

ONCOLYTICS BIOTECH INC

Form 6-K

April 08, 2004

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**SECURITIES AND EXCHANGE COMMISSION**  
Washington, D.C. 20549

**Form 6-K**

Report of Foreign Private Issuer

Pursuant to Rule 13a-16 or 15d-16  
of the Securities Exchange Act of 1934

For the month of April 2004

Commission File Number 000-31062

**Oncolytics Biotech Inc.**

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*(Translation of registrant's name into English)*

Suite 210, 1167 Kensington Crescent NW  
Calgary, Alberta, Canada T2N 1X7

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*(Address of principal executive offices)*

Indicate by check mark whether the registrant files or will file annual reports under cover Form 20-F or Form 40-F.

Form 20-F

Form 40-F

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(1):

**Note:** Regulation S-T Rule 101(b)(1) only permits the submission in paper of a Form 6-K if submitted solely to provide an attached annual report to security holders.

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(7):

**Note:** Regulation S-T Rule 101(b)(7) only permits the submission in paper of a Form 6-K if submitted to furnish a report or other document that the registrant foreign private issuer must furnish and make public under the laws of the jurisdiction in which the registrant is incorporated, domiciled or legally organized (the registrant's home country), or under the rules of the home country exchange on which the registrant's securities are traded, as long as the report or other document is not a press release, is not required to be and has not been distributed to the registrant's security holders, and, if discussing a material event, has already been the subject of a Form 6-K submission or other Commission filing on EDGAR.

Indicate by check mark whether by furnishing the information contained in this Form, the registrant is also thereby furnishing the information to the Commission pursuant to Rule 12g3-2(b) under the Securities Exchange Act of 1934.

Yes

No

If Yes is marked, indicate below the file number assigned to the registrant in connection with Rule 12g3-2(b): 82-\_\_\_\_\_



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SIGNATURES

PRESS RELEASE

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**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, thereunto duly authorized.

**Oncolytics Biotech Inc.**  
(Registrant)

Date April 8, 2004

By: /s/ Douglas A. Ball

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Douglas A. Ball  
Chief Financial Officer

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210, 1167 Kensington Cr. N.W.  
Calgary, Alberta  
Canada T2N 1X7

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**FOR IMMEDIATE RELEASE**

**Oncolytics Biotech Inc. Closes Private Placement**

**CALGARY, AB, April 8, 2004** Oncolytics Biotech Inc. ( Oncolytics ) (TSX:ONC, NASDAQ:ONCY) announced today that it has closed its previously announced private placement. Oncolytics issued 1,077,100 common shares and 538,550 common share purchase warrants for aggregate gross proceeds of \$6,731,875. Each whole common share purchase warrant entitles the holder to acquire, on or before October 7, 2005, one common share of Oncolytics upon payment of \$7.75 per warrant. All of the securities issued in connection with this private placement are subject to a four-month hold provision.

An adviser retained by Oncolytics received a commission of 7.0% of the gross proceeds and was issued 107,710 common share purchase warrants. Each common share purchase warrant entitles the holder to acquire, on or before October 7, 2005, one common share of Oncolytics upon payment of \$7.00 per warrant. Oncolytics will use the proceeds from this financing for general corporate purposes.

After giving effect to this transaction, Oncolytics has 28,577,739 common shares issued and outstanding.

The securities to be issued by Oncolytics have not and will not be registered under the United States Securities Act of 1933, as amended (the 1933 Act ), or the securities laws of any state of the United States, and may not be offered or sold in the United States absent registration or an applicable exemption therefrom under the 1933 Act and the securities laws of all applicable states. This press release is not an offer of securities in the United States.

**About Oncolytics Biotech Inc.**

Oncolytics is a Calgary-based biotechnology company focused on the development of REOLYSIN®, its proprietary formulation of the human reovirus, as a potential cancer therapeutic. Oncolytics' researchers have demonstrated that the reovirus is able to selectively kill human cancer cells *in vitro* that are derived from many types of cancer, including breast, prostate, pancreatic and brain tumours, and have also demonstrated successful cancer treatment results in a number of animal models. Phase I clinical trial results have indicated that REOLYSIN® was well tolerated and that the reovirus demonstrated activity in tumours injected with REOLYSIN®.

This press release contains forward-looking statements, within the meaning of Section 21E of the Securities Exchange Act of 1934, as amended. Forward-looking statements, including the Company's expectations related to the private placement of the units as to progress in the clinical trial program and the Company's belief as to the potential of REOLYSIN® as a cancer

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therapeutic, involve known and unknown risks and uncertainties, which could cause the Company's actual results to differ materially from those in the forward-looking statements. Such risks and uncertainties include, among others, the continued availability of funds and resources to pursue Research and Development projects, the efficacy of REOLYSIN® as a cancer treatment, the success and timely completion of clinical studies and trials, the Company's ability to successfully commercialize REOLYSIN®, uncertainties related to the research and development of pharmaceuticals, uncertainties related to the regulatory process and general changes to the economic environment. Investors should consult the Company's quarterly and annual filings with the Canadian and U.S. securities commissions for additional information on risks and uncertainties relating to the forward looking statements. Investors are cautioned against placing undue reliance on forward-looking statements. The Company does not undertake to update these forward-looking statements.

**FOR FURTHER INFORMATION PLEASE CONTACT:**

***For Canada:***

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----- 10/9/2008 115,290 0.9805 10/13/2008 (49,250) 1.16 10/13/2008 (750) 1.2  
 10/14/2008 (1,500) 0.9437 10/14/2008 (98,500) 0.93 11/7/2008 96,075 0.6998 11/10/2008 38,430 0.6926 11/11/2008  
 38,544 0.6031 11/26/2008 19,216 0.813 11/28/2008 19,216 0.8721 TRANSACTIONS BY FUNDS AND  
 ACCOUNTS ADVISED BY SECOND CURVE CAPITAL OTHER THAN SECOND CURVE PARTNERS Date of  
 Number of Shares Transaction Purchased/(Sold) Price Per Share ----- 10/9/2008  
 34,710 0.9805 10/10/2008 75,000 0.7774 10/13/2008 49,250 1.16 10/13/2008 750 1.2 10/13/2008 196,805 1.1778  
 10/13/2008 3,195 1.19 10/14/2008 1,500 0.95 10/14/2008 98,500 0.93 10/14/2008 48,400 0.9416 10/14/2008 1,600  
 0.9441 10/17/2008 1,598 0.8991 10/17/2008 43,631 0.8863 10/30/2008 150,000 0.3957 10/31/2008 74,200 0.4137  
 10/31/2008 800 0.44 11/4/2008 198,402 0.8936 11/4/2008 1,598 0.8731 11/7/2008 53,925 0.6998 11/10/2008 11,570  
 0.6926 11/11/2008 11,605 0.6031 11/12/2008 50,000 0.5973 11/13/2008 24,200 0.5841 11/13/2008 800 0.5436  
 11/14/2008 24,200 0.5985 11/14/2008 800 0.54 11/17/2008 24,200 0.519 11/17/2008 800 0.51 11/18/2008 24,200  
 0.4835 11/18/2008 800 0.515 11/20/2008 33,880 0.4919 11/20/2008 1,120 0.5088 11/21/2008 24,200 0.6429  
 11/21/2008 800 0.58 11/24/2008 24,200 0.6856 11/24/2008 800 0.73 11/25/2008 73,400 0.5959 11/25/2008 1,600  
 0.6163 11/26/2008 5,784 0.813 11/28/2008 5,784 0.8721 12/2/2008 152,800 0.7196 12/2/2008 (105,700) 0.7 SK  
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