authority,[6] instituted proceedings under Section 19(b)(2)(B) of the Act [7] to determine whether to approve or disapprove the proposed rule change.[8]

On June 18, 2026, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. Amendment No. 1 was published for comment in the **Federal Register** on June 25, 2026.[9] The Commission received comments regarding the proposed rule change.[10]

On July 22, 2026, after consideration of the record in the proposed rule change, the Division, for the Commission pursuant to delegated authority,[11] approved the proposed rule change, as modified by Amendment No. 1 (''Approval Order'').[12]

Pursuant to Rule 430 of the Commission's Rules of Practice,[13] on July 29, 2026, the Small Public Company Coalition (''SPCC'') and Cemtrex, Inc. (''Cemtrex'') each filed a notice of intention to petition for review of the Approval Order,[14] and on August 5, 2026, SPCC and Cemtrex each filed a petition for review of the Approval Order.[15] Pursuant to Rule 431(e) of the Commission's Rules of Practice, notice of intention to petition for review results in an automatic stay of the action by delegated authority until the Commission orders otherwise.[16]

Pursuant to Rule 431 of the Commission's Rules of Practice,[17] the petitions of SPCC and Cemtrex for review of the Approval Order are granted. Further, the Commission hereby establishes that any party or other person may file a written statement in support of or in opposition to the Approval Order on or before October 6, 2026.

For the reasons stated above, it is hereby:

Ordered that the petitions of SPCC and Cemtrex for review of the Division's action made pursuant to delegated authority are *granted;* and

It is further *ordered* that any party or other person may file a statement in support of or in opposition to the action made pursuant to delegated authority on or before October 6, 2026.

It is further *ordered* that the Approval Order shall remain stayed pending further order of the Commission.

By the Commission.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18878 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

[6] *See* 17 CFR 200.30–3(a)(57).

[7] 15 U.S.C. 78s(b)(2)(B).

[8] *See* Securities Exchange Act Release No. 105333, 91 FR 23495 (May 1, 2026).

[9] *See* Securities Exchange Act Release No. 105747 (June 22, 2026), 91 FR 38460.

[10] Comments received on the proposed rule change are available at: *https://www.sec.gov/rules-regulations/public-comments/sr-nasdaq-2026-004.*

[11] *See* 17 CFR 200.30–3(a)(12).

[12] *See* Securities Exchange Act Release No. 105971, 91 FR 46995 (July 27, 2026).

[13] 17 CFR 201.430.

[14] *See* SPCC, Notice of Intention to Petition for Review (July 29, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/notice-intent-petition-spcc-072926.pdf;* Cemtrex, Notice of Intention to Petition for Review (July 29, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/notice-intent-petition-cemtrex-inc-072926.pdf. See also* bioAffinity Technologies, Inc., Notice of Intention to Petition for Review (July 30, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/bioaffinity-073126.pdf;* Netcapital Inc., Notice of Intention to Petition for Review (July 30, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/netcapital-inc-073126.pdf;* Twin Vee Powercats Co., Notice of Intention to Petition for Review (July 30, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/twin-vee-powercats-co-073126.pdf.* bioAffinity Technologies, Inc., Netcapital Inc., and Twin Vee Powercats Co. did not file a petition for review.

[15] *See* SPCC, Petition for Review (Aug. 5, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/34-105971-petition-small-public-company-coaltion.pdf;* Cemtrex, Petition for Review (Aug. 5, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/34-105971-petition-cemtrex.pdf.*

[16] 17 CFR 201.431(e).

[17] 17 CFR 201.431.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106329; File No. 4–546]

Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment to the Options Order Protection and Locked/Crossed Market Plan To Add Investors Exchange LLC as a Participant

September 10, 2026.

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 608 thereunder,[2] notice is hereby given that on September 1, 2026, Investors Exchange LLC (''IEX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') an amendment to the Options Order Protection and Locked/Crossed Market Plan (''Plan'').[3] The amendment adds IEX as a Participant [4] to the Plan. The Commission is publishing this notice to solicit comments on the amendment from interested persons.

I. Description and Purpose of the Amendment

The Plan requires the options exchanges to establish a framework for providing order protection and addressing locked and crossed markets in eligible options classes. The amendment to the Plan adds IEX as a Participant. The other Plan Participants are BOX, Cboe, Cboe BZX, Cboe C2, Cboe EDGX, MEMX, MIAX, Emerald, PEARL, Sapphire, Nasdaq, Nasdaq BX, Nasdaq GEMX, Nasdaq ISE, Nasdaq MRX, Nasdaq Phlx, NYSE American, and NYSE Arca. IEX has submitted an executed copy of the Plan to the Commission in accordance with the procedures set forth in the Plan regarding new Participants. Section 3(c) of the Plan provides for the entry of new Participants to the Plan. Specifically, Section 3(c) of the Plan provides that an Eligible Exchange [5] may become a

[1] 15 U.S.C. 78k–1(a)(3).

[2] 17 CFR 242.608.

[3] On July 30, 2009, the Commission approved the Plan, which was proposed by Chicago Board Options Exchange, Incorporated (''Cboe''), International Securities Exchange, LLC (''ISE'') (n/k/a Nasdaq ISE, LLC (''Nasdaq ISE'')), The NASDAQ Stock Market LLC (''Nasdaq''), NASDAQ OMX BX, Inc. (''BX'') (n/k/a Nasdaq BX, Inc. (''Nasdaq BX'')), NASDAQ OMX PHLX, Inc. (''Phlx'') (n/k/a Nasdaq Phlx LLC (''Nasdaq Phlx'')), NYSE Amex, LLC (''NYSE Amex''), and NYSE Arca, Inc. (''NYSE Arca''). *See* Securities Exchange Act Release No. 60405 (July 30, 2009), 74 FR 39362 (Aug. 6, 2009). *See also* Securities Exchange Act Release No. 61546 (Feb. 19, 2010), 75 FR 8762 (Feb. 25, 2010) (adding BATS Exchange, Inc. (''BATS'') (n/k/a Cboe BZX Exchange, Inc. (''Cboe BZX'')) as a Participant); 63119 (Oct. 15, 2010), 75 FR 65536 (Oct. 25, 2010) (adding C2 Options Exchange, Incorporated (''C2'') (n/k/a Cboe C2 Exchange, Inc. (''Cboe C2'')) as a Participant); 66969 (May 12, 2015), 77 FR 29396 (May 17, 2012) (adding BOX Options Exchange LLC (''BOX Options'') as a Participant); 70763 (Oct. 28, 2013), 78 FR 65740 (Nov. 1, 2013) (adding Topaz Exchange, LLC (''Topaz'') (n/k/a Nasdaq GEMX, LLC (''Nasdaq GEMX'') as a Participant); 70762 (Oct. 28, 2013), 78 FR 65733 (Nov. 1, 2013) (adding MIAX International Securities Exchange, LLC (''MIAX'') as a Participant); 76823 (Jan. 5, 2016), 81 FR 1260 (Jan. 11, 2016) (adding EDGX Exchange, Inc. (''EDGX'') (n/k/a Cboe EDGX Exchange, Inc. (''Cboe EDGX'')) as a Participant); 77324 (Mar. 8, 2016), 81 FR 13425 (Mar. 14, 2016) (adding ISE MERCURY, LLC (''ISE Mercury'') (n/k/a Nasdaq MRX, LLC (''Nasdaq MRX'')) as a Participant); 79896 (Jan. 30, 2017), 82 FR 9264 (Feb. 3, 2017) (adding MIAX Pearl (''PEARL'')) as a Participant); 85229 (Mar. 1, 2019), 84 FR 8347 (Mar. 7, 2019) (adding MIAX Emerald, LLC (''Emerald'') as a Participant); 98303 (Sept. 6, 2023) 88 FR 62610 (Sept. 12, 2023) (adding MEMX, LLC (''MEMX'') as a Participant); and 100657 (Aug. 5, 2024), 89 FR 65467 (Aug. 9, 2024) (adding MIAX Sapphire LLC (''Sapphire'')).

[4] The term ''Participant'' is defined as an Eligible Exchange whose participation in the Plan has become effective pursuant to Section 3(c) of the Plan.

[5] Section 2(6) of the Plan defines an ''Eligible Exchange'' as a national securities exchange registered with the Commission pursuant to Section 6(a) of the Act, 15 U.S.C. 78f(a), that: (a) is a ''Participant Exchange'' in the Options Clearing Corporation (''OCC'') (as defined in OCC By-laws, Section VII); (b) is a party to the Options Price Reporting Authority (''OPRA'') Plan (as defined in the OPRA Plan, Section 1); and (c) if the national securities exchange chooses not to become part to this Plan, is a participant in another plan approved

Participant in the Plan by: (i) executing a copy of the Plan, as then in effect; (ii) providing each current Participant with a copy of such executed Plan; and (iii) effecting an amendment to the Plan, as specified in Section 4(b) of the Plan.[6]

Section 4(b) of the Plan sets forth the process by which an Eligible Exchange may effect an amendment to the Plan. Specifically, an Eligible Exchange must: (a) execute a copy of the Plan with the only change being the addition of the new Participant's name in Section 3(a) of the Plan; and (b) submit the executed Plan to the Commission. The Plan then provides that such an amendment will be effective when the amendment is approved by the Commission or otherwise becomes effective pursuant to Section 11A of the Act and Rule 608 thereunder.

II. Effectiveness of the Proposed Linkage Plan Amendment

The foregoing Plan amendment has become effective pursuant to Rule 608(b)(3)(iii)[7] because it has been designated as involving solely technical or ministerial matters. At any time within sixty days of the filing of this amendment, the Commission may summarily abrogate the amendment and require that it be refiled pursuant to paragraph (a)(1) of Rule 608,[8] if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the amendment is consistent with the Act and the rules thereunder. Comments may be submitted by any of the following methods:

by the Commission providing for comparable Trade-Through and Locked and Crossed Market protection. IEX has represented that it has met the requirements for being considered an Eligible Exchange. *See* letter from Claudia Crowley, Chief Regulatory Officer, IEX, to Vanessa Countryman, Secretary, Commission, dated September 1, 2026.

[6] IEX has represented that it has executed a copy of the current Plan, amended to include IEX as a Participant and has sent each current Participant a copy of the executed Plan. *See* letter from Claudia Crowley, Chief Regulatory Officer, IEX, to Vanessa Countryman, Secretary, Commission, dated September 1, 2026.

[7] 17 CFR 242.608(b)(3)(iii).

[8] 17 CFR 242.608(a)(1).

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number 4–546 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number 4–546. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection.

All submissions should refer to file number 4–546 and should be submitted on or before October 6, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

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[9] 17 CFR 200.30–3(a)(85).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106322; File No. SR–CboeBZX–2026–070]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rules 11.1(a), 11.9(b), 11.23, and 11.24 To Add a New Time-in-Force Designation Known as "Regular 'til Post Market"

September 10, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 28, 2026, Cboe BZX Exchange, Inc. (the "Exchange" or "BZX") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. ("BZX" or the "Exchange") proposes to amend Exchange Rules 11.1(a), 11.9(b), 11.23, and 11.24 to add a new Time-in-Force ("TIF") designation known as "Regular 'til Post Market" ("RTP"). The Exchange has designated the proposed rule change as noncontroversial and provided the Commission with the notice required by Rule 19b–4(f)(6)(iii) under the Act.[3] The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Commission's website (*https://www.sec.gov/rules/sro.shtml*), the Exchange's website (*https://www.cboe.com/us/equities/regulation/rule_filings/bzx/*), and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 11.9(b) ("Time-in-Force") to add a new TIF designation known as "Regular 'til Post Market" or "RTP." As proposed, an RTP order would be a limit order designated for execution during both Regular Trading Hours[4]

[3] 17 CFR 240.19b–4(f)(6)(iii).

[4] *See* Exchange Rule 1.5(w). "Regular Trading Hours" means the time between 9:30 a.m. and 4:00 p.m. Eastern Time.