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US PTO Denies Request for Reexamination of Butamax Pioneering Patent and Orders Limited Reexamination of Butamax Second Patent

WILMINGTON, Del., Nov. 28, 2011 -- Butamax™ Advanced Biofuels, LLC, the leading biobutanol technology company, commented on the U.S. Patent and Trademark Office's reexamination decisions regarding two of the Company's foundational patents, Patent No. 7,851,188 ('188), and Patent No. 7,993,889 ('889).

"We are pleased that the U.S. Patent Office found Gevo's attempts to invalidate our first patent to be without merit and we are confident that our second patent, which is a continuation of the first, will ultimately receive the same revalidation," said Paul Beckwith, Butamax CEO. "With our foundational isobutanol production patent reaffirmed and with key claims of our second patent unchallenged, we will continue our efforts to bring Gevo's unlawful infringement to an end."

Peter Matrai, Butamax COO added, "According to USPTO statistics, 95% of reexamine requests are granted. The denial of reexamination for the '188 patent demonstrates the strength of the patent and Butamax's clear position as the true innovator of biobutanol production technology."

Butamax filed suit against Gevo, Inc for infringement of the '188 and '889 patents which the U.S. Patent office issued in December 2010 and August 2011, respectively. Both the '188 and '889 patents remain in full force and effect. These patents protect pioneering biobutanol production technology. Butamax is seeking to enjoin Gevo Inc. from infringing these patents. A hearing on a motion for a preliminary injunction to halt Gevo's infringement is scheduled for early 2012.

Butamax continues to build its patent portfolio and commercialize the most cost-effective biobutanol production technology for the benefit of the biofuels industry and its licensees. At the Butamax Technology Demonstration Facility in Hull, England, the company is implementing an experimental program designed to optimize various components of the production technology. The Butamax facility in Hull opened in 2010 and currently employs 27 people including engineers, operational staff, a microbiologist and analytical personnel. Butamax is also conducting research in the United States, Brazil, India, and Germany.

About Butamax

Butamax™ Advanced Biofuels, LLC was formed to develop and commercialize biobutanol as a next generation renewable biofuel for the transport market. The company benefits from the synergy of DuPont's proven industrial biotechnology experience and BP's global fuels market knowledge. Butamax's proprietary technology offers a cost-advantaged manufacturing process for isobutanol with value from field to pump. For more information, visit www.butamax.com.

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