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USPTO Rejects Butamax's Self-Described "Foundational" IP Claims in Successful Gevo Reexamination Petition

March 6, 2012

USPTO Grants Gevo's Reexamination Request in Serial No. 95/001,857

ENGLEWOOD, Colo., Mar 06, 2012 (BUSINESS WIRE) --Gevo, Inc. (NASDAQ: GEVO), an innovative leading renewable chemicals and advanced biofuels company, today announced that the United States Patent and Trademark Office (USPTO) has rejected all patent claims of Butamax(TM) Advanced Biofuels, LLC (Butamax) covering isobutanol-producing yeast in U.S. Patent No. 7,851,188 ('188 patent) which is currently being asserted against Gevo.

In doing so, the USPTO has now rejected all requested claims and correspondingly every critical claim in both patents asserted against Gevo by Butamax. In August, Gevo successfully petitioned the USPTO to reexamine Butamax's claims in U.S. Patent No. 7,993,889 ('889 patent) covering a method of producing isobutanol using a recombinant yeast microorganism.

"This action by the USPTO solidifies Gevo's position that the patents Butamax has asserted against Gevo are invalid and unenforceable," said Brett Lund, Gevo Executive Vice President and General Counsel. "This represents yet another positive development that further strengthens our position in what we see as Butamax's unfounded assertion."

"The USPTO actions in the '188 and '889 patents also reinforce our position that the technologies and process steps claimed by Butamax were known in the field, published in numerous scientific journals or invented by others, including Gevo, before Butamax applied for its patents. The USPTO affirms through the rejection of the Butamax patent claims, that it is unacceptable to claim a previously known, naturally occurring pathway as Butamax did in these patents."

"We will continue our aggressive defense in this matter, and vigorously protect our landmark patent portfolio from infringement," continued Lund. "With both of Butamax's purported foundational patents now in question, the USPTO has reaffirmed Gevo's belief that these patents have no 'foundational' position."

About Gevo

Gevo is converting existing ethanol plants into biorefineries to make renewable building block products for the chemical and fuel industries. The Company plans to convert renewable raw materials into isobutanol and renewable hydrocarbons that can be directly integrated on a "drop in" basis into existing chemical and fuel products to deliver environmental and economic benefits. Gevo is committed to a sustainable biobased economy that meets society's needs for plentiful food and clean air and water. For more information, visit www.gevo.com

Forward-Looking Statements

Certain statements in this press release may constitute "forward-looking statements" within the meaning of the Private Securities Litigation Reform Act of 1995. These forward-looking statements include statements that are not purely statements of historical fact, and can sometimes be identified by our use of terms such as "intend," "expect," "plan," "estimate," "future," "strive" and similar words. These forward-looking statements are made on the basis of the current beliefs, expectations and assumptions of the management of Gevo and are subject to significant risks and uncertainty. Investors are cautioned not to place undue reliance on any such forward-looking statements. All such forward-looking statements speak only as of the date they are made, and the company undertakes no obligation to update or revise these statements, whether as a result of new information, future events or otherwise. Although the company believes that the expectations reflected in these forward-looking statements are reasonable, these statements involve many risks and uncertainties that may cause actual results to differ materially from what may be expressed or implied in these forward-looking statements. For a further discussion of risks and uncertainties that could cause actual results to differ from those expressed in these forward-looking statements, as well as risks relating to the business of Gevo in general, see the risk disclosures in the Annual Report on Form 10-K of Gevo for the year ended December 31, 2010, and in subsequent reports on Forms 10-Q and 8-K and other filings made with the SEC by Gevo.

SOURCE: Gevo, Inc.

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