

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): June 8, 2023

**Biora Therapeutics, Inc.**

(Exact name of Registrant as Specified in Its Charter)

Delaware  
(State or Other Jurisdiction  
of Incorporation)

001-39334  
(Commission  
File Number)

27-3950390  
(IRS Employer  
Identification No.)

4330 La Jolla Village Drive, Suite 300  
San Diego, California  
(Address of Principal Executive Offices)

92122  
(Zip Code)

Registrant's Telephone Number, Including Area Code: (833) 727-2841

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))

Securities registered pursuant to Section 12(b) of the Act:

| Title of each class                       | Trading Symbol(s) | Name of each exchange on which registered |
|---|-------------------|---|
| Common Stock, par value \$0.001 per share | BIOR              | The Nasdaq Global Market                  |

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

---

**Item 3.01. Notice of Delisting or Failure to Satisfy a Continued Listing Rule or Standard; Transfer of Listing.**

On June 8, 2023, Biora Therapeutics, Inc. (the “*Company*”) received a letter (the “*Compliance Letter*”) from the Listing Qualifications Staff of The Nasdaq Stock Market LLC (“*Nasdaq*”) notifying the Company that the Company’s previously announced noncompliance with the \$50 million in total assets and \$50 million in total revenue requirement for continued listing on The Nasdaq Global Market has been cured. Accordingly, the Compliance Letter provided that the matter has been closed with Nasdaq. The Company’s common stock will continue to be listed and traded on The Nasdaq Global Market.

---

**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.

Biora Therapeutics, Inc.

Date: June 8, 2023

By: /s/ Eric d'Esparbes

Eric d'Esparbes

Chief Financial Officer