

# In the United States Court of Federal Claims

No. 13-419-C  
(Filed: April 7, 2014)

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**BLUE SPIKE, LLC,**

Plaintiff,

v.

**THE UNITED STATES,**

Defendant.

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## ORDER

On March 17, 2014, the Government filed a motion wherein it requests that the Court order Plaintiff, Blue Spike, LLC (“Blue Spike”) to reduce the number of patent claims asserted in this matter. According to the Government, Blue Spike has asserted eighty claims against the Government and its suppliers. The Government requests that the Court order Blue Spike to reduce the number of claims asserted to thirty-two. Blue Spike, by way of its response, informs the Court that “[i]n principle, Blue Spike does not oppose limiting its claims at an appropriate time—namely, once claim-construction discovery is complete.” Blue Spike Resp. at 1-2. The Court agrees with Blue Spike’s argument that it could be prejudiced by limiting its asserted claims without a complete picture of the facts. The Government’s motion (Docket No. 38) is, therefore, DENIED, without prejudice to the Government bringing the motion again after claim construction discovery is complete.

s/ Edward J. Damich  
EDWARD J. DAMICH  
Judge