing business as OEC ("OEC")'s website and your use of OEC's service are also governed by OEC's customer agreement (which are incorporated by reference in these subscription terms). Except as otherwise stated, these Subscription Terms are subject to change at any time and in OEC's sole discretion.

At the bottom of the main content area, there are two buttons: 'Accept' (with a checkmark icon) and 'Cancel'.

On the right side, there is a sidebar menu with the following items:

- (Logout)
- My Account
- Futures (highlighted)
- Add Funds
- Request Funds
- Currency Conversion
- Fee Table
- CME Market Data (highlighted)
- Forex
- OEC One Link
- Real-time Simulation
- Other Links

Next, you will be presented varying options depending on your user classification: **Professional** or **Non-professional**.

Non-professional users

The non-professional user will see the following choices:

<p>Four exchanges: CME, CBOT, NYMEX, and COMEX</p> <ul style="list-style-type: none"> • CME – Currencies and Indices • CBOT – Grains, Interest Rates/Financials, and Dow Index • NYMEX – Energies • COMEX - Metals 	<p>Two Data Feed Types: Top Of Book and Market Depth</p> <ul style="list-style-type: none"> • Top of Book – Best Bid and Best Ask/Offer • Market Depth – up to 10 levels of Bids and Ask/Offers
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Check the box for the Exchange(s) you wish to receive live data and which data feed type should be subscribed. If you choose Top of Book for an exchange, the Market Depth option cannot be selected. In other words, Market Depth subscription will include Top of Book data. If you select the Bundle option, you may not select the individual exchanges. Bundle package subscribes to all four exchanges.

- **Top of Book** - \$1 per exchange, or all four for \$3
- **Market Depth** - \$5 per exchange, or all four for \$15

	CME	CBOT	NYMEX	COMEX	Bundle
Top of Book	<input type="checkbox"/> \$1.00	<input type="checkbox"/> \$1.00	<input type="checkbox"/> \$1.00	<input type="checkbox"/> \$1.00	<input type="checkbox"/> \$3.00
Market Depth	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$15.00

Non-professional examples:

1. The Top of Book data plan is selected for CME and CBOT exchanges, with no Market Depth. The monthly cost will be \$2.

Enable Exchanges

	CME	CBOT	NYMEX	COMEX	Bundle
Top of Book	<input checked="" type="checkbox"/> \$1.00	<input checked="" type="checkbox"/> \$1.00	<input type="checkbox"/> \$1.00	<input type="checkbox"/> \$1.00	<input type="checkbox"/> \$3.00
Market Depth	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$15.00

Summary

Renewable Exchanges:

- CME (Top of Book) - \$1.00
- CBOT (Top of Book) - \$1.00

Cost: \$2.00
Monthly Cost: \$2.00

Submit

2. The Top of Book data plan is selected for all exchanges, with no Market Depth. The monthly cost will be \$3.

Enable Exchanges

	CME	CBOT	NYMEX	COMEX	Bundle
Top of Book	<input checked="" type="checkbox"/> \$1.00	<input checked="" type="checkbox"/> \$1.00	<input checked="" type="checkbox"/> \$1.00	<input checked="" type="checkbox"/> \$1.00	<input checked="" type="checkbox"/> \$3.00
Market Depth	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$5.00	<input type="checkbox"/> \$15.00

Summary

Renewable Exchanges:

- CME (Top of Book) - \$1.00
- CBOT (Top of Book) - \$1.00
- NYMEX (Top of Book) - \$1.00
- COMEX (Top of Book) - \$1.00

Cost: \$3.00
Monthly Cost: \$3.00

Submit

3. The Market Depth data plan is selected for all exchanges. The monthly cost will be \$15.

Enable Exchanges

	CME	CBOT	NYMEX	COMEX	Bundle
Top of Book	<input type="checkbox"/> \$1.00	<input type="checkbox"/> \$1.00	<input type="checkbox"/> \$1.00	<input type="checkbox"/> \$1.00	<input type="checkbox"/> \$3.00
Market Depth	<input checked="" type="checkbox"/> \$5.00	<input checked="" type="checkbox"/> \$5.00	<input checked="" type="checkbox"/> \$5.00	<input checked="" type="checkbox"/> \$5.00	<input checked="" type="checkbox"/> \$15.00

Summary

Renewable Exchanges:

- CME (Market Depth) - \$5.00
- CBOT (Market Depth) - \$5.00
- NYMEX (Market Depth) - \$5.00
- COMEX (Market Depth) - \$5.00

Cost: \$15.00
Monthly Cost: \$15.00

Submit

Professional users

The professional user will see the following choices:

<p>Four exchanges: CME, CBOT, NYMEX, and COMEX</p> <ul style="list-style-type: none"> • CME – Currencies and Indices • CBOT – Grains, Interest Rates/Financials, and Dow Index • NYMEX – Energies • COMEX - Metals 	<p>One Data Feed Type: Professional includes the following data:</p> <ul style="list-style-type: none"> • Top of Book – Best Bid and Best Ask/Offer • Market Depth – up to 10 levels of Bids and Ask/Offers <p>List of Enabled Software/Platform</p>
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Check the box for the Exchanges you wish to receive live data and which software/platform should receive live data. If you select the Bundle option, you may not select the individual exchanges. Bundle package subscribes to all four exchanges. If you enable one software but not another, one will contain live data and the other will be restricted to see live data.

- **Professional** - \$90 per exchange, or all four for \$360 per software/platform

Enable Exchanges

	CME	CBOT	NYMEX	COMEX	Bundle
Professional	<input type="checkbox"/> \$90.00	<input type="checkbox"/> \$90.00	<input type="checkbox"/> \$90.00	<input type="checkbox"/> \$90.00	<input type="checkbox"/> \$360.00

Professional examples:

1. The CME and CBOT exchanges are subscribed for OEC Trader. The monthly cost will be \$180.

Enable Exchanges

	CME	CBOT	NYMEX	COMEX	Bundle
Professional	<input checked="" type="checkbox"/> \$90.00	<input checked="" type="checkbox"/> \$90.00	<input type="checkbox"/> \$90.00	<input type="checkbox"/> \$90.00	<input type="checkbox"/> \$360.00

Enable Software

Software	Enable
OEC Trader	<input checked="" type="checkbox"/>
MarketDelta Trader	<input type="checkbox"/>
MotiveWave	<input type="checkbox"/>

Summary

Renewable Exchanges:

- CME (Professional) - \$90.00
- CBOT (Professional) - \$90.00

Software:

- OEC Trader

Today's Charge: 180.00

Monthly Cost: 180.00

Submit

2. The CME and CBOT exchanges are subscribed for OEC Trader and Market Delta Trader. The monthly cost will be \$360.

Enable Exchanges

	CME	CBOT	NYMEX	COMEX	Bundle
Professional	<input checked="" type="checkbox"/> \$90.00	<input checked="" type="checkbox"/> \$90.00	<input type="checkbox"/> \$90.00	<input type="checkbox"/> \$90.00	<input type="checkbox"/> \$360.00

Enable Software

Software	Enable
OEC Trader	<input checked="" type="checkbox"/>
MarketDelta Trader	<input checked="" type="checkbox"/>
MotiveWave	<input type="checkbox"/>

Summary

Renewable Exchanges:

- CME (Professional) - \$90.00
- CBOT (Professional) - \$90.00

Software:

- OEC Trader
- MarketDelta Trader

Today's Charge: 360.00

Monthly Cost: 360.00

Submit

- The Bundle plan is subscribed for OEC Trader and Market Delta Trader. The monthly cost will be \$720.

Enable Exchanges

	CME	CBOT	NYMEX	COMEX	Bundle
Professional	\$90.00	\$90.00	\$90.00	\$90.00	\$360.00

Enable Software

Software	Enable
OEC Trader	<input checked="" type="checkbox"/>
MarketDelta Trader	<input checked="" type="checkbox"/>
MotiveWave	<input type="checkbox"/>

Summary

Renewable Exchanges:

- CME (Professional) - \$90.00
- CBOT (Professional) - \$90.00
- NYMEX (Professional) - \$90.00
- COMEX (Professional) - \$90.00

Software:

- OEC Trader
- MarketDelta Trader

Today's Charge: 720.00
Monthly Cost: 720.00

Review Data Plan Selection

Once you have selected the desired data plan, click on the **Submit** button and review the Confirmation window. If everything is correct, click on **Submit** again to proceed. Refunds are not possible once a data plan is confirmed.

Confirmation

Renewable Exchanges:

- CME (Market Depth) - \$0.00
- CBOT (Market Depth) - \$0.00
- NYMEX (Market Depth) - \$0.00
- COMEX (Market Depth) - \$0.00

Expiring next month:

- CME (Top of Book) - \$0.00
- CBOT (Top of Book) - \$0.00
- NYMEX (Top of Book) - \$0.00
- COMEX (Top of Book) - \$0.00

Cost: \$0.00
Monthly Cost: \$15.00

× If successful, you will receive a Confirmation message.

Results

- Futures Account: Updated successfully.**

Modifying Data Plan

If you wish to modify your data plan, please login to the My Account portal. Click on the **Futures** section listed on the right side and go to **CME Market Data**. Review the terms and click on **Accept** to proceed.

Remove Data Plan

To remove a service, uncheck the box for items currently entitled. The cell will turn from green to yellow. Click on **Submit** and review the confirmation window. Click on **Submit** again to remove data plan. Refunds are not provided as your data entitlement will remain active until the end of the month.

If you remove all CME data subscriptions, you will not receive Quotes, Depth of Market, or Chart data. All Chart Intervals (3 minute, 5 minute, Daily, Weekly, etc.) for CME products will not yield any historical data.

Downgrade Data Plan

To downgrade the data plan, simply check a box that is not currently entitled. For example, if downgrading the plan from Market Depth Bundle to Top of Book Bundle, check box for the Top of Book Bundle. The Top of Book cells will turn green, indicating the plan is “activated for current month and will automatically renew next month.” The Market Depth cells will turn yellow, indicating the plan is “activated for current month, but will not renew.” Click on **Submit** and review the confirmation window. Click on **Submit** again to remove data plan. At end of calendar month, the Market Depth data entitlement will expire and Top of Book will renew.

Upgrade Data Plan

To upgrade the data plan, simply check a box that is not currently entitled. For example, if upgrading the plan from Top of Book Bundle to Market Depth Bundle, check box for the Market Depth Bundle. The Top of Book cells will turn yellow, indicating the plan is “activated for current month, but will not renew.” The Market Depth cells will turn green, indicating the plan is “activated for current month and will automatically renew next month.” Additionally, the data entitlement change will take effect immediately and you will only pay \$15 or the difference of the amount from prior data plans. Click on **Submit** and review the confirmation window. Click on **Submit** again to remove data plan.

Review Data Plan Transactions

To review the data fee transactions, click on the button **View Transactions**. A list will display the data plan selected, date and time added/removed, and the resulting data charge.

Transactions		
Date/Time	Exchanges	Charge
2/25/2014 9:58:25 AM	Top of Book - CME Top of Book - CBOT Top of Book - NYMEX Top of Book - COMEX	\$3.00

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Frequently Asked Questions

If I do not select a data plan, will I still be able to see charts?

No. A data plan is required to review charts.

If I do not select a data plan, will I still be able to trade the corresponding markets?

Yes. Trading is possible without opting for data plan.

Will my demo platform have access to live CME data?

It depends. If you maintain \$5000 or more in a live account, you are eligible for a free demo account. If you subscribe to a CME data plan, your demo account will have access to live data.

If you are under \$5000 in your live account, the demo platform can be renewed with credit card for \$24.98 for two weeks, \$49.95 per month, etc. as a one-time payment or billing cycle.

If I select a CME data plan, how will I be billed?

The monthly charge will be billed to your futures account. Other payment options may be offered in the future.

If I remove a service, will I receive a refund?

No. Data fees are not refundable and will expire at end of month, if data plan has been unsubscribed.

If I subscribe to a data plan, is the fee prorated to time left in month?

No. The full amount is required regardless of how many days are left in the calendar month.

If I upgrade my data plan during a calendar month, will the amount paid be used towards the upgraded plan?

Yes, the amount paid will be used toward the upgraded plan. If a client paid \$3 per month for Top of Book Bundle plan and upgraded to the \$15 per month Market Depth Bundle plan, the amount billed would be \$12.

Market Data Subscription Terms

TERMS OF USE

By purchasing a subscription you signify that you have read, understand and agree to be bound by the Subscription Terms in effect at the time of your purchase. Your purchases through Gain Capital Group, LLC ("GAIN") website and your use of GAIN's service are also governed by GAIN's customer agreement (which are incorporated by reference in these subscription terms).

Except as otherwise stated, these Subscription Terms are subject to change at any time and in GAIN's sole discretion. Any changes are effective thirty (30) days after we post such revised Subscription Terms to our website (indicated by revising the date at the top of these Subscription Terms), or upon your acceptance if we provide a mechanism for your immediate acceptance of the revised Subscription Terms (such as a click-through confirmation or acceptance button). It is your responsibility to check the website regularly for changes to these Subscription Terms. If you do not agree to these Subscription Terms, please do not purchase a subscription.

If you have any questions regarding these Subscription Terms, please contact GAIN by emailing gfsupport@gaincapital.com.

PURCHASE & ACCOUNT SECURITY

In order to purchase a subscription, you must set up a registered account with GAIN. You will provide accurate and complete information in your GAIN user account at all times, including, but not limited to, your billing address, email address, telephone number, and account number. You are solely responsible for maintaining the security of, and restricting access to, your account, username and password.

PRICES & AVAILABILITY

All prices are shown in U.S. dollars. While we have the right to change the prices at any time, the prices associated with your subscription will become effective subject to the renewal provisions below.

PAYMENT OPTIONS

GAIN accepts payments by deducting fees from your GAIN trading account. By submitting your order, you acknowledge that you authorize GAIN to charge your order (including taxes and any other amounts described on GAIN's website) to that account. If adequate funds are not available in the account, your order may be suspended or cancelled automatically. Cancellation processing fees may apply even if adequate funds are not available in the account by the time GAIN submits the charges.

CANCELLATIONS AND REFUNDS

You may terminate or modify your subscription by changing your data entitlement within GAIN's My Account portal. However, there are no refunds, except as provided in these Subscription Terms or as required by law. You understand that charges for the Service must be paid in advance.

RENEWALS

At the expiration of your subscription, GAIN will automatically bill your account for an additional service term equal to the length of time of your original subscription. Unless you notify GAIN that you wish to cancel your services prior to the cancellation of your subscription, your subscription will automatically renew. For all bundled and non-bundled subscriptions, the renewal fees will be equal to the lowest published fees for your market data selection as published by GAIN at the renewal date.

PRORATED BILLING

All rates are based on full service term length of time and no prorated billing amount will be applied for subscription after the first calendar day of the month. No prorated credit will be given for unused time after a subscription has been terminated or modified.

SUBSCRIBER DEFINITION

CME Group charges different fees for Subscribers, depending on whether they qualify as Professional or Non-Professional recipients, as specified in the CME Market Data License Agreement, schedule 4.

Except as otherwise stated, the Subscriber Definition is subject to change at any time and in the CME Group's sole discretion.

1) Existing industry standards

NON-PROFESSIONAL SUBSCRIBER - Any natural person whom a market data Distributor has determined qualifies as a "Non-Professional Subscriber" and who is not:

- (a) Registered or qualified with: the Securities and Exchange Commission, the Commodities Futures Trading Commission, any state securities agency, any securities exchange or association, or any commodities or futures contract market or association, nor
 - (b) Engaged as an "investment advisor" as that term is defined in Section 201(11) of the Investment Advisor's Act of 1940 (whether or not registered or qualified under that Act), nor
 - (c) Employed by a bank or another organization that is exempt from registration under Federal and/or state securities laws to perform functions that would require him or her to be so registered or qualified if he or she were to perform such functions for an organization not so exempt.
- 2) Non-Professional may also include certain small business entities (limited liability companies, partnerships, trusts or corporations that are not affiliated with any entity that may be considered a Professional) whose primary business purpose is not trading and such entity must have no more than two trading terminals under that entity (or its affiliates') name.
- 3) Subscriber must be viewing the data via a device capable of routing orders to CME Globex and have an active/capitalized futures account.
- 4) Subscriber must NOT hold or lease any type of membership at any of CME Group's DCMs.
- 5) Any person who does meet the above criteria (1, 2, 3 & 4) is considered a Professional Subscriber.

You are solely responsible for maintaining the accuracy of the Subscriber Definition that is applied to your subscription. You are required to notify GAIN immediately regarding any inaccuracies related to the

Subscriber Definition applied to your subscription or upon any changes to whether you qualify as a Professional or Non-Professional subscriber.