

## Attachment A

Below is the text of the proposed rule change. Proposed new language is underlined; proposed deletions are in brackets.

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### Text of Proposed Changes to FINRA Rule 2210

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#### 2200. COMMUNICATIONS AND DISCLOSURES

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#### 2210. Communications with the Public

(a) through (c) No Change.

##### (d) Content Standards

(1) through (7) No Change.

##### (8) BrokerCheck

(A) A member must include a readily apparent reference and hyperlink to BrokerCheck on each website of the member that is available to retail investors.

(B) Subject to the conditions described below, a member must include a readily apparent reference and hyperlink to BrokerCheck in any online retail communication that includes a professional profile of, or contact information for, an associated person.

(i) If the retail communication appears on the member's website or any site that it hosts, the hyperlink to BrokerCheck must appear in close proximity to the profile or contact information.

(ii) If the retail communication appears on a third-party website that permits a hyperlink to another website, the member must either:

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a. post a hyperlink to BrokerCheck in close proximity to the profile or contact information; or

b. post a hyperlink to the member's website, which includes a readily apparent reference and hyperlink to BrokerCheck required by subparagraph (A), in close proximity to the profile or contact information, and include in the third-party website communication disclosure that informs the reader that a hyperlink to BrokerCheck is available through the linked website.

(iii) If the retail communication appears on a third-party website that does not permit a hyperlink to another website, the member must provide the BrokerCheck web address (uniform resource locator (URL)) in close proximity to the profile or contact information and, to the extent feasible, disclose in close proximity to the profile or contact information that information concerning the associated person is available through BrokerCheck.

(C) The requirements of subparagraphs (A) and (B) shall not apply to:

(i) electronic mail or text messages;

(ii) a retail communication that is posted on an online interactive electronic forum;

(iii) a member that does not provide products or services to retail investors; or

(iv) a directory or list of associated persons limited to names and contact information.

**([8]9) Prospectuses Filed with the SEC**

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Prospectuses, preliminary prospectuses, fund profiles and similar documents that have been filed with the SEC are not subject to the standards of this paragraph (d); provided, however, that the standards of this paragraph (d) shall apply to an investment company prospectus published pursuant to Securities Act Rule 482 and a free writing prospectus that has been filed with the SEC pursuant to Securities Act Rule 433(d)(1)(ii).  
(e) through (g) No Change.