

Bank of New York Mellon CORP  
Form 8-K  
October 23, 2009

# 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) October 21, 2009

## THE BANK OF NEW YORK MELLON CORPORATION

(Exact name of registrant as specified in charter)

**Delaware**  
(State or other jurisdiction  
of incorporation)

**000-52710**  
(Commission  
File Number)

**13-2614959**  
(I.R.S. Employer  
Identification No.)

**One Wall Street**

**New York, New York**  
(Address of principal executive offices)

**10286**  
(Zip code)

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Registrant's telephone number, including area code (212) 495-1784

N/A

(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 (17 CFR 240.14a-12)
- .. Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- .. Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

ITEM 8.01. OTHER EVENTS.

By press release dated October 22, 2009, the Federal Customs Service of the Russian Federation ( FCS ) and The Bank of New York Mellon (the Bank ), a subsidiary of The Bank of New York Mellon Corporation (the Registrant ) announced the settlement of the litigation filed by the FCS against the Bank in the Moscow City Arbitration Court. A copy of this press release is furnished as Exhibit 99.1.

A copy of the Settlement and Release Agreement (English version) entered into by the Bank and the FCS is filed as Exhibit 99.2.

ITEM 9.01. FINANCIAL STATEMENTS AND EXHIBITS.

(d) EXHIBITS.

| Exhibit Number | Description  |
|----------------|--|
| 99.1           | Press Release dated October 22, 2009, announcing the matter referenced in Item 8.01 above.   |
| 99.2           | Settlement and Release Agreement dated October 21, 2009, by and between The Federal Customs Service of the Russian Federation and The Bank of New York Mellon (English version). |

**SIGNATURES**

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 thereunto duly authorized.

**The Bank of New York Mellon Corporation**  
(Registrant)

By: /s/ ARLIE R. NOGAY  
Name: Arlie R. Nogay

Title: Corporate Secretary

Date: October 23, 2009

EXHIBIT INDEX

| Number | Description   | Method of Filing   |
|--------|---|--------------------|
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| 99.2   | Settlement and Release Agreement dated October 21, 2009 by and between The Federal Customs Service of the Russian Federation and The Bank of New York Mellon (English version). | Filed herewith     |