

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

☐ Check this box to indicate that a transaction was made pursuant to a contract, instruction or written plan for the purchase or sale of equity securities of the issuer that is intended to satisfy the affirmative defense conditions of Rule 10b5-1(c). See Instruction 10.

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

1. Name and Address of Reporting Person * <u>Silva Francisco</u> (Last) (First) (Middle) <u>C/O BIORESTORATIVE THERAPIES, INC.</u> <u>40 MARCUS DRIVE</u> (Street) <u>MELVILLE</u> <u>NY</u> <u>11747</u> (City) (State) (Zip)	2. Issuer Name and Ticker or Trading Symbol <u>BioRestorative Therapies, Inc. [BRTX]</u>	5. Relationship of Reporting Person(s) to Issuer (Check all applicable) <input checked="" type="checkbox"/> Director <input checked="" type="checkbox"/> 10% Owner <input checked="" type="checkbox"/> Officer (give title below) <input type="checkbox"/> Other (specify below) <u>VP of Research and Development</u>
	3. Date of Earliest Transaction (Month/Day/Year) <u>08/31/2023</u>	
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	08/31/2023		P		4,954	A	\$2.22	164,644 ⁽¹⁾	D	
Common Stock								12,136	I	IRA

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	Amount or Number of Shares				
Stock Option	\$3,000							(2)	10/04/2023	Common Stock	1		1	D	
Stock Option	\$3,000							(2)	02/18/2024	Common Stock	3		3	D	
Stock Option	\$3,000							03/12/2014	03/11/2024	Common Stock	1		1	D	
Stock Option	\$3,000							(2)	10/23/2024	Common Stock	9		9	D	
Stock Option	\$3,000							(2)	09/04/2025	Common Stock	6		6	D	
Stock Option	\$3,000							(2)	06/10/2026	Common Stock	15		15	D	
Stock Option	\$3,000							(2)	07/12/2027	Common Stock	20		20	D	
Stock Option	\$3,000							(2)	10/29/2028	Common Stock	25		25	D	
Stock Option	\$5.08							(3)	03/18/2031	Common Stock	293,479		293,479	D	
Stock Option	\$5.08							(4)	11/04/2031	Common Stock	42,059		42,059	D	
Stock Option	\$2.91							(5)	02/17/2033	Common Stock	106,762		106,762	D	

Explanation of Responses:

1. Includes 48,912 shares received pursuant to an unvested restricted stock unit grant. Such shares vest on March 18, 2024.
2. The option is currently exercisable.
3. The option vests and becomes exercisable to the extent of 146,740 shares on March 18, 2021, 36,684 shares on November 4, 2021 and 110,055 shares in six nearly equal quarterly installments beginning December 18, 2021 and continuing every three months thereafter until fully vested.
4. The option vests and becomes exercisable to the extent of 21,030 shares on November 4, 2021 and 21,029 shares in eight nearly equal quarterly installments beginning November 4, 2022 and continuing every three months thereafter until fully vested.
5. The option vests and becomes exercisable to the extent of 53,381 shares on February 17, 2023 and 53,381 shares in eight nearly equal quarterly installments beginning February 17, 2024 and continuing every three months thereafter until fully vested.

/s/ Francisco Silva

08/31/2023

** Signature of Reporting Person

Date

* 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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