

amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the ISE. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-ISE-2016-02 and should be submitted by February 16, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>11</sup>

**Brent J. Fields,**

*Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

### **OldWeb sites.com, Inc., RPHL Acquisition Corp. (a/k/a Rockport Healthcare Group, Inc.), The Brainy Brands Company, Inc., TheraBiogen, Inc., U.S. Helicopter Corporation, and Vicor Technologies, Inc.; Order of Suspension of Trading**

January 22, 2016.

It appears to the Securities and Exchange Commission ("Commission") that there is a lack of current and accurate information concerning the securities of OldWeb sites.com, Inc. ("OLDW") (CIK No. 1391570), an expired Utah corporation located in Salt Lake City, Utah with a class of securities registered with the Commission pursuant to Exchange Act Section 12(g) because it is delinquent in its periodic filings with the Commission, having not filed any periodic reports since it filed a Form 10-Q for the period ended September 30, 2011. On February 19,

2015, the Commission's Division of Corporation Finance ("Corporation Finance") sent a delinquency letter to OLDW requesting compliance with its periodic filing requirements but OLDW did not receive the delinquency letter due to its failure to maintain a valid address on file with the Commission as required by Commission rules (Rule 301 of Regulation S-T, 17 CFR 232.301 and Section 5.4 of EDGAR Filer Manual). As of January 13, 2016, the common shares of OLDW were quoted on OTC Link operated by OTC Markets Group Inc. (formerly "Pink Sheets") ("OTC Link"), had four market makers, and were eligible for the "piggyback" exception of Exchange Act Rule 15c2-11(f)(3).

It appears to the Commission that there is a lack of current and accurate information concerning the securities of RPHL Acquisition Corp. (a/k/a Rockport Healthcare Group, Inc.) ("RPHL") (CIK No. 919606), a void Delaware corporation located in Houston, Texas with a class of securities registered with the Commission pursuant to Exchange Act Section 12(g) because it is delinquent in its periodic filings with the Commission, having not filed any periodic reports since it filed a Form 10-KSB for the period ended March 31, 2008. On April 22, 2015, Corporation Finance sent a delinquency letter to RPHL requesting compliance with its periodic filing requirements but RPHL did not receive the delinquency letter due to its failure to maintain a valid address on file with the Commission as required by Commission rules (Rule 301 of Regulation S-T, 17 CFR 232.301 and Section 5.4 of EDGAR Filer Manual). As of January 13, 2016, the common stock of RPHL was quoted on OTC Link, had five market makers, and was eligible for the "piggyback" exception of Exchange Act Rule 15c2-11(f)(3).

It appears to the Commission that there is a lack of current and accurate information concerning the securities of The Brainy Brands Company, Inc. ("TBBC") (CIK No. 1478838), a forfeited Delaware corporation located in Suwanee, Georgia with a class of securities registered with the Commission pursuant to Exchange Act Section 12(g) because it is delinquent in its periodic filings with the Commission, having not filed any periodic reports since it filed a Form 10-Q for the period ended September 30, 2011. On February 19, 2015, Corporation Finance sent a delinquency letter to TBBC requesting compliance with its periodic filing requirements but TBBC did not receive the delinquency letter due to its failure to maintain a valid address on file with the Commission as required by Commission

rules (Rule 301 of Regulation S-T, 17 CFR 232.301 and Section 5.4 of EDGAR Filer Manual). As of January 13, 2016, the common stock of TBBC was quoted on OTC Link, had five market makers, and was eligible for the "piggyback" exception of Exchange Act Rule 15c2-11(f)(3).

It appears to the Commission that there is a lack of current and accurate information concerning the securities of TheraBiogen, Inc. ("TRAB") (CIK No. 1405286), a revoked Nevada corporation located in Manalapan, New Jersey with a class of securities registered with the Commission pursuant to Exchange Act Section 12(g) because it is delinquent in its periodic filings with the Commission, having not filed any periodic reports since it filed a Form 10-Q for the period ended May 31, 2012. On April 28, 2015, Corporation Finance sent a delinquency letter to TRAB requesting compliance with its periodic filing requirements but TRAB did not receive the delinquency letter due to its failure to maintain a valid address on file with the Commission as required by Commission rules (Rule 301 of Regulation S-T, 17 CFR 232.301 and Section 5.4 of EDGAR Filer Manual). As of January 13, 2016, the common stock of TRAB was quoted on OTC Link, had seven market makers, and was eligible for the "piggyback" exception of Exchange Act Rule 15c2-11(f)(3).

It appears to the Commission that there is a lack of current and accurate information concerning the securities of U.S. Helicopter Corporation ("USHP") (CIK No. 1309140), a void Delaware corporation located in New York, New York with a class of securities registered with the Commission pursuant to Exchange Act Section 12(g) because it is delinquent in its periodic filings with the Commission, having not filed any periodic reports since it filed a Form 10-Q for the period ended September 30, 2008. On February 19, 2015, Corporation Finance sent a delinquency letter to USHP requesting compliance with its periodic filing requirements but USHP did not receive the delinquency letter due to its failure to maintain a valid address on file with the Commission as required by Commission rules (Rule 301 of Regulation S-T, 17 CFR 232.301 and Section 5.4 of EDGAR Filer Manual). As of January 13, 2016, the common stock of USHP was quoted on OTC Link, had five market makers, and was eligible for the "piggyback" exception of Exchange Act Rule 15c2-11(f)(3).

It appears to the Commission that there is a lack of current and accurate information concerning the securities of Vicor Technologies, Inc. ("VCRTQ")

<sup>11</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> The short form of each issuer's name is also its stock symbol.

(CIK No. 1335104), a void Delaware corporation located in Boca Raton, Florida with a class of securities registered with the Commission pursuant to Exchange Act Section 12(g) because it is delinquent in its periodic filings with the Commission, having not filed any periodic reports since it filed a Form 10-Q for the period ended September 30, 2011. On February 19, 2015, Corporation Finance sent a delinquency letter to VCRTQ requesting compliance with its periodic filing requirements but VCRTQ did not receive the delinquency letter due to its failure to maintain a valid address on file with the Commission as required by Commission rules (Rule 301 of Regulation S-T, 17 CFR Section 232.301 and Section 5.4 of EDGAR Filer Manual). As of January 13, 2016, the common stock of VCRTQ was quoted on OTC Link, had seven market makers, and was eligible for the “piggyback” exception of Exchange Act Rule 15c2-11(f)(3).

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above-listed companies. Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the securities of the above-listed companies is suspended for the period from 9:30 a.m. EST on January 22, 2016, through 11:59 p.m. EST on February 4, 2016.

By the Commission.

**Jill M. Peterson,**

*Assistant Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-76935; File No. SR-NYSEMKT-2016-09]

### Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Modifying the NYSE Amex Options Fee Schedule

January 20, 2016.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on January 13, 2016, NYSE MKT LLC (the “Exchange” or “NYSE MKT”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The Exchange proposes to modify the NYSE Amex Options Fee Schedule (“Fee Schedule”). The Exchange proposes to implement the fee change effective January 13, 2016.<sup>3</sup> The proposed change is available on the Exchange's Web site at [www.nyse.com](http://www.nyse.com), at the principal office of the Exchange, and at the Commission's Public Reference Room.

#### 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 self-regulatory organization 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 those 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 parts of such statements.

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

###### 1. Purpose

The purpose of this filing is to amend Sections I. A., C. and E of the Fee Schedule to adjust fees and credits payable, effective on January 13, 2016.

Section I.A. of the Fee Schedule sets forth the rates for Standard Option transactions. The Exchange is proposing to increase rates per contract for Electronic transactions. Specifically, the Exchange proposes to increase rates for Electronic transactions in issues in the Penny Pilot program from \$0.44 to \$0.50 for Broker Dealers, Professional Customers and Non-NYSE Amex Options Market Makers; from \$0.34 to \$0.42 for Firms; and \$0.23 to \$0.25 for DOMMs, e-Specialists, NYSE Amex Options Market Makers and Specialists. These rates are competitive with rates

being charged on other exchanges for Electronic executions in Penny Pilot issues.<sup>4</sup>

The Exchange also proposes to increase rates per contract for Electronic transactions in issues that are not part of the Penny Pilot program from \$0.58 to \$0.75 for Broker Dealers, Firms, Professional Customers and Non-NYSE Amex Options Market Makers; and \$0.23 to \$0.25 for DOMMs, e-Specialists, NYSE Amex Options Market Makers and Specialists. These rates are competitive with rates being charged on other exchanges for Electronic executions in non-Penny Pilot issues.<sup>5</sup>

Section I.C. of the Fee Schedule currently provides a discount to NYSE Amex Options Market Maker transaction fees based on a sliding volume scale (the “Sliding Scale” [sic]).<sup>6</sup> Specifically, an NYSE Amex Options Market Maker that has monthly volume on the Exchange of 0.10% or less of total

<sup>4</sup> For example, Miami Securities International Exchange, LLC (“MIAX”) charges \$0.45 to firms and \$0.47 to non-MIAX market makers, broker dealers and public customers other than priority customers for execution in Penny Pilot issues (see MIAX fee schedule, available here, <https://www.miaxoptions.com/content/fees>); and NASDAQ OMX PHLX LLC (“PHLX”) charges \$0.48 to professional customers, broker dealers and firms for execution in Penny Pilot issues (see PHLX fee schedule, available here, [http://www.nasdaqtrader.com/Micro.aspx?id=PHLX\\_Pricing](http://www.nasdaqtrader.com/Micro.aspx?id=PHLX_Pricing)). In addition, NYSE Arca, Inc. (“NYSE Arca”), NASDAQ Options Market LLC (“NOM”) and BATS BZX Exchange (“BATS”) all charge a \$0.50 take fee for removing liquidity in Penny Pilot issues. See NYSE Arca fee schedule, available here, [https://www.nyse.com/publicdocs/nyse/markets/arca-options/NYSE\\_Arca\\_Options\\_Fee\\_Schedule.pdf](https://www.nyse.com/publicdocs/nyse/markets/arca-options/NYSE_Arca_Options_Fee_Schedule.pdf); NOM fee schedule, available here, <http://www.nasdaqtrader.com/Micro.aspx?id=OptionsPricing>; and BATS fee schedule, available here, [http://www.batsoptions.com/support/fee\\_schedule/](http://www.batsoptions.com/support/fee_schedule/).

<sup>5</sup> For example, MIAX charges \$0.29 to MIAX market makers and \$0.75 to non-MIAX market makers, firms, broker dealers and public customers other than priority customers for executions in non-Penny Pilot issues (see *id.*, MIAX fee schedule); PHLX charges \$0.25 to specialists and market makers and \$0.75 to professional customers, broker dealers and firms per execution in Non-Penny Pilot issues (see *id.*, PHLX fee schedule); and CBOE charges \$0.75 to broker dealers, non-CBOE market makers and professionals per execution in non-Penny Pilot issues (see The Chicago Board Options Exchange, Inc. (“CBOE”) fee schedule, <http://www.cboe.com/publish/feeschedule/CBOEFeeSchedule.pdf>). In addition, the BOX Options Exchange, LLC (“BOX”) assesses fees greater than \$1.00 to non-Customers for executions against Public Customer interest in non-Penny Pilot issues and NYSE Arca charges a \$0.99 take fee to lead market makers, market makers, firms and broker dealers for executions in non-Penny Pilot issues. See NYSE Arca fee schedule, available here, [https://www.nyse.com/publicdocs/nyse/markets/arca-options/NYSE\\_Arca\\_Options\\_Fee\\_Schedule.pdf](https://www.nyse.com/publicdocs/nyse/markets/arca-options/NYSE_Arca_Options_Fee_Schedule.pdf); and BOX fee schedule, available here, [http://boxexchange.com/assets/BOX\\_Fee\\_Schedule.pdf](http://boxexchange.com/assets/BOX_Fee_Schedule.pdf).

<sup>6</sup> See Fee Schedule, Section I.C. (NYSE Amex Options Market Maker Sliding Scale—Electronic), available here, [https://www.nyse.com/publicdocs/nyse/markets/amex-options/NYSE\\_Amex\\_Options\\_Fee\\_Schedule.pdf](https://www.nyse.com/publicdocs/nyse/markets/amex-options/NYSE_Amex_Options_Fee_Schedule.pdf).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> The Exchange originally filed this proposed rule change on January 04, 2016 under File No. SR-NYSEMKT-2016-01. The Exchange subsequently withdrew that filing on January 13, 2016 and filed this proposed rule change.