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## Gevo Doesn't Infringe Butamax's '017 Patent; Gevo was First to Invent Enzyme in '017 Patent; Gevo has Advanced Beyond That and Now Uses Different Enzymes

August 8, 2012

Gevo Also Challenges Validity of Butamax's '017 Patent

ENGLEWOOD, Colo. - August 8, 2012 - Gevo, Inc. (NASDAQ: GEVO), a leading renewable chemicals and next-generation biofuels company, said today that the latest lawsuit filed by Butamax™ Advanced Biofuels LLC (Butamax) alleging infringement by Gevo of Butamax's U.S. Patent No. 8,222,017 ('017 Patent), like the last one filed by Butamax against Gevo, will be shown to have no merit. Gevo said it is also challenging the validity of Butamax's '017 Patent.

"We don't infringe the enzyme claimed in Butamax's patent," said Brett Lund, Executive Vice President and General Counsel of Gevo. "Gevo previously developed and patented a modified *E. coli* KARI enzyme, and since then, our technology has advanced well beyond this. Our industry-leading process now utilizes an enzyme that is not derived from, or in any way related, to the *E. coli* KARI enzyme described in the newly issued patent. We provided proof of our non-infringement to Butamax and they still sued us."

"We also challenge the validity of the just-issued Butamax patent. We strongly believe that Gevo was the first to invent the claimed subject matter," Lund said. "Therefore, we have filed a 'Request for Interference' (Serial No. 13/271,084) with the U.S. Patent and Trademark Office to demonstrate that the technology is, in fact, a Gevo invention. Gevo's technology represents the industry standard for the optimization of the native yeast isobutanol pathway. Our commitment to innovation is what sustains this leadership position. We see this unfounded lawsuit as another attempt by Butamax to stall our significant advances in the commercialization of renewable isobutanol."

"This lawsuit is part and parcel of an ongoing effort by Butamax and its corporate parents, DuPont and British Petroleum, to divert attention from the well-established fact that much of Butamax's technology is based on invalid patents and that Gevo is the real innovator in this field," he said.

"The timing of Butamax's new litigation is curious, to say the least, coming the day before our quarterly earnings call," Lund said. "It also appears retaliatory, coming late on the same day we announced we were filing a motion for a preliminary injunction to halt their ongoing infringement of a Gevo patent."

"In April, the highly respected Biofuels Digest wrote, 'you be the judge on the merits of the timing, right in the middle of Gevo's IPO road show, Butamax sued Gevo over infringement of the patents.' Butamax also has initiated litigation timed to coincide with Gevo's secondary offering, and filed reexamination requests at the USPTO timed to coincide with the announcement of the startup of Gevo's commercial-scale production facility in Minnesota. Many other such juxtapositions have occurred. We don't think it's coincidental. We believe this latest litigation, like all prior Butamax lawsuits, is without merit."

### 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](http://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, 2011, as amended, and in subsequent reports on Forms 10-Q and 8-K and other filings made with the SEC by Gevo.

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