

Oncobiologics, Inc.
Form 8-K
January 04, 2018

**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): **December 28, 2017**

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

Delaware (State or other jurisdiction of incorporation)	001-37759 (Commission File Number)	38-3982704 (IRS Employer Identification No.)
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7 Clarke Drive **08512**

Cranbury, New Jersey

(Address of principal executive offices) (Zip Code)

Registrant's telephone number, including area code: **(609) 619-3990**

(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))

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 x

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. x

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

On December 28, 2017, Oncobiologics, Inc. (the “Company”) received written notice from the Listing Qualifications Staff (the “Staff”) of The NASDAQ Stock Market LLC (“Nasdaq”) indicating that, based upon the Company’s continued non-compliance with the minimum \$50,000,000 market value of listed securities requirement for continued listing on The Nasdaq Global Market, as set forth in Nasdaq Listing Rule 5450(b) (the “Rule”), as of December 26, 2017, the Company’s securities would be subject to delisting from Nasdaq unless the Company timely requested a hearing before the Nasdaq Hearings Panel (the “Panel”). The Company timely requested a hearing before the Panel, which request has stayed any further action by the Staff.

At the hearing, the Company will present its plan to evidence compliance with the applicable listing criteria for the Panel’s review and request the continued listing of its securities on Nasdaq pending its return to compliance. The Company is diligently working to satisfy the Nasdaq listing criteria; however, there can be no assurance that the Panel will grant the Company’s request for continued listing or that the Company will be successful in its efforts to regain compliance with the applicable continued listing criteria within the time period that may be granted by the Panel.

As previously disclosed, on June 28, 2017, the Company received written notice from the Staff indicating that the Company did not satisfy the Rule for the previous 30 consecutive business days and, in accordance with the Nasdaq Listing Rules, the Company was granted a 180 day grace period within which to evidence compliance with the Rule. The relevant grace period expired on December 26, 2017.

SIGNATURE

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.

Oncobiologics, Inc.

Date: January 4, 2018 By: /s/ Lawrence A. Kenyon
Lawrence A. Kenyon
Chief Financial Officer