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Gevo Wins Stay in Federal Court of Appeals Freeing It to Sell into Any Market; Butamax's Attempts To Hinder Gevo with Legal Maneuvers Fail Again

August 13, 2012

ENGLEWOOD, Colo. - August 13, 2012 - [Gevo, Inc.](#) (NASDAQ: GEVO), a leading renewable chemicals and next-generation biofuels company, announced today that the Federal Circuit Court of Appeals granted Gevo's motion to stay a status quo order entered on July 6th by the U.S. District Court in Delaware. The status quo order had prohibited Gevo from selling bio-isobutanol to the automotive fuels market pending [Butamax[™]](#) Advanced Biofuels, LLC's (Butamax) appeal of the District Court's decision denying its motion for preliminary injunction. In granting Gevo's motion, the Appeals court determined that Gevo had, at a minimum, "established a substantial case on the merits."

"We're delighted that the Federal Appeals court sided with Gevo and reversed the status quo order, which we believe was wrongly granted," said Brett Lund, Executive Vice President and General Counsel for Gevo. "We're once again free to sell to anyone anywhere."

"We also find it surprising that Butamax is pursuing an appeal of the District Court's opinion denying the motion for a preliminary injunction against Gevo. In denying that motion, the District Court stated that Butamax likely 'does not hold a valid patent nor would the defendant (Gevo) infringe if it did,'" Lund commented. "We see their appeal, two requests for status quo orders, the request for a Preliminary Injunction to shut down our commercial-scale production and the ongoing lawsuits as a blatant attempt by Butamax and its parent companies to slow us down and give themselves some chance to reduce our multi-year lead in commercialization of bio-isobutanol."

"We remain firm in our position that we have developed a unique and commercially viable technology and have never infringed on Butamax's technology because we simply don't need it. We have independently developed the industry leading technologies that we believe are not covered by their patents and are more effective than their efforts," Lund said. "We remain focused on our commercialization efforts and are encouraged by our string of victories in District Court and Federal Appeals Court."

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, 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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