

**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): **September 28, 2023**

**SIDUS SPACE, INC.**

(Exact name of registrant as specified in its charter)

**Delaware**  
(State or other jurisdiction  
of incorporation)

**001-41154**  
(Commission  
File Number)

**46-0628183**  
(IRS Employer  
Identification No.)

**150 N. Sykes Creek Parkway, Suite 200**  
**Merritt Island, FL**  
(Address of principal executive offices)

**32953**  
(Zip Code)

Registrant's telephone number, including area code: **(321) 613-5620**

**Not Applicable**

(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 Instructions 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>
Class A Common Stock, \$0.0001 par value per share	SIDU	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 5.03 Amendments to Articles of Incorporation or Bylaws; Change in Fiscal Year.**

On September 28, 2023, the Board of Directors of Sidus Space, Inc. (the "Company") approved an amendment to the Company's Amended and Restated Bylaws classifying the Board of Directors into 3 separate classes.

The foregoing description of Amendment No. 1 to the Amended and Restated Bylaws does not purport to be complete and is qualified in its entirety by reference to the full text of Amendment No. 1 to the Amended and Restated Bylaws, which is filed as Exhibit 3.1 to this Current Report on Form 8-K and incorporated by reference herein.

**Item 9.01 Financial Statements and Exhibits.**

(d) Exhibits

<u>Exhibit No.</u>	<u>Description</u>
3.1	<a href="#">Amendment No 1 to Amended and Restated Bylaws of Sidus Space, Inc.</a>
104	Cover Page Interactive Data File (embedded within the Inline XBRL document).

**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.

Dated: October 2, 2023

**SIDUS SPACE, INC.**

By: /s/ Carol Craig

Name: Carol Craig

Title: Chief Executive Officer

**AMENDMENT NO. 1 TO THE  
AMENDED AND RESTATED BYLAWS OF SIDUS SPACE, INC.**

**WHEREAS**, Article X of the Amended and Restated Bylaws (the “Bylaws”) of Sidus Space, Inc. (the “Company”) provides that the Board of Directors of the Company (the “Board”) may amend the Bylaws at any time; and

**WHEREAS**, the Board has determined it to be in the best interests of the Company to amend the Bylaws as hereinafter set forth.

**NOW, THEREFORE**, pursuant to the authority reserved to the Board, the Bylaws are hereby amended as follows:

1. Section 3.3 of Article III of the Bylaws is amended by deleting in its entirety and replacing it with the following:

“3.3 ELECTION AND TERM. The Board of Directors of the corporation shall be classified into three classes, as nearly equal in number as possible, with staggered terms as provided under § 141(d) of the General Corporate Law of the State of Delaware, with one class being elected each year to serve a staggered three-year term.

Directors in each class shall be elected at the annual meeting of stockholders of the corporation. The directors initially elected in Class I will serve until the 2024 annual meeting of stockholders and the election and qualification of their successors. The directors initially elected in Class II will serve until the 2025 annual meeting of stockholders and the election and qualification of their successors. The directors initially elected in Class III will serve until the 2026 annual meeting of stockholders and the election and qualification of his or her successor.

Beginning with the election of directors to be held at the 2024 annual meeting of stockholders, and going forward, the class of directors to be elected in such year (Class I) shall be elected for a three-year term, and at each successive annual meeting of stockholders, the class of directors to be elected in such year would be elected for a three year term, so that the term of office of one class of directors shall expire in each year.

Any director appointed by the Board of Directors of the corporation to fill a vacancy of a director that resigns, retires, is removed, or otherwise ceases to serve prior to the end of such director’s term in office, shall hold office until the next election of the class for which such director has been chosen, and until that director’s successor has been elected and qualified or until his or her earlier resignation, removal or death.”

2. Except as modified by this Amendment, all of the terms and conditions of the Bylaws shall remain valid and in full force and effect.

**IN WITNESS WHEREOF**, the undersigned, a duly authorized officer of the Company, has executed this instrument as of the 28th day of September 2023, on behalf of the Board.

**Sidus Space, Inc.**

By: /s/ Carol Craig  
Carol Craig  
Chief Executive Officer