

**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): October 12, 2023

SINTX Technologies, Inc.

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction
of incorporation)

001-33624
(Commission
File Number)

84-1375299
(IRS Employer
Identification No.)

1885 West 2100 South
Salt Lake City, UT
(Address of principal executive offices)

84119
(Zip Code)

Registrant's telephone number, including area code: (801) 839-3500

(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 (see
General Instruction A.2. below):

- 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:

<u>Title of each class:</u>	<u>Trading Symbol(s):</u>	<u>Name of each exchange on which registered:</u>
Common Stock, par value \$0.01 per share	SINT	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 1.01 Entry into a Material Definitive Agreement.

As previously disclosed, on February 25, 2021, SINTX Technologies, Inc. (the "Company") entered into an Equity Distribution Agreement, (the "Distribution Agreement"), with Maxim Group LLC ("Maxim"), pursuant to which the Company may sell from time to time, shares of its common stock, \$0.01 par value per share, having an aggregate offering price of up to \$15,000,000 million (the "Shares") through Maxim, as agent. On January 10, 2023, the Company and Maxim entered into an amendment to the Distribution Agreement to extend the expiration date of the Distribution Agreement until the earlier of: (i) the sale of shares having an aggregate offering price of \$15,000,000, (ii) the termination by either Maxim or the Company upon the provision of fifteen (15) days written notice, or (iii) February 25, 2024.

On October 12, 2023, the Company and Maxim further amended the Distribution Agreement (the "Amendment") to (1) extend the expiration date of the Distribution Agreement until the earlier of: (i) the sale of shares having an aggregate offering price of \$15,000,000, (ii) the termination by either Maxim or the Company upon the provision of fifteen (15) days written notice, or (iii) February 25, 2025 and (2) update references to the Company's registration statement on Form S-3 filed on October 12, 2023. No other changes were made to the terms of the Distribution Agreement

The foregoing description of the Amendment does not purport to be complete and is qualified in its entirety by reference to the full text of the Amendment, a copy of which is filed hereto as Exhibit 10.1.

This Current Report on Form 8-K shall not constitute an offer to sell or the solicitation of an offer to buy the Shares, nor shall there be any offer, solicitation or sale of the Shares in any state or country in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such state or country.

Forward-Looking Statements

This current report on Form 8-K contains forward-looking statements within the meaning of the Private Securities Litigation Reform Act of 1995 (“PSLRA”). Such forward-looking statements include but are not limited to statements about the Offering and other statements that are not historical facts. These forward-looking statements are subject to risks and uncertainties that may cause actual results or events to differ materially from those projected, including but not limited to the risks that the Offering does not occur when expected or at all because required conditions to closing are not satisfied on a timely basis or at all. Readers are cautioned not to place undue reliance on the forward-looking statements, which speak only as of the date on which they are made and reflect management’s current estimates, projections, expectations and beliefs. The Company undertakes no obligation to publicly revise or update the forward-looking statements to reflect events or circumstances that arise after the date of this report.

Item 9.01 Financial Statements and Exhibits.

The following exhibits are filed herewith:

- 10.1 [Amendment to Equity Distribution Agreement, dated as of October 12, 2023 by and between SINTX Technologies, Inc., and Maxim Group LLC](#)
- 104 Cover Page Interactive Data File (embedded within the Inline XBRL document)

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.

SINTX TECHNOLOGIES, INC.

Date: October 12, 2023

/s/ B Sonny Bal

B. Sonny Bal
Chief Executive Officer



AMENDMENT TO EQUITY DISTRIBUTION AGREEMENT

October 12, 2023

RECITALS

WHEREAS, an equity distribution agreement was entered into on February 25, 2021 (the "**Distribution Agreement**"), by and between Maxim Group LLC and SINTX Technologies, Inc., a Delaware corporation (collectively, the "**Parties**"), as amended on January 10, 2023, and

WHEREAS, the Parties have agreed to amend the Distribution Agreement (this "**Amendment**"),

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the Parties agree that the Agreement shall be amended as follows:

AMENDMENT

The definition of "**Registration Statement**" is hereby amended to mean the registration statements (Reg. Nos. 333-249267 and 333-274951), as amended at the time of such registration statement's effectiveness for purposes of Section 11 of the Securities Act, as such section applies to the Agent, including (1) all documents filed as a part thereof or incorporated or deemed to be incorporated by reference therein, (2) any information contained or incorporated by reference in a prospectus filed with the Commission pursuant to Rule 424(b) under the Securities Act, to the extent such information is deemed, pursuant to Rule 430B or Rule 430C under the Securities Act, to be part of the registration statement at such time, and (3) any registration statement filed to register the offer and sale of Shares pursuant to Rule 462(b) under the Securities Act (the "462(b) Registration Statement").

Section 7 of the Distribution Agreement is hereby amended and replaced in its entirety to read:

7. Termination of this Agreement. The term of this Agreement shall begin on the date hereof, and shall continue until the earlier of (i) the sale of Shares having an aggregate offering price of \$15,000,000, (ii) the termination by either the Agent or the Company upon the provision of fifteen (15) days written notice, or (iii) February 25, 2025. Any such termination by mutual agreement shall in all cases be deemed to provide that Section 3(g), Section 5 and Section 6 shall remain in full force and effect. Notwithstanding the foregoing, the Agent shall have the right, in its sole discretion, to terminate this Agreement if at any time from the date of this Agreement to the effectiveness of the Registration Statement, the Agent is not fully satisfied, in its sole discretion, with the results of its and its representatives' review of the Company and the Company's business.

Except as specifically amended hereby, the Distribution Agreement shall remain in full force and effect and all other terms of the Distribution Agreement remain unchanged. To the extent any provision of the Distribution Agreement is inconsistent with this letter agreement, this letter agreement shall control. Capitalized terms used herein and not otherwise defined have the meanings ascribed to them in the Distribution Agreement.

[Signature page follows]

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IN WITNESS WHEREOF, the Parties have executed this amendment to the Distribution Agreement on the date first set forth above.

Yours truly,

MAXIM GROUP LLC

By: /s/ Cliff Teller

Name: Cliff Teller

Title: Co-President

ACCEPTED AND AGREED TO
AS OF THE DATE FIRST ABOVE WRITTEN:

SINTX TECHNOLOGIES, INC.

By: /s/ B. Sonny Bal

Name: B. Sonny Bal, MD, JD

Title: Chairman and CEO

[Signature Page to Amendment to Equity Distribution Agreement]
