



## Ziopharm Receives Notice of Allowance on Key ZIO-101 Patent

NEW YORK, NY - January 17, 2006 - Ziopharm Oncology, Inc. (OTC BB: ZIOP), announced today it received a notice of allowance from the U.S. Patent and Trademark Organization in a second organic arsenic case, its first organic arsenic case having already issued. The allowed claims cover the treatment of cancer using organic arsenics, including ZIO-101, in combination with other agents or therapies. The Company believes this significantly strengthens its intellectual property platform in order to develop and ultimately commercialize ZIO-101.

"We are thrilled to have a very strong patent position for our lead product, ZIO-101, and expect more patent allowances to follow, positioning us with a very firm patent estate for both ZIO-101 and ZIO-201," commented Jonathan Lewis, M.D., Ph.D., Chief Executive Officer. "Intellectual property protection, rather than just Orphan Drug status alone, is a key element of our strategy for identifying products that are related to successfully marketed cancer agents and developing them for more effective and safer cancer therapy."

ZIO-101 is a novel organic arsenic currently in phase I clinical trials in patients with advanced cancers. Data to date suggest ZIO-101 may be active in a broad range of cancers; given at high doses, ZIO-101 has shown no significant toxicities. The Company believes that the ability to administer ZIO-101 at therapeutic doses absent significant toxicity is particularly important both, for single agent treatment, the current clinical development focus of the Company, and ultimately in combination therapy post-approval. The Company expects to begin a phase I/II trial with ZIO-101 as a single agent early this year in patients with advanced myeloma while exploring other hematological and solid tumor cancers.

ZIO-101 is a small molecule in-licensed from The University of Texas M. D. Anderson Cancer Center and Texas A&M University. The Company also has a second organic arsenic, ZIO-102, undergoing preclinical study. In addition, several other organic arsenic molecules in-licensed with ZIO-101 and ZIO-102, along with newly synthesized compounds from the collaboration agreement with Texas A&M, have been identified as potential candidates.

### **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 of molecular and cancer biology to the understandings of efficacious, but highly toxic cancer therapies and identifies proprietary and related drugs to provide more effective and safer cancer therapy for patients. For more information, visit [www.ziopharm.com](http://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 the Company's 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.

### **Contact:**

Kelly Luethje  
Manager, Investor Relations/Communication  
617-259-1975