

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): May 13, 2008

ZIOPHARM Oncology, Inc.

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction of
incorporation)

0-32353
(Commission File Number)

84-1475642
(IRS Employer Identification No.)

**1180 Avenue of the Americas, 19th Floor
New York, NY 10036**

(Address of principal executive offices) (Zip Code)

(646) 214-0700

(Registrant's telephone number, including area code)

(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:

- 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))
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Item 8.01. Other Events.

On May 13, 2008, ZIOPHARM Oncology, Inc. issued the press release attached hereto as Exhibit 99.1, which is incorporated herein by reference.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits.

99.1 Press Release dated May 13, 2008.

SIGNATURE

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.:
(Registrant)

By: /s/ Richard E. Bagley

Name: Richard E. Bagley

Title: President, Chief Operating Officer and Chief Financial Officer

Date: May 13, 2008

Exhibit Index

Exhibit No. Description

99.1 Press Release dated May 13, 2008.



ZIOPHARM Oncology, Inc.

ZIOPHARM Receives Notices of Allowance for Two U.S. Patent Applications Covering Darinaparsin

NEW YORK – May 13, 2008 - ZIOPHARM Oncology, Inc. (NASDAQ: ZIOP) announced today that it has received Notices of Allowance from the U.S. Patent and Trademark Office for patent applications numbered 11/252,966 and 11/349,043, covering claims for various organic arsenic compounds, including purified crystalline darinaparsin, glycolic arsenicals, and the oral pharmaceutical composition of an organic arsenic compound, and their use in the treatment of cancer. A notice of allowance signifies that the applicant is entitled to a patent under the law.

Darinaparsin is currently being tested in a variety of phase II studies for the treatment of leukemia, lymphoma, myeloma and liver cancer. The drug is being studied both as an intravenous agent and in oral form.

“Darinaparsin has demonstrated promising safety and efficacy results to date.” said Jonathan Lewis, MD, PhD, Chief Executive Officer of ZIOPHARM. “These allowed patent claims, when issued, will enhance the intellectual property coverage of our darinaparsin program, which already contains two U.S. patents. A broad patent estate is an important component of our strategic planning and remains a priority for the Company.”

About Darinaparsin

Darinaparsin is a proprietary small molecule organic arsenic licensed from The University of Texas M. D. Anderson Cancer Center and Texas A&M University. Darinaparsin induces cell cycle arrest and cell death by targeting several cellular pathways essential for cell survival. Exposure to darinaparsin has a direct as well as indirect effect on mitochondrial functions, resulting in depletion of energy supply to the cell and induction of apoptosis (programmed cell death). Increase in intra-cellular Reactive Oxygen Species enhances this effect on mitochondrial functions and consequently the activation of the signal transduction pathway leading to apoptosis. In addition, darinaparsin interrupts the cell cycle at the G2/M phase of tumor cells inducing cell death through this pathway.

About ZIOPHARM Oncology, Inc.

ZIOPHARM Oncology, Inc. is a biopharmaceutical company engaged in the development and commercialization of a diverse, risk-sensitive portfolio of in-licensed cancer drugs to address unmet medical needs. The Company applies new insights from molecular and cancer biology to understand the efficacy and safety limitations of approved and developmental cancer therapies and identifies proprietary and related molecules for better patient treatment. For more information, visit www.ziopharm.com.

Forward-Looking Safe Harbor Statement:

This press release contains forward-looking statements for ZIOPHARM Oncology, Inc. that involve risks and uncertainties that could cause the Company's actual results to differ materially from the anticipated results and expectations expressed in these forward-looking statements. These statements are based on current expectations, forecasts and assumptions that are subject to risks and uncertainties, which could cause actual outcomes and results to differ materially from these statements. Among other things, there can be no assurance that any of the Company's development efforts relating to its product candidates will be successful, or such product candidates will be successfully commercialized. Other risks that affect forward-looking information contained in this press release include the possibility of being unable to obtain regulatory approval of the Company's product candidates, the risk that the results of clinical trials may not support the Company's claims, and risks related to the Company's ability to protect its intellectual property and its reliance on third parties to develop its product candidates. The Company assumes no obligation to update these forward-looking statements, except as required by law.

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