SEC Form 4

FORM 4

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b)

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

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OMB APPROVAL

| Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 | |
|--|--|
| or Section 30(h) of the Investment Company Act of 1940 | |

| 1. Name and Address of Reporting Person [*] <u>Hart Daniel R</u> | | | | 2. Issuer Name and Ticker or Trading Symbol Avid Bioservices, Inc. [CDMO] | | | | | | 5. Relationship of Reporting Person(s) to Issuer (Check all applicable) Director 10% Owner | | | |
|--|---------|---|-----------------|---|------------------|---------|-----------------|------------------|---|--|---|-----------|--|
| (Last) 14191 MYF0 | (First) | (Middle) | | 3. Date of Earliest Transaction (Month/Day/Year) 06/28/2024 | | | | | | Officer (give title Other (specif below) below) Chief Financial Officer | | | |
| (Street) TUSTIN CA 92780 | | | | lf Amendment, Date o | f Origina | al File | d (Month/Day/ | 6. Indi Line) | , | | | | |
| (City) | (State) | (Zip) | R | Check this box to indic satisfy the affirmative | ate that | a trans | saction was mad | de pursua | ant to a contr | | ten plan that is int | ended to | |
| Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned | | | | | | | | | | | | | |
| Date | | 2. Transaction Date (Month/Day/Ye | Execution Date, | | action Instr. | | | | 5. Amount of Securities Beneficially Owned Following Reported | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) | | |
| | | | | | Code | v | Amount | (A) or (D) | Price | Transaction(s) (Instr. 3 and 4) | | (11041.4) | |
| Common Stock, \$0.001 par value 06/28/2 | | | | 4 | J (1) | | 1,965 | A | \$5.406 | 84,186 | D | | |

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transa Code (8) | | of Deriv | r osed) r. 3, 4 | 6. Date Exerc Expiration Da (Month/Day/Y | 7. Title and Amount of Securities Underlying Derivative Security (Instr. 3 and 4) | | 8. Price of Derivative Security (Instr. 5) | 9. Number of derivative Securities Beneficially Owned Following Reported Transaction(s) (Instr. 4) | 11. Nature of Indirect Beneficial Ownership (Instr. 4) | |
|---|---|--|---|------------------------------|---|-------------|---------------------------|--|---|-------|---|--|--|--|
| | | | | Code | v | (A) | (D) | Date Exercisable | Expiration Date | Title | Amount or Number of Shares | | | |

Explanation of Responses:

1. Shares purchased under the issuer's Employee Stock Purchase Plan ("ESPP") for the ESPP offering period January 1, 2024 through June 30, 2024. In accordance with the ESPP, these shares were purchased at a price equal to 85% of the closing price of the issuer's common stock on January 2, 2024

| <u>/s/ Da</u> | aniel | R. Ha | <u>rt</u> | | 07/02/2024 |
|---------------|-------|-------|-----------|---|------------|
| | | | | _ | |

** Signature of Reporting Person Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

* If the form is filed by more than one reporting person, see Instruction 4 (b)(v).

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.