



# gevo®

## Gevo Overcomes 110 Rejections in USPTO Reexamination

April 11, 2013

ENGLEWOOD, Colo. - April 11, 2013 - Gevo, Inc. (NASDAQ: GEVO) announced today that the U.S. Patent and Trade Office (USPTO) issued a second office action in the ongoing *inter partes* reexamination of Gevo's U.S. Patent No. 8,101,808 ('808 Patent) entitled "Recovery of Higher Alcohols from Dilute Aqueous Solutions", which relates to Gevo's Integrated Fermentation Technology® (GIFT®). The Examiner's decision, which dismissed 110 previous grounds of rejection and introduced a limited number of new rejections, is a non-final action called an Action Closing Prosecution (ACP), and gives Gevo the opportunity to respond to the limited new questions raised by the USPTO Examiner.

The '808 Patent remains valid and fully enforceable during the reexamination process. "Gevo will respond to the ACP and is confident that the remarks presented in the response will be sufficient to overcome the limited number of new rejections," said Brett Lund, Gevo's executive vice president and general counsel. "Importantly, Gevo was successful in eliminating all of the previous 110 rejections presented in the first office action and the minimal number of new rejections are based on obviousness as opposed to novelty."

Gevo continues to maintain full freedom to operate worldwide. This ACP does not impact in any way Gevo's ability to commercialize isobutanol, nor does it impact in any way Gevo's operations at its plant in Luverne, MN. Gevo has an additional issued GIFT® patent that solidly protects Gevo's isobutanol recovery process in US Patent No. 8,283,505, entitled "Recovery of Higher Alcohols for Dilute Aqueous Solutions", issued October 9, 2012. Furthermore, Gevo has another issued patent broadly covering both Gevo's and Butamax Advanced Biofuels LLC's (Butamax's) intended isobutanol recovery processes in US Patent No. 8,304,588, entitled "Recovery of Higher Alcohols from Dilute Aqueous Solutions", issued November 6, 2012.

Gevo is suing Butamax, a 50/50 joint venture between DuPont and BP, for infringing the '808 Patent. This case is scheduled to go to trial in the US District Court of Delaware in July of 2014.

### About Gevo

Gevo is a leading renewable chemicals and next-generation biofuels company. Gevo's patent-protected, capital-light business model converts existing ethanol plants into bio-refineries to make isobutanol. This versatile chemical can be directly integrated into existing chemical and fuel products to deliver environmental and economic benefits. Gevo started up its first commercial isobutanol facility in Luverne, Minn., and has a marquee list of partners including Coca-Cola, Sasol, and LANXESS, among others. Gevo is committed to a sustainable bio-based 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, 2012 and in subsequent reports on Forms 10-Q and 8-K and other filings made with the SEC by Gevo.

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