

coinbase DERIVATIVES

May 15, 2024

VIA CFTC Electronic Portal

Mr. Christopher J. Kirkpatrick
Secretary of the Commission
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

**Re: CFTC Regulation 40.6(a) Certification: Non-Crypto Market
Maker Program**

Coinbase Derivatives, LLC Submission #2024-25

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission (“**CFTC**” or “**Commission**”) Regulation 40.6(a), Coinbase Derivatives, LLC (the “**Exchange**”) hereby submits for self-certification its Non-Crypto Maker Program (the “**Program**”). The terms and conditions of the Program are set forth in Appendix A, attached hereto, and will become effective on June 3, 2024.

Compliance with Core Principles

The Exchange has reviewed the designated contract market (“**DCM**”) core principles (“**Core Principles**”) set forth in the Commodity Exchange Act and the CFTC rules thereunder and has identified the following Core Principles that may be directly implicated by Program:

Core Principle 2 – Compliance with Rules and Core Principle 4 – Prevention of Market Disruption

All trading on the Exchange, including any trading and related activity by Participants under the Program, is subject to the Exchange Rulebook (the “**Rulebook**”) including Chapter 5, which prohibits fraud, non-competitive trading, market manipulation and abusive and disruptive trade practices. Capitalized terms not otherwise defined herein are defined in the Rulebook. Additionally, as with all trading on the Exchange, trading in the Program’s products will be subject to monitoring and surveillance by the Market Regulation Department, which has the authority to investigate and enforce Exchange rules, as described in Chapter 7.

Core Principle 9 – Execution of Transactions

The Program's products are listed for trading on the Exchange's trading system, which provides for efficient, competitive, and open execution of transactions pursuant to the Exchange Rulebook.

Core Principle 12 – Protection of Markets and Market Participants

Chapters 4 and 5 of the Rulebook require all Participants, including those participating in the Program, to observe high standards of integrity, market conduct, commercial honor, fair dealing, and just and equitable principles of trade and prohibits, among other things, fraud, non-competitive trading, market manipulation, and abusive and disruptive trade practices. As with all contracts traded on the Exchange, trading in the Program's products will be subject to monitoring and surveillance by the Market Regulation Department and compliance with the Program will be monitored and enforced by the Exchange.

Core Principle 18 – Recordkeeping

Records related to the Program will be maintained by the Exchange in compliance with its recordkeeping policies and the requirements of the Commodity Exchange Act and CFTC Rules.

Certification

The Exchange is not aware of any substantive opposing views to the Program. The Exchange certifies that the Program complies with the Commodity Exchange Act and the rules and regulations promulgated thereunder.

The Exchange certifies that this submission has been concurrently posted on the Exchange's website at: <https://www.coinbase.com/derivatives/filings>.

If you have any questions or require further information, please contact the undersigned at jane.downey@coinbase.com.

Sincerely,

/s/ Jane Downey
Chief Regulatory Officer

Attachment: Appendix A

APPENDIX A

Non-Crypto Market Maker Program

Program Purpose

The purpose of the Non-Crypto Market Maker Program (the “Program”) is to support the development of the Exchange’s products by increasing liquidity in the Exchange’s central limit order book and, therefore, benefit all Participants in the market.

Product Scope

nano Crude Oil Futures (NOL) and Gold Futures (GLD)

Eligible Participants

The Program is open to any Participant who completes and submits the application and agrees to make two-sided markets according to the Program’s quoting requirements. All Participants who submit the application are subject to review and approval by the Exchange’s onboarding team.

Participants that submit an application and begin quoting *before the fifteenth calendar day* of a given month to be deemed a “Participating Participant” in the Program effective that same month. If an application is submitted and quoting begins on the *fifteenth calendar day, or later*, the Participating Participant will be added to the Program effective the first business day for the following month.

At the end of the initial six month Program term, CDE may consider capping participation indefinitely, starting the first month of any subsequent six month renewal. Should this occur, the Exchange will allocate up to five spots based on the following criteria:

- 1) Must have “passed” quoting requirements in the majority of months in which a given Participating Participant participated, subject to “passing” in at least two months; and
- 2) Achieved top five rank of total-weighted cumulative volume (“Total Weighted Volume Score”) in months one through six relative to those Participating Participants who met criteria 1 above.

Total Weighted Volume Score:

Month	Volume Weight
1 (June)	20x

2 (July)	10x
3 (Aug)	5x
4 (Sep)	2x
5-6 (Oct-Nov)	1x

Program Term

The Program becomes effective on June 3, 2024 and ends on November 30, 2024.

Obligations

[REDACTED]

Monitoring and Termination of Status

The Exchange will monitor each Participating Participant's trading activity and performance and retains the right to revoke participant's status if it determines that a participant failed to meet the obligations of the Program.