

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): February 26, 2024

KINTARA THERAPEUTICS, INC.

(Exact name of registrant as specified in its charter)

Nevada
(State or other jurisdiction
of incorporation)

001-37823
(Commission
File Number)

99-0360497
(IRS Employer
Identification No.)

9920 Pacific Heights Blvd, Suite 150 San Diego, CA
(Address of principal executive office)

92121
(Zip Code)

Registrant's telephone number, including area code: **(858) 350-4364**

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	KTRA	The Nasdaq Capital 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 8.01. Other Events.*Nasdaq Compliance*

As previously reported in Kintara Therapeutics, Inc.'s (the "Company") Form 10-Q for the quarterly period ended December 31, 2023, the Company's total stockholders' equity was negative \$164,000 at December 31, 2023.

On September 20, 2023, the Company, received a letter from the Listing Qualifications Department (the "Staff") of the Nasdaq Stock Market LLC ("Nasdaq") indicating that the Company was not in compliance with the minimum stockholders' equity requirement for continued listing on the Nasdaq Capital Market under Listing Rule 5550(b) (the "Stockholders' Equity Requirement"). On November 6, 2023, the Company submitted to the Staff a plan to regain compliance with the Stockholders' Equity Requirement. On December 4, 2023, the Staff provided notice (the "Notice") to the Company that it granted an extension of up to 180 days from September 20, 2023, or through March 18, 2024, to regain compliance with the Stockholders' Equity Requirement, conditioned upon the Company's achievement of certain milestones included in the plan of compliance previously submitted to the Staff. If the Company fails to evidence compliance upon filing its periodic report for the quarter ending March 31, 2024, it may be subject to delisting. If the Staff determines to delist the Company's common stock, the Company will have the right to appeal to a Nasdaq hearings panel.

From January 1, 2024 until February 23, 2024, the Company received net cash proceeds of \$8.1 million from the sale of shares of its common stock under its at-the-market ("ATM") facility pursuant to the terms of its Sales Agreement, dated September 19, 2023, with A.G.P./Alliance Global Partners. In light of the receipt of net cash proceeds of \$8.1 million, the Company believes as of the date of the filing that it has stockholders' equity above the \$2.5 million Stockholders' Equity Requirement and is awaiting a compliance determination from Nasdaq.

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 hereunto duly authorized.

KINTARA THERAPEUTICS, INC.

Date: February 26, 2024

By:

/s/ Robert E. Hoffman

Name: Robert E. Hoffman

Title: Chief Executive Officer
