CME Group Data Licensing Policy Guidelines Unit of Count: Device

CME Group requires that all access to Information is appropriately licensed in accordance with the Information License Agreement ("ILA").

Version 2 – September, 2023

This document focuses specifically on Device as a Unit of Count and provides additional guidance and examples to help Licensees and Subscribers comply with CME Group's Information Policies.

Information can be accessed via a wide range of Services made available by CME Group directly or by licensed CME Group vendors/data distributors. Services provide Licensee and Subscriber internal Devices, applications, and application users with access to Information, which can be displayed in customizable formats.

Services offering access to Information packages, such as Real Time Information, must be able to control and uniquely identify all downstream Device access, using Internal Controls. CME Group categorizes the type of access to Information in two ways; a Managed Service, created and managed by a Data Provider, and a licensee service, managed directly by the Licensee or Subscriber. Here we look at Services that provide Information to customers on a per Device basis.

A Device[1] often takes the form of a display desktop terminal. Essentially, a Device is any display unit (fixed or portable) has the ability to access, receive, process or display the CME Licensed Information, whether in whole or in part, through the Service. Using unique Access IDs, Licensees and Subscribers are able to manage the availability of Information to their internal and external Devices, as applicable. An Access ID is an electronic means of entitling and identifying a Device's access to Information via a Service.

DEVICE UNIT OF COUNT = 1

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1   *CME Group reserves the right to determine what constitutes a Device.*

Unit of Count

'Unit of Count' refers specifically to the common denominator used to identify and measure applicable fees for access and non-display use of Information. CME Group's default Unit of Count for display desktop terminals is 'Device' and therefore it's essential to understand what we mean by Device, as it has market data entitlement, reporting, and license fee obligations.

What do we mean by Device as a Unit of Count?

Where the Unit of Count is measured on a per Device basis, the number of Devices with access to Information must be recorded per Information package - i.e. per license type, per Designated Contract Market (or third-party data), and reported as unique Device counts. Note that it is the entitlement to access Information which must be recorded and on which fees will be assessed. CME Group does not accept "usage-based" recording systems as a means for counting and reporting Devices.

In the ILA, CME Group defines a Device as "any display unit (fixed or portable) which has the ability to access, receive, process or display the Information, whether in whole or part, through the Service. CME reserves the sole right to determine what constitutes a Device."

Devices can be PCs, tablets, smartphones, even smartwatches, or other equipment capable of accessing Information. A user and a Device are not interchangeable when it comes to Unit of Count. One user may have several Devices for the purpose of accessing Information through one or more Services. In fact, if a user is entitled to access Information via multiple Devices simultaneously, it's the number of Devices per Information package with which the Access ID is entitled to access Information that must be reported. Netting of Device counts is not permitted across Services or unique users without CME Group's express written permission.
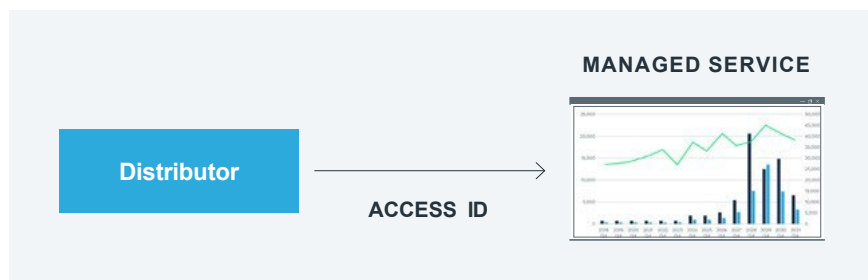
Important Policy Requirements

• The default Unit of Count is Device;

• Devices with access to Information via more than one Service must be reported for each Service and appropriate fees will be assessed;

• Entitlement systems that can permit simultaneous access to Information, via multiple Services and Devices associated with a single Access ID, must report the maximum concurrent methods of access on a monthly basis;

• CME Group does not accept 'actual use' or 'snapshot' reporting of Information access as a basis of Device entitlement for Unit of Count calculation;

• Device access to Information packages must be governed by unique Access ID and password combinations that are not shared (e.g. one user has one Access ID). Multiple Access IDs will be considered separate Devices and charged accordingly; and

• Simultaneous access to Information, via multiple Services or Devices using the same Access ID, must be prevented, or each simultaneous point of access must be identified and reported.
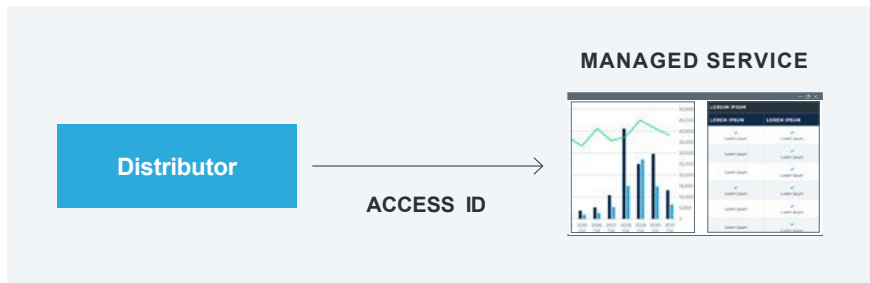
Examples where Device Unit of Count = One

An Access ID is permissioned to Information from a single source, either a Managed Service or licensee service.

a) Information is permissioned to a single Access ID:

b) Information is permissioned to a single Access ID by a licensee. Two (or more) applications provided by a single Managed Service:

MANAGED SERVICE

Distributor

ACCESS ID

c) Information is permissioned to a single Access ID by a licensee. The Information is displayed across two screens provided by a single Managed Service:

MANAGED SERVICE

Distributor

ACCESS ID

d) Information is permissioned to a single Access ID to two distinct Devices for example desktop and mobile display. The Unit of Count will be one, provided the Information cannot be accessed via the desktop and mobile Devices simultaneously:

MANAGED SERVICE

OR

Distributor

ACCESS ID

e) An Access ID is permissioned to Information from a single source, via a Managed Service. The Subscriber has utilized software from a third-party to visualize the Information. The Managed Service entitles and controls Information to the Access ID, including the use of Information by third-party software providers facilitating the Service.
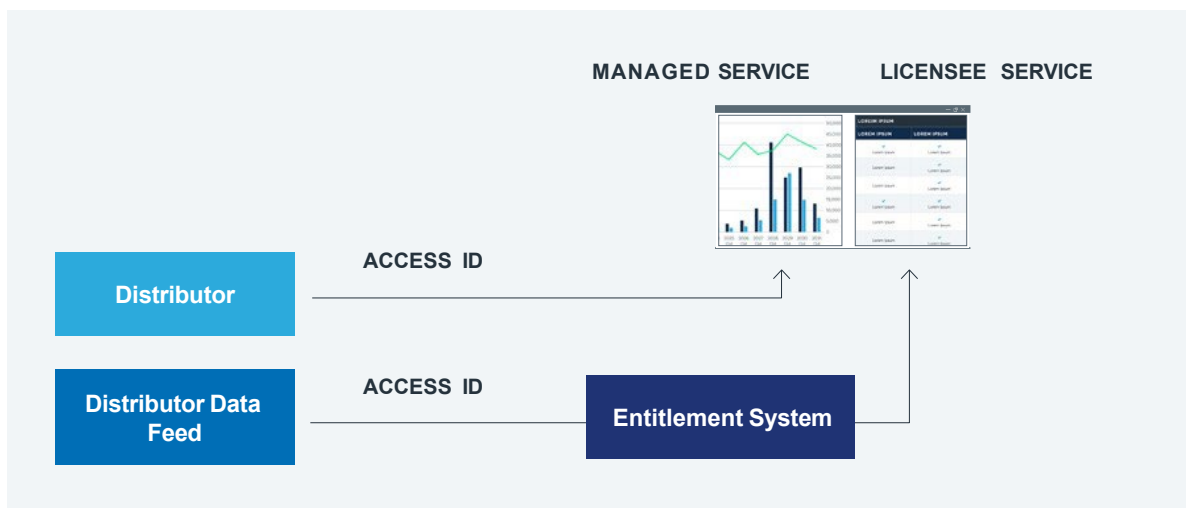

MANAGED SERVICE AND SOFTWARE

Distributor

ACCESS ID

Examples where Device Unit of Count = Two

An Access ID is permissioned to Information via two distinct Services, or an Access ID is permissioned to Information across two distinct Devices simultaneously.
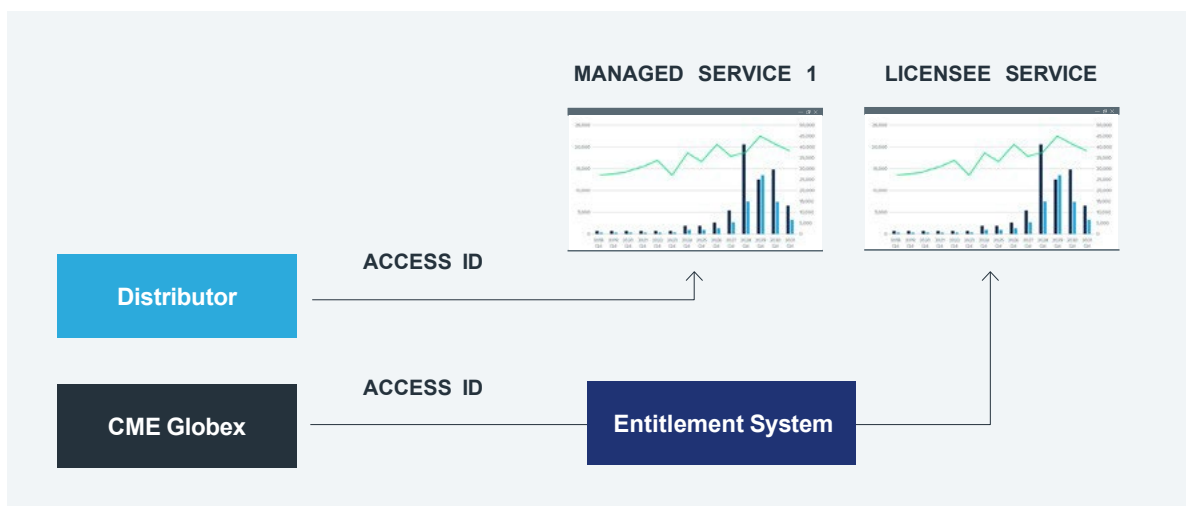
a) Information is permissioned to two distinct Managed Services, accessible via a single Access ID. The Information is displayed across two separate Managed Services, provided by the same Distributor across two screens:

b) Information is permissioned by a licensee to a Managed Service, accessible via an Access ID. The licensee takes a data feed from a third-party Distributor to power a licensee Service, which displays Information accessible via licensee-administrated Access IDs.

c) Information is permissioned by a Licensee's Managed Service, accessible via a unique Access ID. The Licensee also takes a direct data feed from the CME Globex platform to power a Licensee Service, which displays Information via Services via separate Access IDs.

d) Information is permissioned to a single Access ID for two distinct Devices (i.e. desktop and mobile display). The Unit of Count will be two if Information can be accessed via the desktop and mobile Devices simultaneously:

Should you have any queries or for require further guidance, please contact your account manager for further assistance.

Market data

Americas Market Data Team
marketdata@cmegroup.com
+1 312 634 8395

EMEA Market Data Team
marketdataEMEA@cmegroup.com
+44 (0) 203 379 3754

APAC Market Data Team
marketdataAPAC@cmegroup.com
+65 6593 5505

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cmegroup.com