

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BUTAMAX™ ADVANCED BIOFUELS LLC

Petitioner

v.

GEVO, INC.

Patent Owner

Case No. IPR2013-00539

Patent No. 8,273,565

**DECLARATION OF GEVO, INC.'S GENERAL COUNSEL BRETT LUND
IN SUPPORT OF *PRO HAC VICE* MOTION**

Mail Stop **PATENT BOARD**
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I, Brett Lund, do hereby declare:

1. I am the current Chief Licensing Officer and General Counsel for Patent Owner, Gevo, Inc.
2. I have served in the capacity of Chief Licensing Officer and General Counsel for Gevo, Inc. since 2007.
3. I hold both a Juris Doctor and Master of Business Administration degree from Duke University.
4. I have 14 years of experience as a practicing attorney and have been involved with several complex intellectual property litigation proceedings.
5. In my capacity as General Counsel for Gevo, Inc., I have been intimately involved with litigation matters in various United States District Court proceedings.
6. I am therefore qualified to represent the property interests of Gevo, Inc., as an experienced litigating attorney.
7. In my capacity as Chief Licensing Officer, as well as General Counsel, for Gevo, Inc., I have become acutely familiar with the subject matter of Gevo's patent portfolio.

8. In particular, I am familiar with the legal subject matter, technical subject matter, and prior art involved with U.S. Patent No. 8,273,565.
9. I am a member in good standing of the Bar of California and the Bar of North Carolina.
10. I have never been suspended or disbarred from practice before any court or administrative body.
11. I have never had a court or administrative body deny my application for admission to practice.
12. I have never been sanctioned or cited for contempt by any court or administrative body.
13. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in Part 42 of 37 C.F.R.
14. I agree to be subject to the United States Patent and Trademark Office Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
15. In the past three years, I have not appeared *pro hac vice* in any proceedings before the United States Patent and Trademark Office.

16. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of U.S. Patent No. 8,273,565.

Dated: 10/13/2014

By: 
Brett Lund