

Corporate & Securities Law BLOG

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SMRH ALERT: NASDAQ Moves Toward Mandatory Electronic Filing

In July 2010, NASDAQ OMX began permitting companies applying for listing in US markets to submit Listing Applications via its online Listing Center, moving toward its stated goal of migrating all paper-based forms to its electronic platform. Currently the Listing Center supports the electronic submission of Listing Applications and Listing of Additional Shares Notifications. The Listing Center also allows the upload of any supporting documentation, including completed Listing Agreements and Corporate Governance Certification Forms. On January 24, 2011, NASDAQ announced that the Listing Center now supports the electronic submission of Rule Interpretation Requests, as well.

NASDAQ has announced the following tentative timeline for phasing out paper forms entirely:

- Rule Interpretation Requests March 31, 2011;
- Listing of Additional Shares Notification Forms March 31, 2011; and
- Initial Listing Applications (including IPO applications) June 30, 2011.

Currently, all Transfer Applications (Phase-Up, Phase-Down applications) must be submitted electronically. Similarly, NASDAQ will not accept paper submissions of the above mentioned forms after the respective applicable dates.

NASDAQ has indicated that the use of electronic submission facilitates a more efficient review by NASDAQ listing analysts, making it NASDAQs preferred process for submitting applications and notifications.

What if you have questions?

For any questions or more information on these or any related matters, please contact any attorney in the firm's <u>corporate</u> practice group.

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