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Butamax Announces Immediate Appeal of Court Decisions on Claim Construction and Summary Judgment

WILMINGTON, Del., March 20, 2013 - Butamax™ Advanced Biofuels, LLC, the leading biobutanol technology company, announced today it would appeal the Court's claim construction and decisions on certain motions before the Court in Butamax's litigation against Gevo.

Paul Beckwith, Butamax Chief Executive Officer, stated, "Butamax has decided to appeal this case immediately. Butamax strongly disagrees with the Court's claim construction. We do not believe it is consistent with either the patent, rules for patent claim construction or statements made by the Federal Circuit. We have therefore decided to appeal immediately to resolve this matter before going to trial. We are confident the Federal Circuit will determine this matter in our favor."

The Court made no overall determination on literal infringement and denied Gevo's motions of invalidity on all but two of 37 patent claims being asserted by Butamax against Gevo. However, despite previous statements from the Federal Circuit, the Court chose a very narrow claim construction for the KARI enzyme element of the claims. This narrow interpretation, in Butamax's view, is in error as a matter of law and therefore Butamax is taking this claim construction immediately back to the Federal Circuit for appeal.

Beckwith continues, "This is still an early stage in what is likely to be a long and complicated litigation, involving many patents that will take several years for the courts to resolve. Butamax is currently enforcing six other patents against Gevo and will vigorously continue to do so while this case is appealed."

Butamax remains strongly committed to near term commercialization of its biobutanol technology. Butamax will continue its strategy of bringing advanced biofuels to the consumer and providing a real solution to the blendwall.

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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