

ZIOPHARM ONCOLOGY INC
Form 8-K
January 27, 2010

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): January 26, 2010

ZIOPHARM Oncology, Inc.
(Exact Name of Registrant as Specified in Charter)

| | | |
|---|--|--|
| Delaware (State or Other Jurisdiction of Incorporation) | 0-32353 (Commission File Number) | 84-1475672 (IRS Employer Identification No.) |
|---|--|--|

| | |
|---|---------------------|
| 1180 Avenue of the Americas 19th Floor New York, NY (Address of Principal Executive Offices) | 10036 (Zip Code) |
|---|---------------------|

(646) 214-0700
(Registrant's telephone number, including area code)

Not applicable
(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- r Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425).
- r Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12).

- r Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b)).
- r Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c)).



Item 8.01 Other Events

On January 26, 2010, the Company issued a press release announcing that it has received a Notice of Allowance from the U.S. Patent and Trademark Office for claims related to the Company's proprietary palifosfamide composition (ZIO-201 or Zymafos™).

A copy of the above referenced press release is filed as Exhibit 99.1 to this Current Report of Form 8-K.

Item 9.01 Financial Statements and Exhibits

(d) Exhibits

| Exhibit No. | Description |
|-------------|---|
| 99.1 | Press Release of the Company dated January 26, 2010 |

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.

ZIOPHARM Oncology, Inc.

Date: January 26, 2010

By: /s/ Richard Bagley
Name: Richard Bagley
Title: President, Chief Operating Officer
and Chief Financial Officer

INDEX OF EXHIBITS

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