August 22, 2025

SUBMITTED VIA CFTC PORTAL
Secretary of the Commission
Office of the Secretariat
U.S. Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

Re: KalshiEX LLC – CFTC Regulation 40.2(a) Notification Regarding the Initial Listing of the "Will <brand> run an ad during the Super Bowl?" Contract

Dear Sir or Madam,

Pursuant to Section 5c(c) of the Commodity Exchange Act and Section 40.2(a) of the regulations of the Commodity Futures Trading Commission, KalshiEX LLC (Kalshi), a registered DCM, hereby notifies the Commission that it is self-certifying the "Will <brand> run an ad during the Super Bowl?" contract (Contract). The Contract will initially be listed after close-of-business on **August 22, 2025**; it is listed as the day after because of limitations of the Commission's online submission portal. The Exchange intends to list the contract on a custom basis. The Contract's terms and conditions (Appendix A) includes the following strike conditions:

- **<date>**
- **<brand>**
- **<year>**

Along with this letter, Kalshi submits the following documents:

- A concise explanation and analysis of the Contract;
- Certification;
- Appendix A with the Contract's Terms and Conditions;
- Confidential Appendices with further information; and
- A request for FOIA confidential treatment.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Xavier Sottile
Head of Markets
KalshiEX LLC
xsottile@kalshi.com

KalshiEX LLC
Official Product Name: "Will <brand> run an ad during the Super Bowl?"
Rulebook: SUPERBOWLAD
Summary: Whether <brand> runs a Super Bowl advertisement
Kalshi Contract Category: Entertainment/Popular Culture
Kalshi Internal Category: Companies
August 22, 2025

CONCISE EXPLANATION AND ANALYSIS OF THE PRODUCT AND ITS COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ACT, INCLUDING CORE PRINCIPLES AND THE COMMISSION'S REGULATIONS THEREUNDER

Pursuant to Commission Rule 40.2(a)(3)(v), the following is a concise explanation and analysis of the product and its compliance with the Act, including the relevant Core Principles (discussed in Appendix D), and the Commission's regulations thereunder.

I. Introduction

The "Will <brand> run an ad during the Super Bowl?" Contract is a contract relating to Companies.

Further information about the Contract, including an analysis of its risk mitigation and price basing utility, as well as additional considerations related to the Contract, is included in Confidential Appendices B, C, and D.

Pursuant to Section 5c(c) of the Act and CFTC Regulations 40.2(a), the Exchange hereby certifies that the listing of the Contract complies with the Act and Commission regulations under the Act.

<u>General Contract Terms and Conditions:</u> The Contract operates similar to other event contracts that the Exchange lists for trading. The minimum price fluctuation is $0.01 (one cent). Price bands will apply so that Contracts may only be listed at values of at least $0.01 and at most $0.99. Further, the Contract is sized with a one-dollar notional value and has a minimum price fluctuation of $0.01 to enable Members to match the size of the contracts purchased to their economic risks. As outlined in Rule 5.16 of the Rulebook, trading shall be available at all times outside of any maintenance windows, which will be announced in advance by the Exchange. Members will be charged fees in accordance with Rule 3.13 of the Rulebook. Fees, if they are charged, are charged in such amounts as may be revised from time to time to be reflected on the Exchange's Website. A new Source Agency can be added via a Part 40 amendment. All instructions on how to access the Underlying are non-binding and are provided for convenience only and are not part of the binding Terms and Conditions of the Contract. They may be clarified at any time. Furthermore, the Contract's payout structure is characterized by the payment of an absolute amount to the holder of one side of the option and no payment to the counterparty. During the time that trading on the Contract is open, Members are able to adjust their positions and trade freely. The Expiration Value and Market Outcome are determined at or after Market Close. The market is then settled by the Exchange, and the long position holders and short position holders are paid according to the Market Outcome. In this case, "long position holders" refers to Members who purchased the "Yes" side of the Contract and "short position holders" refers to Members who purchased the "No" side of the Contract. If the Market Outcome is "Yes," meaning that an event occurs that is encompassed within the Payout Criterion, then the long position holders are paid an absolute amount proportional to the size of their position and the short position holders receive no payment. If the Market Outcome is "No," then the short position holders are paid an absolute amount proportional to the size of their position and the long position holders receive no payment. Specification of the circumstances that would trigger a Market Outcome of "Yes" are included below in the section titled "Payout Criterion" in Appendix A.

CERTIFICATIONS PURSUANT TO SECTION 5c OF THE COMMODITY EXCHANGE ACT, 7 U.S.C. § 7A-2 AND COMMODITY FUTURES TRADING COMMISSION RULE 40.2, 17 C.F.R. § 40.2

Based on the above analysis, the Exchange certifies that:

- ❏ The Contract complies with the Act and Commission regulations thereunder.
- ❏ This submission (other than those appendices for which confidential treatment has been requested) has been concurrently posted on the Exchange's website at https://kalshi.com/regulatory/filings.

Should you have any questions concerning the above, please contact the exchange at ProductFilings@kalshi.com.

By: Xavier Sottile
Title: Head of Markets
Date: August 22, 2025

Attachments:

Appendix A - Contract Terms and Conditions
Appendix B (Confidential) - Further Considerations
Appendix C (Confidential) - Source Agency
Appendix D (Confidential) - Compliance with Core Principles

APPENDIX A – CONTRACT TERMS AND CONDITIONS

Official Product Name: “Will <brand> run an ad during the Super Bowl?”
Rulebook: SUPERBOWLAD

SUPERBOWLAD

Scope: These rules shall apply to this contract.

Underlying: The Underlying for this Contract is whether <brand> purchases and airs an advertisement during the <year> Super Bowl broadcast after Issuance and before <date>. Revisions to the Underlying made after Expiration will not be accounted for in determining the Expiration Value.

Source Agency: The Source Agencies are, in hierarchical order, the National Football League (NFL), CBS Sports, NBC Sports, FOX Sports, ABC Sports (as applicable to the broadcasting network), ESPN, The New York Times, the Associated Press, Bloomberg News, Reuters, The Wall Street Journal, Variety, The Hollywood Reporter, Ad Age, Marketing Land, Sports Business Journal, USA Today, CNN, and STAT News.

Type: The type of Contract is an Event Contract.

Issuance: After the initial Contract, Contract iterations will be listed on an as-needed basis at the discretion of the Exchange and corresponding to the risk management needs of Members.

<brand>: <brand> refers to the specific company, product, or service brand specified by the Exchange. This includes advertisements clearly identifying the brand through visual logos, audio mentions, or textual display. For companies with multiple brand portfolios, only the specific brand name identified by the Exchange qualifies. Parent company advertisements that do not specifically feature or mention <brand> do not qualify. <brand> may also refer to a brand by characteristics (e.g. “any AI company”).

<year>: <year> refers to the calendar year of the Super Bowl game specified by the Exchange (e.g., "2025" refers to Super Bowl LIX played in February 2025).

Payout Criterion: The Payout Criterion for the Contract encompasses the Expiration Values that <brand> has aired a qualifying advertisement during the official national <year> United States Super Bowl broadcast after Issuance and before the conclusion of the broadcast.

A qualifying advertisement is defined as:

- Any commercial featuring <brand>
- Any sponsorship segment clearly identifying <brand> (e.g., "This halftime show brought to you by <brand>")
- Any branded content integration within the broadcast that prominently displays <brand>

The following do NOT constitute qualifying advertisements:

- Stadium signage or field graphics visible during gameplay without dedicated airtime
- Advertisements aired during pre-game coverage before the official broadcast begins
- Advertisements aired after the official post-game coverage concludes
- Streaming-only advertisements not included in the television broadcast
- Regional advertisements not aired during the national broadcast
- Advertisements featuring only parent company branding without specific <brand> identification

The advertisement must occur after kick-off and before regulation time, or overtime if any, has ended.

Examples that would resolve the market to Yes:

- <brand> airs a 30-second commercial during the second quarter
- <brand> sponsors the halftime show with a 15-second acknowledgment
- <brand> appears in a co-branded advertisement with equal billing to another company

Examples that would NOT resolve the market to Yes:

- <brand> logo appears on stadium signage for 5 seconds during gameplay without dedicated commercial time
- Parent company runs advertisement without featuring <brand> specifically
- <brand> advertisement airs during streaming coverage not included in television broadcast
- <brand> sponsors content that airs after official game ends
- <brand> runs a 60-second advertisement during pre-game coverage within the official broadcast

Minimum Tick: The Minimum Tick size for the Contract shall be $0.01.

Position Accountability Level: The Position Accountability Level for the Contract shall be $25,000 per strike, per Member.

Last Trading Date: The Last Trading Date of the Contract will be the day after the Super Bowl The Last Trading Time will be 11:59 PM ET.

Settlement Date: The Settlement Date of the Contract shall be no later than the day after the Expiration Date, unless the Market Outcome is under review pursuant to Rule 7.1.

Expiration Date: The latest Expiration Date of the Contract shall be one week after <date>. If an event described in the Payout Criterion occurs, expiration will be moved to an earlier date and time in accordance with Rule 7.2.

Expiration Time: The Expiration time of the Contract shall be 10:00 AM ET.

Settlement Value: The Settlement Value for this Contract is $1.00.

Expiration Value: The Expiration Value is the value of the Underlying as documented by the Source Agency on the Expiration Date at the Expiration time.

Contingencies: Before Settlement, Kalshi may, at its sole discretion, initiate the Market Outcome Review Process pursuant to Rule 7.1 of the Rulebook. If an Expiration Value cannot be determined on the Expiration Date, Kalshi has the right to determine payouts pursuant to Rule 7.1 in the Rulebook.