

OMB APPROVAL	
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STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

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

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

1. Name and Address of Reporting Person* <u>Kwan Rudolf</u>  (Last) (First) (Middle) C/O ATHENEX, INC., 1001 MAIN STREET, SUITE 600  (Street) BUFFALO NY 14203  (City) (State) (Zip)	2. Issuer Name and Ticker or Trading Symbol <u>Athenex, Inc. [ ATNX ]</u>	5. Relationship of Reporting Person(s) to Issuer (Check all applicable)  Director _____ 10% Owner _____ Officer (give title below) _____ Other (specify below) _____ <b>X</b> <b>EVP, Chief Medical Officer</b>
	3. Date of Earliest Transaction (Month/Day/Year) 02/10/2023	
	4. If Amendment, Date of Original Filed (Month/Day/Year)	

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)		4. Securities Acquired (A) or Disposed Of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	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			
Common Stock	02/10/2023		A		21,778	A	\$0.225 <sup>(1)</sup>	612,024	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. Transaction Code (Instr. 8)		5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)		6. Date Exercisable and Expiration Date (Month/Day/Year)		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)	10. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	11. Nature of Indirect Beneficial Ownership (Instr. 4)
				Code	V	(A)	(D)	Date Exercisable	Expiration Date					
Stock Option (Right to Buy)	\$4.55							01/02/2016	01/02/2023	Common Stock	96,000	96,000	D	
Stock Option (Right to Buy)	\$4.55							05/13/2018	05/13/2023	Common Stock	48,000	48,000	D	
Stock Option (Right to Buy)	\$4.55							02/12/2018	02/12/2024	Common Stock	120,000	120,000	D	
Stock Option (Right to Buy)	\$4.55							06/12/2017	06/12/2024	Common Stock	48,000	48,000	D	
Stock Option (Right to Buy)	\$5.5							12/16/2018	12/16/2024	Common Stock	200,000	200,000	D	
Stock Option (Right to Buy)	\$7.5							05/22/2019	05/22/2025	Common Stock	120,000	120,000	D	
Stock Option (Right to Buy)	\$11							06/13/2020	06/13/2027	Common Stock	140,000	140,000	D	
Stock Option (Right to Buy)	\$17.3							03/27/2022	03/27/2028	Common Stock	120,000	120,000	D	
Stock Option (Right to Buy)	\$13.17							(2)	02/28/2029	Common Stock	120,000	120,000	D	
Stock Option (Right to Buy)	\$12.45							(3)	06/05/2030	Common Stock	140,000	140,000	D	
Stock Option (Right to Buy)	\$3.8							(4)	08/03/2031	Common Stock	70,000	70,000	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. Transaction Code (Instr. 8)		5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)		6. Date Exercisable and Expiration Date (Month/Day/Year)		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)	10. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	11. Nature of Indirect Beneficial Ownership (Instr. 4)	
				Code	V	(A)	(D)	Date Exercisable	Expiration Date						Title
Restricted Stock Units	(5)							(6)	(6)	Common Stock	52,500		52,500	D	
Stock Option (Right to Buy)	\$0.6655							(7)	07/20/2032	Common Stock	75,000		75,000	D	

**Explanation of Responses:**

- Shares purchased from the Issuer under a Salary Deduction and Stock Purchase Agreement at the Nasdaq Official Closing Price on the date of purchase.
- This option vests in four equal annual installments beginning on February 28, 2020.
- This option vests in four equal annual installments beginning on June 5, 2021.
- The option vests in four equal annual installments beginning on August 3, 2022.
- Each restricted stock unit represents a contingent right to receive one share of stock.
- The restricted stock units vest in four equal annual installments beginning on August 3, 2022.
- This option vests in four equal annual installments beginning on July 20, 2023.

**Remarks:**

/s/ Steven Adams, Attorney-in-Fact 02/13/2023

\*\* 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.

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