

ICE Futures U.S.[®], Inc.

DEFINITIONS

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ICE FUTURES U.S.®, INC.

DEFINITIONS

EXCEPT WHERE THE CONTEXT REQUIRES OTHERWISE, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANING WHEN USED IN THE BY-LAWS OR RULE S. USE OF THE SINGULAR SHALL INCLUDE THE PLURAL AND VICE VERSA, UNLESS THE CONTEXT REQUIRES OTHERWISE.

AA Transaction

The term "AA Transaction" or "Against Actual" shall mean a Transaction in which there is an exchange of Futures Contracts for the Cash Commodity.

Act

The term "Act" shall mean the Commodity Exchange Act, as amended from time to time.

Affiliate or Affiliated Firm

The term "Affiliate" or "Affiliated Firm" shall mean with respect to a Firm, any Firm which controls, is controlled by or is under common control with such Firm. The term "control" shall mean the power to direct or cause the direction of the management or policies of a Firm, whether through ownership of securities, by contract or otherwise.

Amended by the Board January 30, 2017; effective February 13, 2017.

Affiliated Person

The term "Affiliated Person" shall mean with respect to a Member Firm, an individual who is a general partner, director, officer, member (in the case of a limited liability company), executive employee or manager of such Firm.

Adopted by the Board July 22, 2013; effective August 26, 2013.

Allowable Claim

The term "Allowable Claim" shall mean a Claim for losses arising from (i) any order or Transaction for the purchase, sale, exercise or expiration of an Exchange Futures Contract or Exchange Option or (ii) any cash market transaction which is part of, or directly connected with, any Transaction, (iii) an Allowable Claim shall not include legal or other incidental expenses incurred in connection with any such losses or with the events giving rise to any such losses.

Amended by the Board March 8, 2007; effective March 9, 2007.

Amended by the Board March 22, 2023; effective June 1, 2023.

Anchor Price

"Anchor Price" shall mean the price set by the Exchange from which Reasonability Limits, No Cancellation Ranges and Interval Price Limits are determined. The Anchor Price shall be based on the front month, provided however, that, when the front month nears expiration, the Anchor Price will be based on the delivery month with the most open interest. The determination as to when to shift the Anchor Price based on open interest will be made by the Exchange. The Anchor Price may be the prior day's settlement price, the price of the Opening Match or the last traded price of the front delivery or expiration month as determined by the Exchange. The Anchor

Price of each successive expiration or delivery month is determined by applying spread differentials against the Anchor Price.

Amended by the Board June 22, 2017; effective July 13, 2017.

Arbitrage Position

The term "Arbitrage Position" shall mean (i) an Exchange Futures Contract in one delivery month for an account which is offset by a Futures Contract for the same Commodity in the same or a different delivery month for such account which is executed on or subject to the rules of the London International Financial Futures and Options Exchange, and (ii) an Exchange Option, a Futures Contract to sell or purchase the same Commodity as the Underlying Futures Contract for such Exchange option, which is executed on or subject to the rules of the London International Financial and Options Exchange.

Board

The term "Board" shall mean the Board of Directors of the Exchange. Any reference to "Board of Governors" in the Rules shall also mean the Board of Directors of the Exchange.

Business Day

The term "Business Day" shall mean, with respect to an Exchange Futures Contract or an Exchange Option, any day on which a Commodity Contract with the same underlying commodity as such Exchange Futures Contract or Exchange Option is available for trading on the electronic trading platform, unless otherwise determined and announced by the Exchange.

Amended by the Board February 7, 2007; effective March 5, 2007.

Amended by the Board October 10, 2007; effective January 7, 2008.

Amended by the Board November 25, 2015; effective December 11, 2015.

Call Option

The term "Call Option" shall mean an Option whereby:

- (i) the Purchaser has the right, but not the obligation, to enter into an Underlying Futures Contract to buy a Commodity for delivery in the Option Month, at the Strike Price specified; and
- (ii) the Grantor has the obligation, upon exercise, to enter into an Underlying Futures Contract to sell a Commodity for delivery in such Option Month, at such Strike Price.

Carrying Member

The term "Carrying Member" shall mean a Futures Commission Merchant that carries one or more Customer Accounts.

Cash Commodity

The term "Cash Commodity" shall mean a physical or actual commodity.

Certified Public Accountant

The term "Certified Public Accountants" shall mean:

- (i) Firms or individuals who submit statements as Certified Public Accountants and firms which are registered members of the American Institute of Certified Public Accountants (AICPA) and who are acceptable to the Membership Committee.

(ii) Accountants or accountant firms registered under the laws of other countries where the requirements for registration are similar to the requirements for a CPA certificate in the United States and which accountants or accountant firms are acceptable to the Membership Committee.

CFTC

The term "CFTC" shall mean the Commodity Futures Trading Commission.

Chairman

The term "Chairman" shall mean Chairman of the Board, or one duly authorized to act with the authority of the Chairman of the Board.

Claim

The term "Claim" shall mean any right to payment whether or not any such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed or secured.

Claimant

The term "Claimant" shall mean a person who has either filed a Claim Notice or a Notice of Arbitration.

Claim Notice

The term "Claim Notice" shall mean a notice of claim against the proceeds of sale of a Trading Membership or Trading Permit as provided in the Rules.

Class

The term "Class" shall mean, with respect to any Option, a Put Option or a Call Option covering the same Underlying Futures Contract.

Clearing Member

The term "Clearing Member" shall mean any Person who is a member of a Clearing Organization.

Clearing Organization

The term "Clearing Organization" shall mean with respect to any Commodity Contract, the entity designated by the Board as being authorized to clear such Commodity Contract.

Clearing Organization Rules

The term "Clearing Organization Rules" shall mean the certificate of incorporation, by-laws, rules, regulations, resolutions, orders, directives and procedures of the Clearing Organization as adopted or amended from time to time.

Closing Transaction

The term "Closing Transaction" shall mean any Transaction in which a Person (i) grants an Exchange Call Option or Exchange Put Option which is in the same Series as an Exchange Call Option or Exchange Put Option, respectively, which had been purchased by such Person; or (ii) purchases an Exchange Call Option or Exchange Put Option which is in the same Series as an Exchange Call Option or Exchange Put Option, respectively, which had been granted by such Person.

Cocoa

The term "Cocoa" shall mean cocoa deliverable under the Cocoa Contract of the Exchange.

Coffee “C”®

The term "Coffee ‘C’" shall mean coffee deliverable under the Coffee "C" Contract of the Exchange.

Commodity

The term "Commodity" shall mean any and all goods, articles, services, rights and interests in which contracts for future delivery are presently or in the future dealt in, on or subject to the Rules.

Commodity Contract

The term "Commodity Contract" shall include Futures Contracts, Options on Commodities or on Futures Contracts, and any other interests or instruments traded on or subject to the Rules.

Conversion

The term "Conversion" shall mean a Transaction composed of three (3) Commodity Contracts, including a long Futures Contract, a Long Put Option and a short Call Option. The delivery month must be the same for all three (3) Commodity Contracts and the Strike Price must be the same for the two (2) Option components.

Cotton No. 2®

The term “Cotton No. 2” shall mean cotton deliverable under the Cotton No. 2 Contract of the Exchange.

Cross Margining Participant

The term “Cross Margining Participant” shall mean a Person that has been granted cross margining privileges pursuant to Rule 2.40.

Adopted by the Board November 14, 2007; effective March 7, 2008.

Customer

The term "Customer" shall mean a Person, including another Member, for whom a Member carries an account.

Customer Account

The term "Customer Account" shall mean an account carried for a Customer, including an Omnibus Account.

Direct Access

The term “Direct Access” shall mean a direct connection by a Clearing Member or other Person to ETS to enter orders for Exchange Futures Contracts and Options for execution, without passing through the credit or risk control infrastructure of a Clearing Member.

Adopted by the Board September 10, 2012; effective October 17, 2012.

Amended by the Board September 30, 2015; effective January 1, 2016.

Disciplinary Rules

The term “Disciplinary Rules” shall mean the rules and procedures governing the investigation of rule violations and the disciplining of any Person in connection with such violations, as set forth in the Corporation’s Rules.

Adopted by the Board July 22, 2013; effective August 26, 2013.

eBadge

“eBadge” shall mean, in the case of a Clearing Member or Direct Access Member, the number(s) assigned by the Exchange to a Clearing Member or Direct Access Member which identifies such Person.

Amended by the Board June 22, 2017; effective July 13, 2017.

Amended by the Board March 22, 2023; effective June 1, 2023.

eCOPS®

The term “eCOPS” shall mean the electronic commodity operations system utilized by the Exchange.

EFP

The term “EFP” or “Exchange for Physical” shall mean a Transaction in which there is an exchange of Futures Contracts for the Cash Commodity.

EFS

The term “EFS” or “Exchange for Swap” shall mean a Transaction in which there is an exchange of Futures Contracts for a swap agreement for the Cash Commodity.

Emergency

The term “Emergency” shall have the meaning set forth in Rule 6.01(a).

Emergency Event

The term “Emergency Event” shall have the meaning set forth in Rule 21.00(a).

Energy Contract

The term “Energy Contract” shall mean the Futures Contracts and Options identified in Chapter 18 of the Rules.

Adopted by the Board June 23, 2011; effective October 15, 2012.

Adopted by the Board September 10, 2012; effective October 15, 2012.

Equity

The term "Equity" shall include the following:

Available Equity

(i) The term "Available Equity" shall mean the amount, if any, by which Total Equity or the Net Liquidating Value, as the case may be, of any account exceeds the amount of Original Margin required for any Options or Futures Contracts carried in such account.

Open Trade Equity

(ii) The term "Open Trade Equity" as applied to any account, shall mean any net unrealized gain or loss on Futures Contracts carried in such account.

Total Equity

(iii) The term "Total Equity" shall mean, with respect to any account, the Open Trade Equity, if any, in the account, the amount of money, if any, in the account, and the value of any securities or other property, if any, in the account, valued in accordance with the Rules.

Net Liquidating Value

(iv) The term "Net Liquidating Value", as applied to any account, shall mean the Total Equity in such account plus the value of any long and short options in such account.

Exchange

The term "Exchange" shall mean ICE Futures U.S.[®], a corporation organized and existing under the Delaware General Corporation Law.

Amended by the Board March 18, 2009; effective March 20, 2009.

Exchange Futures Contract

The term "Exchange Futures Contract" shall mean a Futures Contract traded on the Exchange or subject to the Rules.

Exchange Holiday

The term "Exchange Holiday" shall mean any day which is not a Business Day and on which the Exchange shall be closed.

Amended by the Board March 24, 2016; effective April 13, 2016.

Exchange Option

The term "Exchange Option" shall mean any Option traded on the Exchange or subject to the Rules.

Exercise Notice

The term "Exercise Notice" shall mean a notice, in the form prescribed by the Clearing Organization, issued to the Clearing Organization by a Clearing Member that is, or that carries accounts for other Persons who are, holding long Positions in Options that are to be exercised.

Expiration Day

The term "Expiration Day" shall mean the day on which Options in any Option Month expire.

FCOJ

The term "FCOJ" shall mean frozen concentrated orange juice deliverable under the FCOJ Contracts of the Exchange.

Financial Contracts

The term "Financial Contracts" shall mean the U.S. Dollar Index[®], Currency Futures and Options Contracts and any other instruments designated by the Board as Financial Contracts and traded at the Exchange.

Financial Emergency

The term "Financial Emergency" shall have the meaning set forth in Rule 21.00(b).

Firm

The term "Firm" shall mean a corporation, partnership, limited liability company, sole proprietorship or other entity.

Futures Commission Merchant or FCM

The term "Futures Commission Merchant" or "FCM" shall have the same meaning as defined in the Act.

Futures Contract

The term "Futures Contract" shall mean any contract for the purchase or sale of a Commodity for future delivery that is traded on or subject to the rules of any exchange.

Futures Equivalent Contract

The term "Futures Equivalent Contract" shall mean an Option that has been converted to a Futures Contract equivalent in accordance with Rule 6.13(a).

Grantor

The term shall mean the Clearing Member that cleared such Option for the Customer who granted it.

Amended by the Board March 22, 2023; effective June 1, 2023.

ICE

The term "ICE" shall mean Intercontinental Exchange, Inc.

IFUS Member

The term "IFUS Member" shall mean an individual who has been granted one or more IFUS Memberships.

Adopted by the Board September 10, 2012; effective October 15, 2012.

Amended by the Board April 9, 2012; effective May 30, 2014.

IFUS Member Firm

The term "IFUS Member Firm" shall mean any partnership, corporation, limited liability company, sole proprietorship or other entity to which has been granted one or more IFUS Memberships.

Adopted by the Board September 10, 2012; effective October 15, 2012.

Amended by the Board April 9, 2014; effective May 31, 2014.

IFUS Membership

The term "IFUS Membership" shall mean a membership issued pursuant to Section 5.1 of the Bylaws and Rule 2.02.

Adopted by the Board September 10, 2012; effective October 15, 2012.

Amended by the Board April 9, 2014; effective May 31, 2014.

Amended by the Board September 30, 2015; effective January 1, 2016.

Implied Matching Engine

"Implied Matching Engine" means the system functionality which derives futures and options spread and outright prices, respectively, from outright and spread orders entered onto the ETS for the purpose of matching outright orders and legs of spread orders against each other.

Amended by the Board June 22, 2017; effective July 13, 2017.

In-the-Money Option

The term "In-the-Money Option" shall mean an Option that has a Strike Price that is lower (in the case of a Call Option) or higher (in the case of a Put Option) than the price of the Underlying Futures Contract for such Option.

Index Contracts

The term "Index Contracts" shall mean the MSCI Index Futures, ICE Mortgage Index Futures Contracts and any other Commodity Contracts based on an index, with the exception of U.S. Dollar Index futures and options contracts.

Amended by the Board September 30, 2015; effective October 29, 2015.

Amended by the Board May 27, 2022; effective June 14, 2022.

Last Trading Day

The term "Last Trading Day" shall mean, with respect to any futures or Option Month, the last day on which trading is permitted for such futures or Option Month in accordance with the Rules.

Licensed Store

The term "Licensed Store" shall mean that portion of a licensed warehouse which has been approved by the Exchange as suitable for the storage of an Exchange Commodity. Whenever the word "store" is used in the Rules, "Licensed Store" is intended, except when the context clearly indicates a contrary intent.

Amendment by the Board December 4, 2019; effective December 19, 2019.

Licensee

The term "Licensee" shall mean a Person licensed by the Exchange as a chemist, grader, master sampler, tank facility, warehouse or weighmaster.

Lot

The term "Lot" shall mean the par quantity of the Commodity deliverable under a particular Commodity Contract.

Margin

The term "Margin" shall include the following:

Maintenance Level

(i) The term "Maintenance Level" shall mean the minimum amount of Original Margin and Option Margins a Carrying Member is required to maintain in a Customer Account at all times, as provided in the Rules.

Maintenance Margin

(ii) The term "Maintenance Margin" shall mean the minimum amount of Original Margin and Option Margin a Carrying Member is required to maintain in a Customer Account at all times, as provided in the Rules.

Option Margin

(iii) The term "Option Margin" shall mean the amount of money, securities or other property required as security for the performance of Options carried in a Customer Account as provided in the Rules.

Original Margin

(iv) The term "Original Margin" shall mean the amount of money, securities or other property required as security for the performance of Futures Contracts carried in a Customer Account, as provided in the Rules.

Market Supervision

“Market Supervision” shall mean the Department of the Exchange responsible for overseeing electronic trading.

Amended by the Board June 22, 2017; effective July 13, 2017.

Member

The term “Member” shall mean and include an IFUS Member, IFUS Member Firm, and a Cross Margining Participant (to the extent that such Person engages in transactions in Commodity Contracts that are the subject of a Cross Margining Program implemented by the Clearing Organization).

Amended by the Board November 14, 2007; effective March 7, 2008.

Amended by the Board June 13, 2012; effective July 6, 2012.

Amended by the Board September 10, 2012; effective October 15, 2012.

Amended by the Board April 9, 2014; effective May 31, 2014.

Amended by the Board September 30, 2015; effective January 1, 2016.

Member Firm

The term “Member Firm” shall mean any partnership, corporation, limited liability company, sole proprietorship or other entity which is an IFUS Member Firm.

Amended by the Board September 10, 2012; effective October 15, 2012.

Amended by the Board September 30, 2015; effective January 1, 2016.

Net Liquid Assets

The term "Net Liquid Assets" shall mean current assets less current liabilities.

NFC

The term “NFC” shall mean not-from-concentrate orange juice deliverable under the NFC Contracts of the Exchange.

No Cancellation Range

“No Cancellation Range” shall mean the price range above and below the Anchor Price for each Exchange Commodity Contract within which a trade alleged as an error Trade may not be cancelled.

Amended by the Board June 22, 2017; effective July 13, 2017.

Oil Contract

The term “Oil Contract” shall refer to any Futures Contract and any Option involving crude oil, refined oil products, natural gas liquids, petrochemicals and any other products as specified in Chapter 19 of the Rules.

Effective February 19, 2018.

Omnibus Account

The term "Omnibus Account" shall mean an account in which one (1) or more Customer Accounts are carried.

Option

The term "Option" shall mean a contract or Transaction whereby one (1) party grants to another the right, but not the obligation, to buy, sell or enter into a Futures Contract.

Option Buyer

The term "Option Buyer" shall mean a Customer purchasing any Exchange Option.

Option Month

The term "Option Month" shall mean, with respect to any Option, the delivery month of the Underlying Futures Contract.

Option Seller

The term "Option Seller" shall mean a Customer granting (or writing) any Exchange Option.

Order Routing

“Order Routing” shall mean a connection to the ETS, other than Direct Access.

Amended by the Board June 22, 2017; effective July 13, 2017.

Out-of-the-Money Option

The term "Out-of-the-Money Option" shall mean an Option which has a Strike Price that is higher (in the case of a Call Option) or lower (in the case of a Put Option) than the price of the Underlying Futures Contract for such Option on any day.

Person

The term "Person" shall mean an individual or Firm.

Physical Emergency

The term “Physical Emergency” shall have the meaning set forth in Rule 6.02.

Position

The term "Position" with respect to any Person shall mean all the Commodity Contracts held by such Person.

Premium

The term "Premium" shall mean the amount agreed upon between the Purchaser and Grantor for the purchase or grant of an Exchange Option, which amount shall be the quoted Premium multiplied by the number of units of the Underlying Futures Contract for each Option.

President

The term "President" shall mean the President of the Exchange, or one duly authorized to act with the authority of the President.

Price/Time Matching Algorithm

“Price/Time Matching Algorithm” is generally used during an ETS trading session. When used, it matches orders on the basis of a price and time priority algorithm. The “best” price order always has the highest priority, for buy orders that means those orders that have the highest price and for sell orders that means those orders that have the lowest price. If more than one order is in the market at a specific price, the highest priority is given to the order that arrived at ETS first.

Amended by the Board June 22, 2017; effective July 13, 2017.

Principal

The term "Principal" shall mean with respect to any Firm, any Person who is an executive officer, general partner, director or other person, who, in each case, exercises a controlling influence over the Exchange-related business of such Firm, and any Person who owns ten percent (10%) or more of the outstanding shares of stock of, or has contributed ten percent (10%) or more of the capital to, such Firm.

Public Director

The term "Public Director" shall mean any person who qualifies as a "public" director within the meaning of the regulations and interpretations issued by the CFTC from time to time for determining qualifications of public directors.

Amended by the Board September 8, 2010; effective September 14, 2010.

Purchaser

The term "Purchaser" shall mean, with respect to any Option, the Clearing Member which cleared such Option for the Customer purchasing it.

Amended by the Board March 22, 2023; effective June 1, 2023.

Put Option

The term "Put Option" shall mean an Option whereby:

(i) the Purchaser has the right, but not the obligation, to enter into an Underlying Futures Contract to sell a Commodity for delivery in the Option Month at the Strike Price specified; and

(ii) the Grantor has the obligation, upon exercise, to enter into an Underlying Futures Contract to buy a Commodity for delivery in such Option Month at such Strike Price.

Reasonability Limits

"Reasonability Limits" shall mean the amount by which the price of an Exchange Commodity Contract may increase or decrease in one trading sequence from the last traded price of that delivery or expiration month or the amount the price may change from a price determined by an ETS algorithm. Market Orders will not be permitted to result in Trades at prices that are outside of the Reasonability Limits, and Limit Orders to sell at prices below the lower Reasonability Limit and Limit Orders to buy at prices above the upper Reasonability Limit at the time the order is entered will be rejected.

Amended by the Board June 22, 2017; effective July 13, 2017.

Required Shares

The term "Required Shares" shall mean the shares of ICE common stock that each IFUS Member Firm seeing to clear Commodity Contracts as a Clearing Member of ICE Clear U.S., shall own and pledge to the Exchange in accordance with Chapter 2 of the Rules.

Amended by the Board September 30, 2015; effective January 1, 2016.

Respondent

The term "Respondent" shall mean any Person who is charged with a Rule violation.

Responsible Individual

“Responsible Individual” shall mean an individual who is registered with the Exchange as the individual with authority to modify or withdraw any order submitted under any of the eBadge(s) with respect to which such individual is registered, and who is able to immediately identify the source of any order submitted under such eBadge.

Amended by the Board June 22, 2017; effective July 13, 2017.

Reverse Conversion

The term "Reverse Conversion" shall mean a Transaction comprised of three (3) Commodity Contracts, including a short Futures Contract, a short Put Option and a long Call Option. The delivery month must be the same for all three (3) Commodity Contracts and the Strike Price must be the same for the two (2) Option components.

Rule or Rules

The term "Rule" or "Rules" shall mean the Charter, Certificate of Incorporation, By-Laws, rules, resolutions, interpretations, statements of policy, decisions, directives and orders of the Exchange.

Secured Loan

The term "Secured Loan" shall mean a loan, advance or any other form of receivable which is secured within the meaning of CFTC Regulation 1.17(c)(3) by readily marketable collateral that is: (i) money or securities that may be deposited as Original Margin or Option Margin pursuant to Rule 5.04; (ii) negotiable warehouse receipts issued by a warehouse or depository licensed or otherwise approved by any contract market; or (iii) any security that has a loan value for general accounts carried by securities brokers or dealers under Regulation T issued by the Board of Governors of the Federal Reserve System.

Series

The term "Series" shall mean all Options in the same Class having the same Option Month and Strike Price.

Settlement Premium

The term "Settlement Premium" shall mean the daily Settlement Premium of an Exchange Option determined in accordance with the Rules.

Settlement Price

The term "Settlement Price" shall mean the daily price of a Commodity Contract as determined by the Exchange on any day for the purpose of meeting Margin requirements on such day.

Straddle

The term "Straddle" shall mean, (i) with respect to the Rules governing Margin, the purchase (or sale) of an Exchange Futures Contract in one delivery month for an account which is offset by (A) the sale (or purchase) of another Exchange Futures Contract in the same form involving the same Commodity in a different delivery month for such account, or (B) the sale (or purchase) of another Exchange Futures Contract in a different form involving the same Commodity in the same or a different delivery month for such account, and (ii) with respect to any other Rules, shall have the meanings, if any, set forth in the Rules.

Striking Price or Strike Price

The terms "Striking Price" or "Strike Price" shall mean the price at which the Underlying Futures Contract may be purchased or sold pursuant to any Option.

Sugar No. 11®

The term "Sugar No. 11" shall mean sugar deliverable under the Sugar No. 11 Futures Contract of the Exchange.

Sugar No. 16

The term "Sugar No. 16" shall mean Sugar No. 16 Futures Contract of the Exchange.

Adopted by the Board April 9, 2008; effective September 26, 2008.

Trade or Transaction

The terms "Trade" and "Transaction" shall mean any purchase or sale of any Commodity Contract made in accordance with the Rules.

Trade Committee

The term "Trade Committee" shall mean a committee that is organized in accordance with Section 7.1(b) of the Bylaws.

Trading Session

The term "Trading Session" shall mean the hours of trading for one trading day calculated from the open to the close.

Adopted by the Board June 23, 2011; effective October 15, 2012.

Uncrossing Algorithm

"Uncrossing Algorithm" is generally used during the Pre-Trading Session in accordance with Rules 4.22 and 4.23. It cycles through all orders submitted during the Pre-Trading Session identifying the best bid and best offer and produces matches where there is price crossing. All orders that are traded, whether fully or partially, as part of the Uncrossing Algorithm, trade at the same trade price.

Underlying Futures Contract

The term "Underlying Futures Contract" shall mean the Futures Contract which is the subject of an Option.