

ONCOLYTICS BIOTECH INC

Form 6-K

October 26, 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 October 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**

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 October 26, 2004

By: /s/ Douglas A. Ball

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Douglas A. Ball  
Chief Financial Officer

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

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**FOR IMMEDIATE RELEASE**

**Oncolytics Biotech Inc. Announces Issuance of 12th U.S. Patent**

**CALGARY, AB, October 26, 2004** Oncolytics Biotech Inc. (TSX: ONC, NASDAQ: ONCY) ( Onco<sup>lytics</sup> ) has been granted U.S. Patent 6,808,916 entitled Method of Extracting Virus From Cell Culture. Claims in this patent cover various methods of production and processing of the reovirus.

This patent further expands our portfolio of intellectual property, said Dr. Matt Coffey, Vice President, Product Development of Onco<sup>lytics</sup>. This patent adds to previously issued patents regarding manufacturing of the reovirus.

**About Onco<sup>lytics</sup> Biotech Inc.**

Oncolytics is a Calgary-based biotechnology company focused on the development of REOLYSIN<sup>®</sup>, its proprietary formulation of the human reovirus, as a potential cancer therapeutic. Onco<sup>lytics</sup> researchers have demonstrated that the reovirus is able to selectively kill cancer cells and, *in vitro*, kill human cancer cells 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<sup>®</sup> was well tolerated and that the reovirus demonstrated activity in tumours injected with REOLYSIN<sup>®</sup>.

*This news release contains forward looking statements, within the meaning of Section 21E of the Securities Exchange Act of 1934, as amended. Forward looking statements, including among others, the Company's belief as to the safety and efficacy of the reovirus, the Company's expectations as to the potential applications of the patented technology and other statements relating to anticipated developments in the Company's business and technologies, involve known and unknown risks and uncertainties that 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 efficacy of REOLYSIN<sup>®</sup> as a cancer treatment, the success and timely completion of clinical studies and trials, 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:***

Oncolytics Biotech Inc.  
Matt Coffey  
210, 1167 Kensington Cr NW  
Calgary, Alberta T2N 1X7  
Tel: 403.670.7377  
Fax: 403.283.0858

***For Canada:***

The Equicom Group Inc.  
Joanna Longo  
20 Toronto Street  
Toronto, Ontario M5C 2B8  
Tel: 416.815.0700 ext. 233  
Fax: 416.815.0080

***For United States:***

The Investor Relations Group  
Gino De Jesus or Dian Griesel, Ph.D.  
11 Stone St, 3rd Floor  
New York, NY 10004  
Tel: 212.825.3210  
Fax: 212.825.3229

info@oncolyticsbiotech.com

jlongo@equicomgroup.com

mail@investorrelationsgroup.com

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