

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, DC 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): February 1, 2023

Unicycive Therapeutics, Inc.  
(Exact name of registrant as specified in its charter)

Delaware  
(State or other jurisdiction of  
incorporation or organization)

001-40582  
(Commission File Number)

81-3638692  
IRS Employer  
Identification No.)

4300 El Camino Real, Suite 210  
Los Alto, CA 94022  
(Address of principal executive offices)

Registrant's telephone number, including area code: (650) 351-4495

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

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	UNCY	Nasdaq Capital Market

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 communication 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))

Indicate by check mark whether the registrant is an emerging growth company as defined in 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.**

As previously disclosed, on August 8, 2022, Unicycive Therapeutics, Inc. (the "Company") received a written notice (the "Notice") from the Nasdaq Stock Market LLC ("Nasdaq") notifying the Company that it was not in compliance with Nasdaq Listing Rule 5550(a)(2) (the "Rule"), as the minimum bid price of the Company's common stock has been below \$1.00 per share for 30 consecutive business days.

In accordance with NASDAQ Listing Rule 5810(c)(3)(A), the Company had a period of 180 calendar days, or until January 30, 2023, to regain compliance with the minimum bid price requirement. On February 1, 2023, Nasdaq notified the Company that it had not regained compliance with the Rule and was not eligible for a second 180 day period since the Company did not comply with the minimum \$5,000,000 stockholders' equity initial listing requirement for The Nasdaq Capital Market. In that regard, the Company's stockholders' equity as of September 30, 2022 was reported to be approximately \$4,626,000, in the Company's Form 10-Q filed on November 14, 2022.

Further, the Staff informed the Company that its common stock would be subject to delisting from The Nasdaq Capital Market unless the Company timely requests a hearing before the Nasdaq Hearings Panel (the "Panel"). The Company has requested a hearing before the Panel, which request will stay any delisting action by Nasdaq at least pending the issuance of the Panel's decision following the hearing and the expiration of any extension period that may be granted by the Panel. Nasdaq has informed the Company that the hearing will be held on March 23, 2023. At the hearing, the Company will present its plan to evidence compliance with the minimum bid price requirement and request an extension of time within which to do so.

The Panel has the discretion to grant the Company an extension through no later than August 8, 2023. The Company's common stock will continue to trade on The Nasdaq Capital Market under the symbol "UNCY" at least pending the ultimate conclusion of the hearing process.

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.

Dated: February 7, 2023

UNICYCIVE THERAPEUTICS, INC.

By: /s/ Shalabh Gupta  
Shalabh Gupta  
Chief Executive Officer