
UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington D.C., 20549

Form 8-K

Current Report

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date Of Report (Date Of Earliest Event Reported): 10/03/2005

NYMEX Holdings, Inc.

(Exact Name of Registrant as Specified in its Charter)

Commission File Number: 333-30332

DE

(State or Other Jurisdiction of
Incorporation or Organization)

13-4098266

(I.R.S. Employer
Identification No.)

One North End Avenue, World Financial Center, New York , NY 10282-1101

(Address of Principal Executive Offices, Including Zip Code)

(212) 299-2000

(Registrant's Telephone Number, Including Area Code)

(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
 - Soliciting material pursuant to Rule 14a-12 under the Exchange Act(17CFR240.14a-12)
 - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act(17CFR240.14d-2(b))
 - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act(17CFR240.13e-4(c))
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Item 8.01. Other Events

On October 3, 2005, NYMEX Holdings, Inc. issued a press release stating that it expects to appeal the decision in its litigation with IntercontinentalExchange.

The press release is filed as Exhibit 99.1 to this Current Report on Form 8-K.

Signature(s)

Pursuant to the Requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this Report to be signed on its behalf by the Undersigned hereunto duly authorized.

NYMEX Holdings, Inc.

Date: October 03, 2005.

By: /s/ James E. Newsome

James E. Newsome
President

Exhibit Index

<u>Exhibit No.</u>	<u>Description</u>
EX-99.1	Press Release

NYMEX TO APPEAL DECISION IN ICE LITIGATION

NEW YORK, N.Y., October 3, 2005 -- The New York Mercantile Exchange, Inc. (NYMEX), was informed on Friday afternoon that Judge John G. Koeltl dismissed NYMEX's claims for copyright and trademark infringement against IntercontinentalExchange (ICE), arising out of ICE's copying of NYMEX's settlement prices for Henry Hub natural gas and light, sweet crude oil and related uses of NYMEX trademarks.

Last year, the judge dismissed ICE's antitrust counterclaims, expressly stating that "NYMEX has a legitimate business interest in preventing its competitor, ICE, from free-riding on NYMEX's settlement prices." The judge's recent opinion did not reach NYMEX's claims against ICE for dilution of NYMEX trademarks under a state statute and wrongful interference with the market data agreement between NYMEX and a vendor.

Noting that they involved factual issues, the court dismissed those claims without prejudice to NYMEX's re-introducing those claims in state court.

NYMEX President James E. Newsome said, "We are currently reviewing our options. We believe that the court's recent opinion and order is incorrect, and expect to appeal the decision."

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Forward Looking and Cautionary Statements

This press release may contain forward-looking statements within the meaning of the Private Securities Litigation Reform Act, with respect to our future performance, operating results, strategy, and other future events. Such statements generally include words such as could, can, anticipate, believe, expect, seek, pursue, and similar words and terms, in connection with any discussion of future results. Forward-looking statements involve a number of assumptions, risks, and uncertainties, any of which may cause actual results to differ materially from the anticipated, estimated, or projected results referenced in forward-looking statements. In particular, the forward-looking statements of NYMEX Holdings, Inc., and its subsidiaries are subject to the following risks and uncertainties: the success and timing of new futures contracts and products; changes in political, economic, or industry conditions; the unfavorable resolution of material legal proceedings; the impact and timing of technological changes and the adequacy of intellectual property protection; the impact of legislative and regulatory actions, including without limitation, actions by the Commodity Futures Trading Commission; and terrorist activities and international hostilities, which may affect the general economy as well as oil and other commodity markets. We assume no obligation to update or supplement our forward-looking statements.