

CLIENT ALERT

Be Certain of The Sum Certain

Dec.04.2007

The ASBCA in *Rex Systems, Inc.* (Nov. 6, 2007), gave a painful reminder that, without a sum certain stated in a claim, it has no jurisdiction. After over two years of litigation in the appeal, the government raised in its post-trial brief that the claim, which requested a 15% license fee "at a minimum," does not state a sum certain, and the board agreed, dismissing the appeal at that stage.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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