

Claim Nos. IL-2021-000019 / IL-2022-000069

**IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
INTELLECTUAL PROPERTY LIST (ChD)**

B E T W E E N:

CRYPTO OPEN PATENT ALLIANCE

**(for itself and as Representative Claimant on behalf of Square, Inc., Payward
Ventures, Inc. (DBA Kraken), Microstrategy, Inc., and Coinbase, Inc.)**

Claimant

- and -

CRAIG STEVEN WRIGHT

Defendant

A N D B E T W E E N:

CRAIG STEVEN WRIGHT

Claimant

- and -

“BTC CORE” and ors

Defendants

TWENTY THIRD STATEMENT OF PHILIP NATHAN SHERRELL

I, PHILIP NATHAN SHERRELL of Bird & Bird LLP, 12 New Fetter Lane, London EC4A 1JP, say as follows:

1. I am the same Philip Nathan Sherrell who has made twenty-two previous statements in COPA v Wright, IL-2021-000019 (the “**COPA Claim**”). This Statement is made in the COPA Claim and in the Wright v BTC Core issued in 2022, Claim IL-2022-000069 (the “**BTC Core Claim**”). I have also made one previous statement in the claim issued in 2024, Craig Steven Wright v BTC Core and SquareUp Europe Ltd, BL-2024-001495 (the “**New Claim**”). I am authorised to make this witness statement on behalf of COPA (which is the Claimant in the COPA Claim and a Defendant in the BTC Core Claim) and

SquareUp Europe Ltd (which is a Defendant in the BTC Core Claim and in the New Claim). The facts and matters to which I refer in this witness statement are true where they are within my knowledge. Otherwise, they are true to the best of my knowledge, information and belief, and I state the source of my knowledge.

Purpose of this witness statement

2. The purpose of this witness statement is to support the applications made by COPA and SquareUp for General Civil Restraint orders (“**GCROs**”), or alternatively Extended Civil Restraint Orders (“**ECROs**”), in respect of Dr Wright. In summary, the grounds of these applications are:
 - a. that Dr Wright has persistently issued claims and applications which are totally without merit, including four claims which have been certified as such;
 - b. that Dr Wright’s conduct generally indicates a high propensity to engage in vexatious litigation and the pursuit of claims and applications which are totally without merit, and that there is a high risk that he will continue to do so in the future unless restrained; and
 - c. that, in respect of the application for a GCRO, such an order is justified, as there is good reason to believe that it is needed to protect other litigants and the Court from vexatious claims and applications, and because Dr Wright’s conduct demonstrates that he would seek to circumvent an ECRO.

Introduction and background

3. The Court will be familiar with these proceedings. The background is set out in my First Witness statement in the New Claim from paragraph 3, which is included at **Exhibit PNS-197** to this statement, and my Second Affidavit in the COPA Claim from paragraph 8 which is set out at **Exhibit PNS-198**.
4. In summary, from 2016, Dr Wright began publicly making claims to be Satoshi Nakamoto, the pseudonymous inventor of the Bitcoin System and author of the Bitcoin White Paper (the “**White Paper**”) and Bitcoin Code. He now has a record of bringing various claims in which he asserts intellectual property rights related to the White Paper, the Bitcoin Code, the name “Bitcoin”, and the Bitcoin Blockchain database, as well as defamation actions against those who dispute his claims. In support of these claims, Dr Wright has lied persistently, and has intentionally presented large numbers of forged documents to the Court.
5. A Joint Trial was ordered in the COPA Claim and the BTC Core Claim, to resolve the

issue whether Dr Wright had invented the Bitcoin System and written the White Paper. Two further actions were stayed pending the result of that Joint Trial: (a) Wright v Payward, Inc (IL-2022-000036) (the “**Kraken Claim**”); and (b) Wright v Coinbase Global, Inc (IL-2022-000035) (the “**Coinbase Claim**”). On 14 March 2024, the last day of the Joint Trial, Mr Justice Mellor announced his decision on the basis of what he described as “overwhelming evidence” that Dr Wright is not:

- a. the author of the Bitcoin White Paper (i.e. the paper entitled “Bitcoin: Peer-to-Peer Electronic Cash System”, which was released on or about 31 October 2008 under the name “Satoshi Nakamoto” and subsequently published in a revised version on or about 24 March 2009);
 - b. the person who adopted or operated under the pseudonym "Satoshi Nakamoto" in the period 2008 to 2011;
 - c. the person who created the Bitcoin system; or
 - d. the author of the initial versions of the Bitcoin software.
2. Shortly afterwards, Mr Justice Mellor made an order giving declarations to that effect, which is included at **Exhibit PNS-199**. Mr Justice Mellor then issued a substantial judgment on 20 May 2024 in which he gave his reasons. There followed a Form of Order hearing, after which Mr Justice Mellor ordered injunctive relief by order dated 16 July 2024, providing reasons in a further judgment.
 3. On 10 October 2024, Dr Wright issued the New Claim in the circumstances described in my first statement in the New Claim and in my Second Affidavit in the COPA Claim. As explained there, my clients immediately took the view that Dr Wright had flouted the injunctive orders by issuing the New Claim, and contempt proceedings were begun as a result. By the Order of Mr Justice Mellor dated 1 November 2024 in the New Claim (**Exhibit PNS-200**), the New Claim was stayed pending final determination of COPA’s Contempt Application.
 6. Following the trial of the COPA Claim and the BTC Core Claim, COPA made clear to Dr Wright that it intended to seek a Civil Restraint Order (“**CRO**”). In COPA’s skeleton argument for the Form of Order hearing (**Exhibit PNS-201**), notice was given as follows:

For the avoidance of doubt, it is COPA’s position that, once Dr Wright’s various claims have been dismissed at this hearing, an ECRO or GCRO could be sought and made against him on the ground that he has persistently issued claims which are totally without merit (CPR PD3C, paragraphs 3.1 and 4.1). COPA reserves its right to apply for such an order, while maintaining that the injunctive

relief it seeks is justified and has important effects beyond those which a CRO would have (notably, the effects to prevent Dr Wright bringing proceedings in other jurisdictions and to prevent him making threats of legal action). [Footnote 66]

7. At the Form of Order hearing itself, Dr Wright had taken the position that the appropriate regime under which to address any risk of his engaging in vexatious litigation was the CRO regime; see paragraphs 4 and 23 of Dr Wright's Skeleton Argument for the Form of Order hearing, available at **Exhibit PNS-202**.
8. Following the Form of Order hearing four sets of proceedings in which Dr Wright had been the claimant were dismissed and found to be totally without merit, as was Dr Wright's defence to the COPA Claim. This was recorded by the Court in the judgment (*Crypto Open Patent Alliance v Wright (Rev1)* [2024] EWHC 1809 (Ch) (16 July 2024), at [204]), in which Mr Justice Mellor certified each of those claims as being totally without merit (emphasis added):

"The Developers' application for dismissal of the BTC Core Claim.

[202] I did not understand Dr Wright to oppose dismissal of the BTC Core Claim. The remaining dispute was the Developers submission that I should certify the claim as totally without merit.

[203] For the Developers, Mr Gunning KC submitted it was bizarre that this was in dispute, in view of the fact that Mr Orr KC's submissions acknowledged that Dr Wright's conduct is such as to engage the civil restraint order regime, which is engaged only after a litigant has pursued applications or claims which are totally without merit.

[204] I certify that the BTC Core Claim was totally without merit. I will also certify that the Coinbase, Kraken and TTL claims were totally without merit, as was Dr Wright's defence to the COPA Claim."

9. In the following months, remaining issues between the parties have been the subject of correspondence, including costs, service, and effecting the orders made by the Court.
10. Before recent developments, it had been COPA's and SquareUp's intention to await the outcome of the contempt proceedings before pursuing a CRO application. A directions hearing took place in the contempt proceedings and the New Claim on 1 November 2024, and we gave notice to the Court and Dr Wright of our intentions in the skeleton argument for that hearing at [12] (**Exhibit PNS-203**):

For completeness, COPA and SquareUp should give notice that they intend in due course to make applications for a General Civil Restraint Order (alternatively, an Extended Civil Restraint Order) against Dr Wright. Their present intention is to await the outcome of the Contempt Application before issuing such application(s), although they would not

rule out making Civil Restraint Order application(s) sooner if Dr Wright fires off further claims or applications in the intervening time.

11. However, on 4 November 2024, Dr Wright did exactly that, issuing a further application in the New Claim (the “**4 November Application**”), directly after it had been stayed. As explained below, he has since taken steps to induce others to make applications in the New Claim, despite the stay. COPA and SquareUp have therefore decided that they have no option but to pursue a CRO application now.

Dr Wright’s campaign of litigation

12. Dr Wright is a serial litigant in the courts of this country and other jurisdictions. He has repeatedly been held to be dishonest. He has brought an immense campaign of litigation against private individuals, well known people, companies and even (apparently fictitious) partnerships. A very large number of those claims (including all of those addressed in this statement) have been vexatious, totally without merit, and founded on fraud.
13. Dr Wright’s claims have included at least the following. This summary is adapted from the factual summary set out in COPA’s Skeleton argument for the main COPA trial, expanded to provide a fuller record of Dr Wright’s litigation campaign, and updated to take account of some further developments.
14. The Kleiman Proceedings (USA): Following Dr Wright’s attempts to tout his claim to be Satoshi and his naming of the deceased David Kleiman as a collaborator in creating the Bitcoin system and mining Bitcoin, the estate of Mr Kleiman (along with WK&ID, a company we understand is controlled by the estate) brought an action against Dr Wright in the Southern District of Florida. The plaintiffs claimed that Dr Wright had defrauded the estate of large sums in Bitcoin and of IP rights. This claim was based on Dr Wright’s own assertions about his having created Bitcoin and conducted mining with Mr Kleiman. After a trial in November / December 2021, the jury found Dr Wright liable to W&KID for conversion of intellectual property and awarded compensatory damages of US\$100 million.
15. In an interlocutory judgment of 27 August 2019 ordering Dr Wright to disclose his supposed early Bitcoin holdings, Judge Reinhart concluded that Dr Wright had “engaged in a wilful and bad faith pattern of obstructive behaviour, including submitting incomplete and deceptive pleadings, filing a false declaration, knowingly producing a fraudulent trust document and giving perjurious testimony at the evidentiary hearing”. More particularly, the Judge found that there was “substantial credible evidence that

documents produced by Dr Wright to support his position in this litigation are fraudulent”, and a strong (and unrebutted) inference that he had created the fraudulent documents. A copy of this judgment is included at **Exhibit PNS-204**.

16. The McCormack Proceedings (UK): Dr Wright brought a defamation claim against Mr McCormack, a blogger who had publicly disputed his claim to be Satoshi. In that case, Mr McCormack initially raised a defence of truth but then dropped that defence because of the cost of maintaining it, instead relying on the argument that on any view the allegedly defamatory publications (certain tweets) had caused no serious harm to reputation. The case went to trial before Chamberlain J in August 2022. In cross-examination, Mr McCormack’s counsel raised points showing that Dr Wright and Calvin Ayre (his wealthy financial backer) had coordinated threats to ruin those who took issue with Dr Wright’s claim to be Satoshi. A copy of the transcript is available at **Exhibit PNS-205**.
17. Dr Wright was found by Chamberlain J to have advanced a deliberately false case, then sought to explain it away with further falsehoods. A copy of the Judgment, dated 1 August 2022, is available at **Exhibit PNS-206**. Dr Wright was awarded only nominal damages (a decision upheld on appeal). In the judgment on consequential orders, included at **Exhibit PNS-207**, Chamberlain J made an indemnity costs order and also referred him for contempt proceedings in relation to an apparent breach of the judgment embargo.
18. In the contempt proceedings that followed, Dr Wright claimed that a report submitted to the Court by his solicitors (Ontier) on which Chamberlain J had relied had been put in without his instructions or agreement. The Divisional Court surveyed the facts, explaining that “all the circumstances point towards the conclusion that the Ontier report was prepared and provided to the Court on the instructions of Dr Wright”. This event is relevant to the credibility of Dr Wright when he seeks to place blame on his lawyers, as he repeatedly does in these proceedings.
19. Following the judgment in the COPA Trial, it emerged that much of the evidence on which Dr Wright had relied to defeat Mr McCormack’s ability to proceed with his defence of truth was the same evidence found to have been forged by Dr Wright in the COPA claim. Upon that basis, and in light of the findings made by the Court in the Joint Trial, COPA’s position is that Dr Wright’s claim against Mr McCormack was totally without merit. We understand that Mr McCormack is now making a claim for damages against Dr Wright, as summarised in the judgment of 5 July 2024 ([2024] EWHC 1735 (KB)) relating to Mr McCormack’s claim for a worldwide freezing order in relation to his claim.

20. Defamation claim against Vitalik Buterin (UK): On 8 April 2019, Dr Wright claimed for defamation against Mr Vitalik Buterin (claim no QB-2019-001332). Mr Buterin is the well-known journalist (founder of Bitcoin Magazine), and computer scientist (inventor of the Ethereum cryptocurrency). We do not have any further information about this claim, save that we understand it to be “closed”, judging by the small amount of information on the court file.
21. Defamation claim against Roger Ver (UK): In May 2019, Dr Wright sued Mr Roger Ver for defamation based on statements amounting to claims that Dr Wright had fraudulently claimed to be Satoshi Nakamoto. There was a hearing before Master Thornett on 16 May 2019 to add further claims. Following service, the claim was dismissed for lack of jurisdiction: Wright v Ver [2019] EWHC 2094 (QB) (31 July 2019). Dr Wright appealed, but the appeal was not allowed: [2020] EWCA Civ 672. COPA’s position is that Dr Wright’s claim against Roger Ver was totally without merit. Again, this follows from the COPA Claim judgment, which demonstrates that Mr Ver’s statements were true and Dr Wright’s claim against him based on fraud.
22. Defamation claim against Roger Ver (Antigua and Barbuda): Dr Wright also sued Mr Ver in the courts of Antigua and Barbuda under Claim No. ANUHCv2020/0300. The premise of the case was summarised as follows in a judgment of the High Court of Antigua and Barbuda dated 13 April 2023 (**Exhibit PNS-208**): *“The Claimant indicates that he is a computer scientist and entrepreneur. The Claimant also indicates that he is the person behind the pseudonym ‘Satoshi Nakamoto’ and that he is a highly active member of the Bitcoin industry.” The Claimant contends that he is the original creator of Bitcoin*. The statements of which complaint was made were summarised at [15]-[16]:

(1) *A publication and/or broadcast made by the Defendant on or around April 15, 2019, on the official Bitcoin.com YouTube channel titled “Special Message to Craig Wright,” in which the Defendant stated the following: “**Craig Wright is a liar and a fraud.**” (“Video”).*

(2) *A publication and/or broadcast made by the Defendant on or around May 3, 2019, on the Defendant’s twitter account titled “My response to CSW’s 100,000 GBP lawsuit” in which the Defendant stated “**Craig Wright is a liar and a fraud. So sue me. Again.**” (“Twitter Video”).*

(3) *A publication made by the Defendant on or around May 3, 2019, which stated the following: “**Faketoshi, claiming to be Satoshi Nakamoto when you are not. Craig Wright is a cockwombling bunglecunt Faketoshi**” (“BKK Shadow Reply”).*

(4) *A publication made by the Defendant on or around June 11, 2019, on the Defendant’s*

twitter account with the words “Unpopular but true opinion: BSV is more than just CSW, Popular and true opinion: CSW is a liar and a fraud.” (“Tweet dated June 11, 2019”).

It is clear from the judgment in the COPA Claim that these statements are materially true. COPA’s position is that Dr Wright’s claim against Roger Ver in Antigua and Barbuda was totally without merit (and that an English Court would have declared it so, had the case been brought in this jurisdiction), as follows from the COPA judgment.

23. Defamation claim against Adam Back (UK): On 13 June 2019, Dr Wright filed defamation proceedings against Dr Adam Back, with claim no. QB-2019-002134. Dr Back is a well-known computer scientist, and the first known correspondent of the real Satoshi Nakamoto. We have no further information about these proceedings, save that we understand them to have been discontinued.
24. The Granath Proceedings (Norway): These concerned whether Dr Wright had been defamed by a blogger, Magnus Granath (aka Hodlonaut), who had disputed his claim to be Satoshi. The case went to trial in the Oslo District Court in late 2022. A number of witnesses who featured in the Joint Trial (including Dr Wright) also gave evidence in Oslo on his claim to be Satoshi. In a judgment on 20 October 2022, included at **Exhibit PNS-209**, the Court held that Mr Granath had “sufficient factual grounds basis to claim that Wright had lied and cheated in his attempt to prove that he is Satoshi Nakamoto”. It recorded that documents produced by Dr Wright which he had claimed were early versions of the White Paper and Source Code had been found by both parties’ experts to “contain at best unexplained changes which are likely to have been made after the date the documents are claimed to be from”. COPA’s position is that Dr Wright’s claim against Mr Granath in Norway was totally without merit (and that an English Court would have declared it so, had the case been brought in this jurisdiction), as follows from the COPA judgment. On 11 April 2024, Mr Granath announced on Twitter that Dr Wright had dropped his Norwegian appeal following Mr Justice Mellor’s ruling in COPA (at <https://x.com/hodlonaut/status/1778457284806353177>).
25. The Granath Proceedings (England): Separate to the Norway proceedings, Dr Wright claimed against Mr Granath in the UK, also in defamation, under claim No QB-2019-002311. The basis of the claim was that Mr Granath had published messages to the effect that Dr Wright “had fraudulently claimed to be Satoshi Nakamoto” - a statement which the Court in the COPA Claim has found is true. A copy of the court’s file index for that case is at **Exhibit PNS-210**, listing no less than 19 court orders. There are also three judgments concerned with whether the case would have to proceed, ultimately finding

that it should proceed (partly on the basis that Dr Wright’s case disclosed a realistic prospect of success at the interlocutory stage, based on the available material): [2020] EWHC 51 (QB), [2021] EWCA Civ 28, and [2022] EWHC 1181 (QB) (**Exhibits PNS-211 to PNS-213**). COPA’s position is that Dr Wright’s claim against Mr Granath in the UK was totally without merit, as follows from the COPA judgment. On 3 May 2024, Mr Granath announced on Twitter that Dr Wright had discontinued all parts of his UK libel proceedings against him (at the URL <https://x.com/hodlonaut/status/1786428426405957700>).

26. The Tulip Trading Proceedings (UK): A further case in this jurisdiction is another claim for billions of pounds against some of the developer defendants in the BTC Core Claim). Dr Wright gave notice of discontinuance on 16 April 2024, and the Tulip Trading Case was certified as being totally without merit (Crypto Open Patent Alliance v Wright (Rev1) [2024] EWHC 1809 (Ch) (16 July 2024), at [3] and [204] respectively).
27. Cobra claim (UK): The Court will be familiar with the Cobra claim, which was detailed in the Developers’ skeleton argument for the FOO hearing (**Exhibit PNS-214**) and which was summarised by Mr Justice Mellor as follows in the main trial judgment:

'There is one other claim which has been brought to my attention: the COBRA claim (IL-2021-000008) in which Dr Wright sued unnamed defendants as 'The person or persons responsible for the operation and publication of the website www.bitcoin.org (including the person or persons using the pseudonym 'COBRA')'. The claim was for infringement of copyright in the Bitcoin White Paper. Dr Wright secured Judgment in default of acknowledgement of service and defence by the Order of HHJ Hodge QC dated 28 June 2021, which includes an injunction preventing the defendants from infringing copyright in the Bitcoin White Paper, whether by making the Paper available for download or in any other way.'

The default judgment in the Cobra Claim was set aside on the basis of the claim having been fraudulent (Crypto Open Patent Alliance v Wright (Rev1) [2024] EWHC 1809 (Ch) (16 July 2024), at [221]), meaning that the claim was totally without merit.

28. The Coinbase Claim (UK) and The Kraken Claim (UK): The Court will be familiar with these actions also, which were summarised as follows in the COPA main trial judgment at [52.2]:

"52.2. The second and third actions (the Coinbase and Kraken Actions) were issued on the same day by Dr Wright and associated companies against two sets of defendants which have been referred to as the Coinbase and Kraken Defendants respectively. In each of those actions, the claim is for passing off by reference to the term Bitcoin. The claimants claim to own goodwill in the term Bitcoin, underpinned by what are alleged to be important and defining characteristics including those designated in the Particulars of Claim as the 'Bitcoin Characteristics'. The cause of action in passing off is said to be sufficient to prevent third parties (including the Coinbase and Kraken Defendants) from using the term Bitcoin in relation to digital assets with tickers BTC and BCH."

These actions were both certified as being totally without merit (Crypto Open Patent Alliance v Wright (Rev1) [2024] EWHC 1809 (Ch) (16 July 2024), at [204]).

Dr Wright's conduct in the Appeal

29. On 9 August 2024, Dr Wright filed an Appellant's Notice which was sealed on 12 August 2024. It included a skeleton argument that was 413 pages long and included a separate 'summary skeleton' of 25 pages. The Appellant's Notice and accompanying documents are available at **Exhibit PNS-215**.
30. The Appellant's Notice was filed on 9 August 2024, three days after the deadline stipulated by CPR 52.12 (being 6 August 2024). The Appellant's Notice was then not served on COPA until a week after the deadline, on 13 August 2024.
31. The accompanying Grounds of Appeal, which are supposed to identify as concisely as possible the respects in which the judgment of the court below is wrong or unjust without going into reasons as to why the decision was wrong or unjust (PD 52.5) are plainly not concise. Dr Wright's Grounds of Appeal are verbose and voluminous: the document comes to a highly-repetitive 89 pages.
32. As noted above, Dr Wright's skeleton on the Permission to Appeal application was hundreds of pages in length, repetitive and verbose. It also contained many signs of being AI-generated, including there being numerous references to cases that do not exist or plainly have no relevance to the propositions for which they are cited. It has been a time-intensive and costly exercise to examine Dr Wright's appeal skeleton(s), in particular due to the erroneous case references. By way of example only, I include some of these erroneous case references in the table below:

Bundle reference	Citation referred to	Comment
Skeleton, para 27	Re B (A Child) (Care Proceedings: Threshold Criteria) [2013] UKSC 3	Cited for emphasising the importance of considering all relevant factors comprehensively (suggesting it should be applied to assessing Satoshi Nakamoto's nature and behaviour), whereas the case relates to the threshold for making a care order under s.31(2) of the Children Act 1989.
Skeleton, paras 220, 235, 1432 Summary Skeleton para 38	R v Okafor [2011] EWCA Crim 1568	The neutral citation refers to R v Howard (John) (2011) [2011] EWCA Crim 1568, which was an appeal against a sentence in a stabbing case and has nothing to do with reliance on unverified documents (the topic for which it is cited in the Skeleton). There are several cases involving 'Okafor' as a party, but none that matches the citation given by Dr Wright and none with any apparent relevance.
Skeleton, para 54	Morris v Westminster	The correct citation for this case is [2005] EWCA Civ 1184. Cited for 'proper accommodations [for vulnerabilities /

Bundle reference	Citation referred to	Comment
	City Council [2006] EWCA Civ 1185	disabilities] in legal proceedings’, whereas in fact it was about a council’s duty to accommodate homeless families. It appears that the AI engine has failed to distinguish between the different senses of the word “accommodation” in English.
Skeleton paras 64, 70, 78, 190, 195, 250, 268 Summary Skeleton paras 51, 55, 64, 70, 88, 100 Grounds of Appeal paras 7, 37, 66, 78, 90, 94, 119, 145	Anderson v the Queen [2013] UKPC 2	The neutral citation is that of the case of Cukurova Finance International Ltd & another v Alfa Telecom Turkey Limited [2013] UKPC 2. Dr Wright cites this case to support that ‘a defendant with professional expertise should be allowed to provide expert testimony’ [Skeleton 250], however the Judgment does not make any reference to this. We have been unable to find any case entitled “Anderson v The Queen” or R v Anderson which makes any such reference.
Skeleton, para 219, 234 Summary skeleton para 39	R v Bally Singh [2015] EWCA Crim 1733	Dr Wright cites this case for highlighting the importance of unbiased and equal treatment of evidence from both parties, but it does not exist. There is a case, R v Alexander Sukedave Singh [2006] EWCA Crim 660, however this addresses the interpretation of hearsay evidence in criminal proceedings. We have been unable to identify any “Bally Singh” case, let alone any relevant to the context here.
Skeleton para 416	University of London v. Prag [2001] 1 WLR 169:	Incorrect citation. There is a trusts law case with this name, University of London v Prag [2014] EWHC 3564 (Ch) however it does not make any reference to ‘footnotes’ as the Skeleton suggests.
Skeleton para 416	Briggs v. University of Derby [2000] ELR 12	We have been unable to find any case with this name or citation.
Skeleton para 416	Hall v University of Salford [1995] ELR 231	The neutral citation is that of the case of Walker v Northumberland CC [1995] ELR 231. That case concerns an employer’s duty to protect employers against risks of psychiatric illness. It does not make any reference to bibliographies, as Dr Wright’s skeleton suggests.
Skeleton para 498	R v. Lattimore [1990] 90 Cr App R 79	Incorrect citation. There is a case, R. v Lattimore (Colin George) (1976) 62 Cr. App. R. 53 which concerned a verdict of murder, manslaughter and arson. It refers to the Criminal Appeal Act 1968 and is not relevant to the issue in relation to which it is cited.
Skeleton, para 562	Re B (Children) [2008] UKHL 35	Cited for ‘the need to scrutinise unchallenged qualifications if central to the case’, whereas this was a sexual abuse case concerning a child, and the standard of proof for establishing that a child is likely to suffer significant harm.

33. Dr Wright named COPA as the only respondent to the Permission to Appeal application. However, at page 16 of the Dr Wright’s Appeal Bundle (which is at **Exhibit PNS-215**), Dr Wright lists “Details of additional parties” to include the defendants in the Coinbase, Kraken, BTC Core and Tulip Trading claims. This is in keeping with Dr Wright’s track record of seeking to extend his proceedings to target individuals and companies who are

not actually parties, which risks extending and multiplying the cost and inconvenience of his allegations.

34. Notably, the parties targeted by Dr Wright in his planned appeal purportedly include parties against whom he had discontinued his cases in the High Court.
35. Unrestrained by the bounds of a legal team, Dr Wright proceeded to deluge the Court and parties with various applications in the appeal, totalling hundreds of pages of filings. Dr Wright was ordered by the Court of Appeal to reduce his filings and was in the end directed to stop filing anything further. The applications are listed in paragraph 37 below.
36. Among Dr Wright's applications to the Court of Appeal mentioned below, was a request for permission to exceed the page limit for bundles: that is ordinarily limited to 350 pages, but Dr Wright's skeleton argument and grounds of appeal themselves already exceeded that limit. He requested permission to file thousands of pages of material, much of it not before the Court at first instance.
37. Ultimately, the Court of Appeal was required to case-manage the burden placed on the Court and its staff by Dr Wright's unrestrained approach. On 13 September 2024, the Court of Appeal directed that Dr Wright rely on a revised grounds of appeal comprising 29 pages, and ordered that he re-file a summary skeleton argument comprising no more than 50 pages. A copy of the Order is at **Exhibit PNS-216**. Dr Wright then re-filed his summary skeleton as ordered on 3 September 2024, still using false authority references, even though in the meantime a number of them had been specifically pointed out in response documents by COPA and the Developer defendants to the BTC Core Claim (**Exhibit PNS-217**).

Dr Wright's applications

38. Dr Wright made numerous applications within the various actions to which he is a party. These include the following, of which we are aware:
 - a. **Thirteen Applications in the COPA Claim, included at Exhibit PNS-218:**
 - i. 28 September 2021: an application to strike out aspects of COPA's amended particulars of claim, and exclude certain evidence, totalling 139 pages;
 - ii. 23 June 2023: an application for security for costs, totalling 52 pages;
 - iii. 30 January 2023: an application for an extension of time for disclosure and amendment to consequential deadlines, totalling 179 pages;

- iv. 24 March 2023: an application to amend Dr Wright's defence, totalling 36 pages;
- v. 2 May 2023: an application to call an expert witness and rely on expert evidence at trial in relation to Autism Spectrum Disorder, totalling 52 pages;
- vi. 1 September 2023: an application for the claimant to provide information in response to the Defendant's RFI, totalling 68 pages;
- vii. 7 September 2023: an application to exclude COPA's reliance on expert reports from other proceedings by way of hearsay evidence, totalling 6 pages;
- viii. 23 October 2023: an application to extend the deadline for response to the Claimant's RFI, totalling 7 pages;
- ix. 1 December 2023: an application for further documents and expert evidence to be introduced, including material from the BDO Drive and the White Paper LaTeX Files, and to adjourn the trial, totalling 261 pages;
- x. 23 January 2024: an application to discharge paragraphs 1 and 2 of the Order dated 19 January 2024, which related to the provision of certain project history and data concerning Dr Wright's account with Overleaf, totalling 14 pages;
- xi. 29 January 2024: an application to rely on further new documents, totalling 38 pages; and
- xii. 23 February 2024: an application made during trial, requesting permission to adduce expert evidence on Citrix, VMware, Microsoft Office templates and XCopy, totalling 315 pages (an application which was withdrawn on the next working day); and
- xiii. 24 October 2024: an application for a declaration that the New Claim is outside the scope of 'Precluded Proceedings' as defined in the Injunctive Order, totalling 497 pages.
- xiv. The Court will also remember that during Trial, Dr Wright's conduct in submitting vast quantities of (apparently AI-generated) witness evidence very late in the day also occasioned an application by his solicitors to be excused the need to comply with the practice direction on the taking of trial witness statements.

b. Five Applications in Dr Wright’s planned Appeal, included at Exhibit PNS-219:

- i. 21 August 2024: an application to introduce new evidence, the application notice totalling 5 pages and the application bundle totals 39 pages.
- ii. 27 August 2024: an application for permission to file a supplementary bundle exceeding 350 pages.
- iii. 24 August 2024: an application for permission to introduce new evidence related to the Overleaf LaTeX files, and reconsider the findings in paragraphs 450 and 457 of the 20 May 2024 Judgment, the application notice totalling 5 pages and the application bundle 21 pages.
- iv. 26 August 2024: an application for permission to introduce further new evidence in the form of an email and draft witness statement from Simon Cohen of Ontier (his previous solicitors), which he claimed “*provide critical information regarding the independent access to the Vistomail account*”, the application notice totalling 5 pages and the application bundle 26 pages.
- v. 28 August 2024: an application for permission to exceed the page limits prescribed by the CPR for the skeleton argument and grounds of appeal, the application bundle now totalling 385 pages.

c. Seven Applications in the Tulip Trading Proceedings, included at Exhibit PNS-220:

- i. 30 April 2021: an application for permission to serve out;
- ii. 14 February 2022: an application for permission to rely on an additional witness statement from Dr Wright (Wright 4);
- iii. 27 September 2022: an application to stay Roger Ver’s jurisdiction challenge;
- iv. 9 March 2023: an application for variation of Master Clark’s Order;
- v. 8 August 2023: an application to strike out certain passages of, and the evidence exhibited to, the First Witness Statement of Timothy William Elliss dated 11 July 2023 and to extend the deadline for filing evidence in response;
- vi. 7 March 2024: an application to relist Amaury Sechet and Jason Cox’s application; and

- vii. 23 April 2024: an application to vary the sealed WFO granted on 22 April 2024.
 - d. **One application in the Coinbase Claim (before it was stayed), included at Exhibit PNS-221:**
 - i. 31 March 2023: an application for an order to strike out the Coinbase defence and requesting service of an amended defence.
 - e. **One application in the BTC Core Claim (before it was stayed), included at Exhibit PNS-222:**
 - i. 15 December 2022: an application for permission to serve outside the jurisdiction, for alternative service and to amend the Particulars of Claim.
 - f. **One application in the Kraken Claim (before it was stayed), included at Exhibit PNS-223:**
 - i. 18 August 2022: an application for permission to serve outside the jurisdiction.
39. As is evident from all of this, Dr Wright has demonstrated a pattern of filing application notices based on, and in support of, his false claims. Not listed above, but just as wasteful, are various applications that needed to be filed by Dr Wright's opponents in order to force his compliance with basic rules of litigation.
40. Dr Wright has also developed a recent habit of filing documents with the Court without warning to his opponents, and delaying service for many days. Dr Wright has repeatedly been reminded about the need to serve documents as soon as possible, but continues not to do so. Without speculating as to Dr Wright's intentions behind these delays, we can at least say that the approach does, again, cause unnecessary waste of time and costs, as we are now in the position that we have to regularly monitor the court's file to check for developments caused by Dr Wright without his having given proper notice to us. For example:
- a. On 23 October 2023, Dr Wright filed an application for an extension of time to respond to the Consolidated RFI in the COPA Claim. Dr Wright did not serve the application on us, and we were not copied on any communications with the Court (nor were we made aware of the application notice at all). We only became aware of the application when we were served with an order. We subsequently wrote to Dr Wright's solicitors to raise this, along with various other failures to properly serve

documents, in our second letter dated 26 October 2023, which is included at **Exhibit PNS-224**.

- b. In the Appeal, COPA only became aware that Dr Wright had filed an appeal upon inspection of his posts on social media, as outlined in a letter to Marcus Parker dated 6 August 2024, included at **Exhibit PNS-225**. Dr Wright has failed to comply with directions from the Court of Appeal in regard to service: **Exhibit PNS-226** shows an email from the Court, informing Dr Wright of his failure to comply with a direction to confirm to the Court and all Respondents that he had filed and served all documents upon which he seeks to rely.
 - c. Most recently, Dr Wright has continued this course of action in the New Claim, as detailed from paragraph 43 below. Notably, we are still awaiting service of certain documents that were filed in support of his application dated 4 November 2024 in the New Claim.
41. Overall, it is COPA's position that, to the extent these applications were based on the underlying assertion of Dr Wright being Satoshi Nakamoto or made in support of such claims, they have been based on falsehoods and are vexatious. For instance, Dr Wright's 1 December 2023 application to rely on his 97 additional Documents, the White Paper LaTeX Files and the Documentary Credits Assignment Documents (in each case, comprising many recent forgeries passed off as original to 2007-2009) may now be seen to fall within this category, even though at the time it was granted by the Court.

The New Claim

42. Dr Wright's vexatious conduct of litigation continues in the form of the New Claim. By way of context, Mr Justice Mellor summarised Dr Wright's campaign of litigation up to early 2024 in his judgment from the Form of Order hearing as follows at [136] to [140] (emphasis added):

· I consider I must take account of what has occurred in all the claims which featured Dr Wright's claim to be Satoshi, each of which has been part of his mendacious campaign to prove he is Satoshi:

- i) Although whether Dr Wright was Satoshi was not in issue in the Kleiman action, it would not have occurred without his assertion that he was.*
- ii) That was followed by his defamation claims against Mr McCormack and Mr Granath in the UK, even though his claim against Mr Granath was tried in Mr Granath's domicile in Norway.*
- iii) Becoming bolder, Dr Wright then asserted his claim to copyright in the Bitcoin White Paper, bringing his claim against COBRA over the content of the website bitcoin.org. His claim to copyright also seems to have been the trigger for COPA's claim, which was followed by Dr Wright initiating his claims in passing off against Coinbase and Kraken, the TTL claim and finally, the*

BTC Core Claim.

iv) *As Dr Wright became bolder in his claims, we now know that he was busy creating a wide variety of forged documents to back up his campaign.*

*· All these claims were related by Dr Wright's claim to be Satoshi. In one sense, the COPA Claim comprised, in part, the truth defence to Dr Wright's defamation claims, and **the cost and effort on the part of COPA and the Developers at the Joint Trial to establish that demonstrates the very considerable momentum which Dr Wright's claim had built up.***

*· This analysis serves to show that it is misleading to characterise the issue merely as Dr Wright's freedom to express his claim to be Satoshi or his belief that he is. **Any expression of that claim in the future has to be gauged in the light of his overall campaign and the result of the Joint Trial.***

*· In bringing its claim COPA was, in effect, representing the interests of all those in the crypto industry who were affected, to varying degrees, by Dr Wright's lies that he was Satoshi and, **founded on that lie, his claims** to have control, via copyright, database right and the law of passing off, over the activities of those in the industry who did not agree with him and his views of Bitcoin, particularly BSV. Accordingly, in my judgment, the claim decided at the Joint Trial had some of the attributes of a defamation claim, in that the claim was brought to demonstrate that Dr Wright's claims were false, so that his claims and threats had no merit, thereby ameliorating the chilling effect of his claims on the very substantial part of the industry which did not agree with him.*

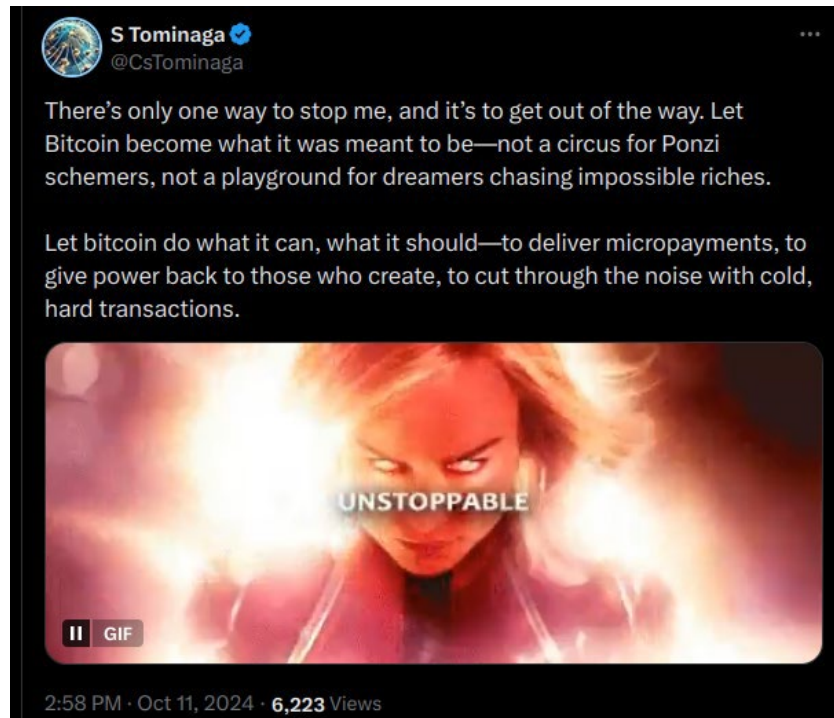
· Whilst it would be tempting to think that the result of the Joint Trial, together with the first and second injunctions, would be enough to rob Dr Wright's claim to be Satoshi of all its momentum, that appears to be wishful thinking. Although Dr Wright has gone quiet (particularly via his website), that is likely to be temporary. Furthermore, he clearly has a number of disciples who will not accept that he is not Satoshi. So it remains to assess what residual momentum his claim still has, both now and in the future.

43. On 10 October 2024, Dr Wright filed the New Claim in the Business & Property Courts of England and Wales. He named as defendants (1) "BTC Core" (a non-existent entity), and (2) Square Up Europe Ltd. The New Claim has the claim number BL-2024-001495. The Claim Form and Particulars of Claim for the New Claim are available on the Court's file, and it they are discussed in my Affidavit in the contempt proceedings.
44. The stated value of the New Claim is in excess of one trillion US dollars (i.e. considerably more than \$1,000,000,000,000, albeit expressed on the Claim Form in GBP).
45. As explained in further detail in my Second Affidavit in the COPA Claim, it is the position of COPA and SquareUp that the New Claim constitutes Precluded Proceedings within the meaning of the Order of Mr Justice Mellor dated 16 July 2024 (the "**Injunctive Order**"), in particular because it involves the assertion by Dr Wright of various intellectual property rights (specifically, copyright and database rights and rights in passing off) within the scope of anti-suit injunctions in the Injunctive Order.
46. The New Claim was served on SquareUp Europe Ltd, to the best of our current knowledge being left with the Royal Mail on 11 October 2024. SquareUp had previously

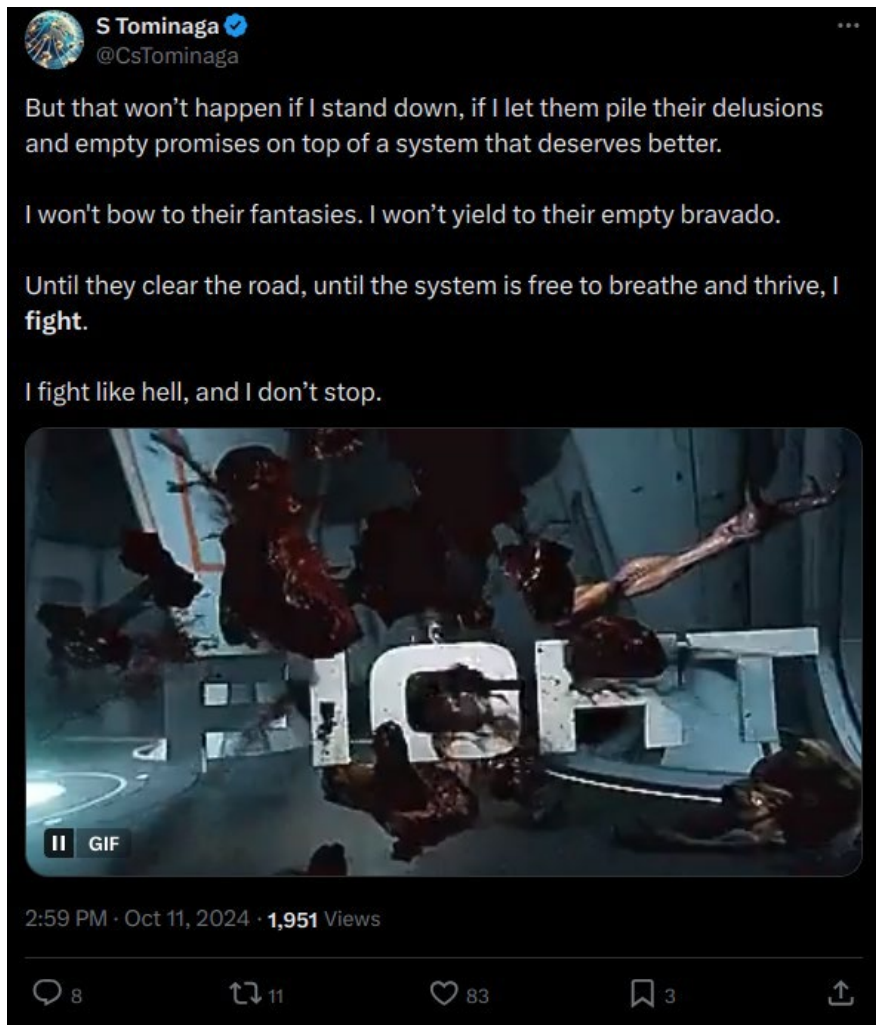
been one of the defendants to the BTC Core Claim. In substance, Dr Wright is seeking to relitigate claims he had made against SquareUp in the BTC Core Claim after those proceedings had been dismissed and certified as totally without merit.

47. In the days after commencing the New Claim, Dr Wright posted a series of tweets indicating that he had no intention of ceasing his legal actions, including the following:

a. *“There’s only one way to stop me, and it’s to get out of the way” :*



b. *“I fight. I fight like hell, and I don’t stop.”:*



c. *“WANNA FIGHT, I AM READY, LET’S GO”:*



48. Since filing the New Claim, Dr Wright has proceeded to make a flurry of further applications in rapid succession. These are summarised below by date, but I should note that it is not always possible to be sure when the applications are actually dated, given (a) Dr Wright's habit of failing to notify us or serve applications on us and (b) more generally, problems of which the Court will already be aware, of the reliability of dates that Dr Wright assigns to his documents. The applications are:
- a. 23 October 2024: an application seeking an order that all hearings and the trial in the New Claim be conducted remotely via videolink or on paper, totalling 185 pages. The application papers are included at **Exhibit PNS-227**.
 - b. 23 October 2023: an application proposing that various parties – miners, developers, and businesses are permitted to provide evidence as interveners, totalling 30 pages. The application papers are included at **Exhibit PNS-228**.
 - c. 25 October 2024: an application proposing that a 'Schedule of Partners' - purportedly listing the 'primary known partners of BTC Core', including names, addresses and contact details - be introduced into the proceedings, totalling 22 pages. The application papers are included at **Exhibit PNS-229**. Page 6 of Exhibit PNS-229 states that the Schedule is not exhaustive, and that 'further organisations and developers may be added to this schedule as additional parties are identified'. The Schedule includes 122 corporate entities, along with 7 individuals whom Dr Wright

claims are 'BTC Core Developers with Commit Access', 9 individuals whom Dr Wright claims to be 'Notable BTC Core Contributors without Commit Access', and 6 individuals whom Dr Wright claims to be 'Additional Contributors and Researchers'. To the best of my knowledge, Dr Wright has not made all of these people and entities aware of his intention to claim USD 1 trillion against them. As far as I am aware, all that he has done (other than formally serving the papers on SquareUp) is to email a copy of the papers (not by way of service) to various law firms that represented certain parties in the BTC Core Claim.

- d. 25 October 2024: an application, in response to COPA's stay application dated 24 October 2024, requesting that the stay application be denied. Notably, this application was not necessary and the appropriate means for Dr Wright's opposition to be recorded would have been by way of correspondence or evidence filed in response. The application notice and supporting evidence total 224 pages. The application papers are included at **Exhibit PNS-230**.
- e. 4 November 2024: Dr Wright made a further application which is detailed below. COPA has been served with the application notice and amended particulars, which total 89 pages. The application papers are included at **Exhibit PNS-231**.

Recent Developments

- 49. At a directions hearing on Friday 1 November 2024 in the New Claim and the COPA Claim, which Dr Wright himself attended by videolink, Mr Justice Mellor decided that the new Claim was to be stayed pending final determination of COPA's contempt application. The parties then agreed an order reflecting the decision, which was dated 1 November 2024 and sent out in sealed form on Monday 4 November 2024. A copy of that Order is provided at Exhibit PNS-200.
- 50. On 6 November 2024, upon inspection of the CE file, Bird & Bird noticed that Dr Wright had filed an application on 4 November 2024 in the New Claim, some days after the stay had been imposed and the same day that the order giving effect to the stay was sent out in sealed form. The application sought to amend Dr Wright's particulars of claim in the New Claim, and is included at Exhibit PNS-231. This application was filed after Mr Justice Mellor had imposed a stay at the hearing attended by Dr Wright. Notably, Dr Wright's amendments do not propose to remove any of the elements of his claim which COPA and SquareUp maintain represent contempts of Court. Those are set out from paragraph 73 of my Second Affidavit in the COPA Claim.
- 51. In light of his being a litigant in person, on 6 November 2024, Bird & Bird wrote to Dr

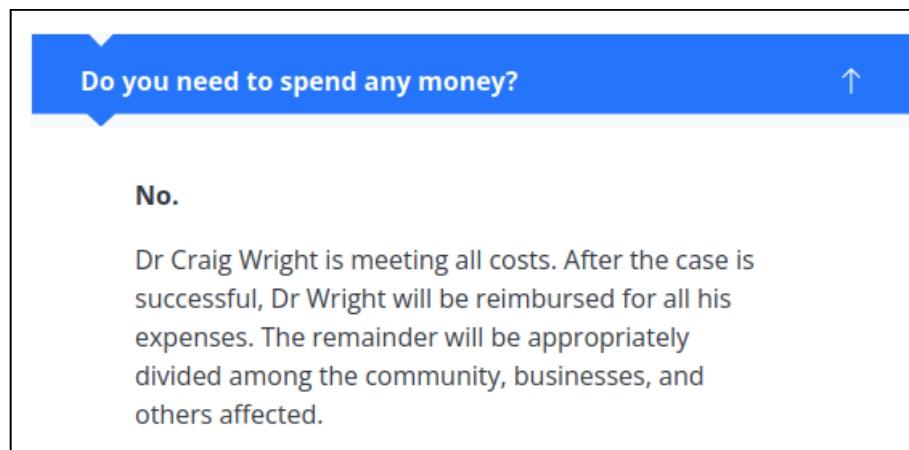
Wright to explain the implications of the order for a stay, and that it was inappropriate for him to seek to issue a new application in the New Claim while it was stayed. Dr Wright responded to state that he had *“not received any acknowledgment from the court regarding [the] application. Consequently, no service has been effected, and no steps have been taken within the stayed proceedings”*. It was, however, inappropriate for Dr Wright to have issued the application during the period of the stay, and it is not sufficient to simply state that it had not been served. The failure to serve only compounds the vexatious conduct.

52. On 7 November 2024, Bird & Bird responded to Dr Wright requesting that he address the questions raised in the initial letter of 6 November 2024, and asking that he explain his most recent threatening post on X, which appeared to amount to a further potential breach of the Injunctive Order. Dr Wright responded on 8 November 2024, indicating that he intended to create trouble with Microsoft based on an apparently threatened claim under the Proceeds of Crime Act and other actions. A copy of this correspondence, which includes the post on X, is available at **Exhibit PNS-232**.
53. After we had requested twice that Dr Wright serve us with his application of 4 November 2024, on 8 November 2024 Dr Wright sent the application notice and amended particulars of claim. We note that the CE file also records that (i) an attachment ‘Loughborough023web’ has been filed alongside the application, however COPA has not yet been served with this, and (ii) Dr Wright appears to have re-filed his witness statement in opposition to a stay alongside the 4 November 2024 application, but this has not been re-served on COPA.
54. On 8 November 2024, it became apparent that Dr Wright had proceeded to take yet further steps in the New Claim, without informing us, as set out below.
55. Specifically, Dr Wright had published a website at the following page: <https://metanet.icu/witness-statement/> (the “**Metanet Page**”). The purpose of the Metanet Page is to encourage members of the public to submit new applications in the New Claim, apparently with a view to them acting as ‘interveners’ in the proceedings. A screenshot of the Metanet Page and the pro-forma documents it provides are set out at **Exhibit PNS-233**. That page has a Modified date of 4pm 8 November 2024 (2024-11-08 16:42:12 +00:00).
56. Prior to the publication of the Metanet page, Dr Wright had already been encouraging ‘interveners’ in the proceedings and providing them with similar pro-forma documents on his Slack page at https://t.me/s/CSW_Slack?before=6737, a screenshot of which is

available at **Exhibit PNS-234**. For example, on 23 October 2024 (page 31 of Exhibit PNS-234), he provides a list of ‘key evidence’ for intervening miners, developers and enterprises to provide. Pages 46 – 48 show posts linking to step-by-step guides for miners, developers, business and individuals to make claims as interveners. Page 52 shows a post attaching an example pro-forma witness statement to be used as a template.

57. The Metanet Page is relevant for the following reasons:

- a. Funding: The page says that Dr Wright is meeting all costs, i.e. the costs of the application notices that Dr Wright is encouraging members of the public to submit. It further states "Note - you can have counsel if you need.", it is unclear whether this is an offer for all legal costs to be covered by Dr Wright's offer to cover all legal costs, or whether he is offering to provide legal advice. Notably, Dr Wright is not an SRA regulated solicitor or other form of lawyer qualified to advise in this jurisdiction, so one would ordinarily assume that it is the former, although there are other sections of the page which show Dr Wright giving legal advice.



- b. Providing pro-forma documents: Dr Wright provides a heavily leading pro-forma template witness statement, with an Upload date of 8 November 2024 (and a Create date of 28 October 2024). A copy is at page 366 of Exhibit PNS-233. The metadata suggests that the Creator of the document is Craig Wright, and the Uploaded and Last Modified entries list a Joel Dalais, who I understand to be an associate of Metanet. The Metanet Page also provides a ‘Deed of Promise’, with an Upload date of 8 November 2024, which is at page 370 of Exhibit PNS-233. Whether or not the deed is enforceable, it is apparently intended to encourage others to join his case.
- c. Encouraging ‘intervention’ applications: Although the page is titled “Witness Statements”, the main message it conveys is that readers should make an application to ‘intervene’ in proceedings, as additional parties. Since Dr Wright has drafted the

documents, advises people about the scope of their potential claims and evidence, and promises to fund those applications (see below, including apparently paying the court's application fee), it is plain that Dr Wright is really the party behind the applications he seeks to engender. There are, for example, no indications that people should file the application directly with the court - only that they should contact Dr Wright with their documents. Depending on what he does with these documents, it may be that his conduct to date and/or his future conduct involve him in engaging in reserved legal activities within the meaning of the Legal Services Act 2007 and so committing further criminal offences.

- d. Legal advice: The whole page contains apparent legal advice page on the conduct of litigation. Beyond that, it also hosts links to several PDF documents and summaries of the law, which people are advised to include reference to in the witness statements crafted to Dr Wright's template and apparently, to rely on in crafting their applications. Copies of the PDF advice notes, apparently written in Dr Wright's style and uploaded by Mr Dalais, are at **Exhibit PNS-235**, and a screenshot of the relevant section is below.

Please read below for more details and information that you can reference in your witness statement. Please tailor for your individual situation. You can find a link to download a pdf at the top of each section if you find that easier to read from.

Ownership in Champagne cases	▼
Rights Under Promissory Estoppel	▼
Promissory Estoppel & Non-ownership	▼
Database Rights & Law	▼
Database Rights & Law (more)	▼
Ownership of Rights: Control, Exclusivity, and Transferability	▼
Ownership Rights (continued)	▼

- e. Dr Wright's responsibility for the work: The page makes clear that Dr Wright is behind its substance. There is a prominent quote attributed to Dr Wright, and he is listed as the primary contact, including via X (Twitter), and the listed email address @rcjbr -- which is the same email address that he has provided for service of legal documents in the New Claim and the Appeal in the COPA Claim:

You can download a witness statement template below. Please make sure to read the relevant information below and put in your own information in the highlighted parts and edit other parts as needed.

Download Witness Statement
[Template]

Please send completed Witness Statements to – Legal@rcjbr.org

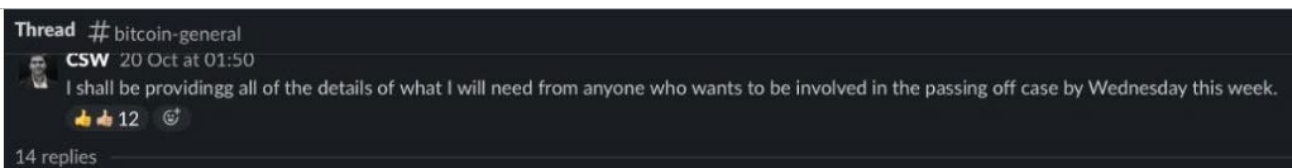
If you have any questions or issues you can contact Dr Craig Wright or Joel Dalais via X (twitter) or Slack (slack preferred).

Dr Craig Wright – [X](#)

Joel Dalais – [X](#)

f. Dr Wright’s support on social media: Beyond actually drafting the documents provided, Dr Wright has also supported this work more publicly on social media. For example, on his Slack channel, he has:

- i. been asked for advice on the merits of a legal argument, and has offered advice in response (See **Exhibit PNS--236**), from the thread beginning with the following announcement which reads “*I shall be providing all of the details of what I will need from anyone who wants to be involved in the passing off case by Wednesday this week*”:



- ii. Advised people not to provide their genuine contact details, but to “use a mailbox” (meaning a post office box or similar arrangement) to mask their details, as shown below:

Thread # bitcoin-general

📌 Pinned by Joel Dalais (MetaNet)



Joel Dalais (MetaNet) 🌟 Thursday at 14:25

All the relevant information you should need to submit your witness statement to be part of the Passing Off case.

1. Click the - Download Witness Statement [Template]
2. Read the areas relevant to you.
3. Fill in the witness statement form.
4. Send to the email - Legal@rcjbr.org

<https://metanet.icu/witness-statement/> (edited)

👍 1 🗨️

5 replies



Joel Dalais (MetaNet) 🌟 Thursday at 14:27

If you have any questions or issues, tag me for the page stuff, tag Craig for queries on filling out your witness statement.

I'll tweet it out and put it on other social media areas tomorrow.



Merkles_can_happen Friday at 03:41

@CSW will my home address be made public from the witness statement?



CSW Friday at 18:40

Use a mailbox

👍 1 🗨️



Merkles_can_happen Friday at 19:00

Can do. Thank you

58. Dr Wright has also advertised his claim on X (Twitter):



S Tominaga
@CsTominaga

Just a note, as a partner in BTC core I do hope that you are following what SquareUP are doing because it affects you directly.

In your passing off and fraudulent action I hope you take notice because it would be far simpler than having to clean up all of the mess from you guys who don't later.

Claim Form

In the High Court, Chancery Division, Rolls Building/Justice

Fee Account no. _____
Help with Fees - Ref no. **H W F - 10 Oct 2024**
(if applicable) _____

For court use only
Claim no. _____
Issue date **BL-2024-001495**

You may be able to issue your claim online which may save time and money. Go to www.moneyclaim.gov.uk to find out more.

Claimant(s) name(s) and address(es) including postcode
Rev Dr Craig Steven Wright
483 Green Lanes
London N13 4BS

Defendant(s) name and address(es) including postcode
BTC Core (a Partnership)
- Square Up Europe Ltd (a partner)
- 1 London Wall, Barbican, London EC2Y 5EB, United Kingdom

Brief details of claim
Please see below.

This claim addresses the wrongful passing off of BTC as Bitcoin. The defendants have, without authorisation, altered the original Bitcoin protocol—introducing modifications such as SegWit and Taproot—that fundamentally deviate from the original system as defined by Satoshi Nakamoto in the Bitcoin White Paper.

These modifications have led to a misrepresentation of BTC as the original Bitcoin, resulting in confusion within the market. The true version of Bitcoin, represented by BSV, adheres strictly to the original protocol and vision of a peer-to-peer electronic cash system. The defendants' actions have misled the public into believing that BTC retains the attributes of the original Bitcoin, causing significant reputational damage and loss of market value to BSV.

Value
Estimated value of claim: £911,050,000,000. This is based on the difference in market valuation between Bitcoin (BSV) at £50 per unit and BTC at £48,000 per unit, reflecting the financial impact of misrepresentation and resulting market loss.

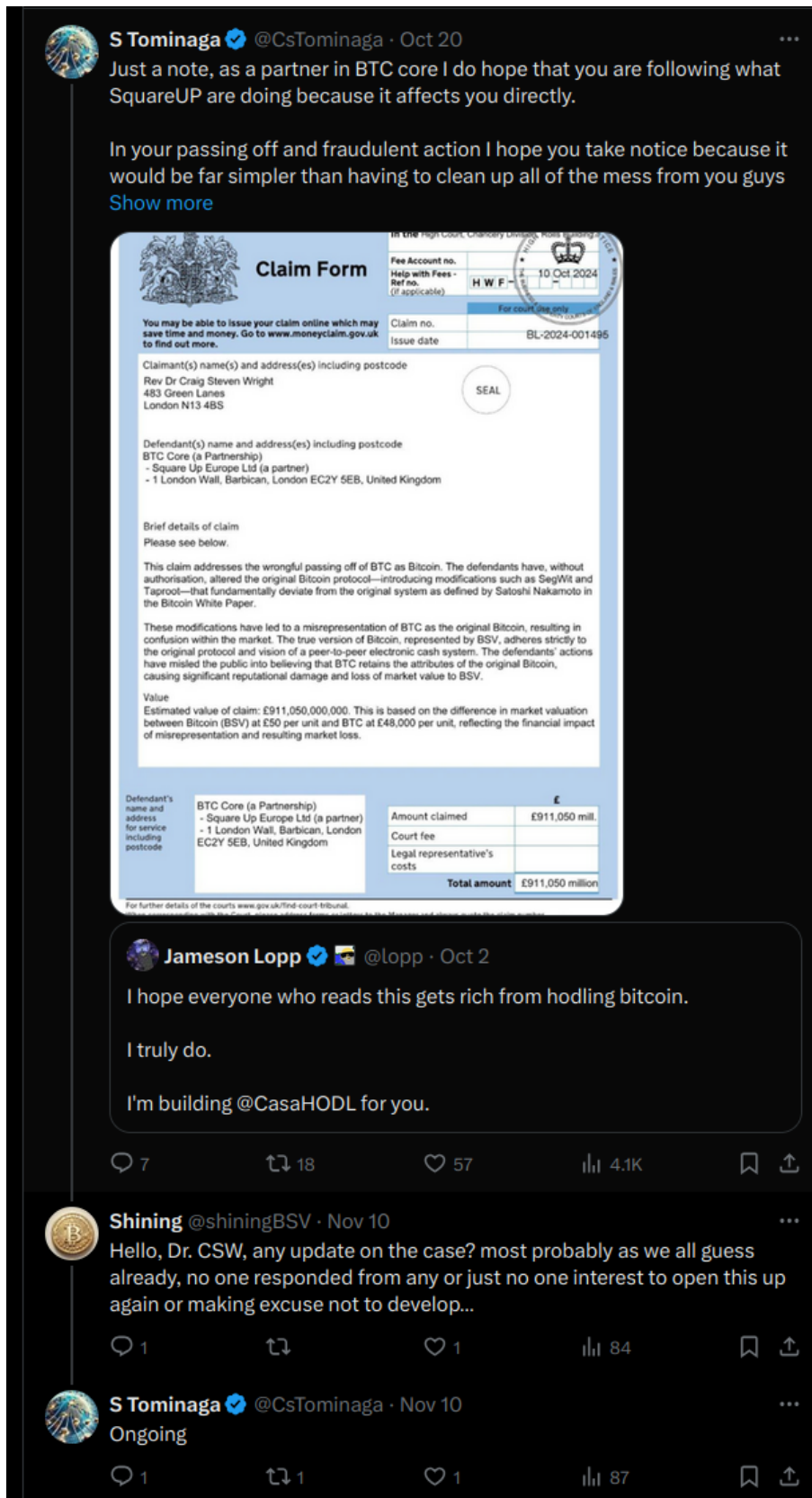
Defendant's name and address for service including postcode
BTC Core (a Partnership)
- Square Up Europe Ltd (a partner)
- 1 London Wall, Barbican, London EC2Y 5EB, United Kingdom

	£
Amount claimed	£911,050 mill.
Court fee	
Legal representative's costs	
Total amount	£911,050 million

For further details of the courts www.gov.uk/find-court-tribunal.
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number. 1

N1 Claim form (CPR Part 7) (06/22) © Crown Copyright 2022

59. Despite the case being stayed, he has described it to his followers on 10 November as “Ongoing”, without mentioning the stay:



60. Prior to launching this Metanet page, Dr Wright operated a form in which people could submit details to register their interest in becoming interveners in the New Claim. Dr Wright has filed the list of people who responded to that form, which is at **Exhibit PN-**

237.

61. The Metanet list names 176 of Dr Wright's followers. We do not know whether any other people remain followers of Dr Wright. Some of them have included comments about their alleged distress and losses.
62. They are plainly people who relied on Dr Wright's protestations that he was Satoshi Nakamoto, and that his 'Satoshi Vision' BSV was the true version of Bitcoin, to their personal and financial detriment. It is, in effect, a list of individuals who are further victims of Dr Wright's frauds.
63. Dr Wright appears to wish to turn their continuing disadvantage to his gain by directing their ire against others, on the continuing principle that his "Satoshi Vision" is the true Bitcoin.
64. This Metanet Page is thus an obvious attempt to introduce a flurry of new applications in the New Claim, despite Dr Wright being informed by Bird & Bird on 6 November 2024 that the effect of the order just made by the Court is that applications ought not be made in the New Claim until the stay has been lifted. Thus, Dr Wright is effectively seeking to circumvent the stay in the New Claim, by encouraging members of the public to put their name to his claim, based on a dubious and ambiguous suggestion that he is providing funding and advice. The evident underlying purpose of the Metanet page is to bring individuals into the New Claim who are not subject to the injunctions which bind Dr Wright and so to circumvent those injunctions as well.
65. Through the Contempt Proceedings, COPA is seeking to enforce the Injunctive Order to address Dr Wright's contempt in issuing the New Claim. However, the abovementioned recent developments in the New Claim, Appeal and Contempt Proceedings demonstrate that the Injunctive Order is not sufficient to stop Dr Wright's abusive conduct.
66. On Day 8 of the COPA Trial, Dr Wright made clear to the Court his intention to circumvent any Court order restricting him from relitigating the issues tried in the following exchange:

*"112:10 Q. If this court decides that you are not Satoshi, you'll
11 still want to make claims, here and around the world,
12 based on Satoshi's supposed IP rights, won't you?
13 A. Again, I don't actually need to be Satoshi to have those
14 rights. A **Champagne case, which my lawyers wanted to**
15 **run, would not require anything other than a change to**
16 **the protocol.** So --
17 Q. But the claims you are currently making are based
18 explicitly upon Satoshi's IP rights and contingent on
19 you being Satoshi?
20 A. Only because if I ran a Champagne case, the first thing*

21 your side would ask is, "You're Satoshi", and you would
 22 have me do this.
 23 **Q. So the question again, if this court decides you are not**
 24 **Satoshi, you would still want to make claims, here and**
 25 **around the world, based upon you being Satoshi and**
 1: **having IP rights as such, wouldn't you?**
 2 **A. No, I'd move to patents. Taproot is based on three**
 3 **nChain patents, which is integrated into the core of**
 4 **BTC. We would actually pull the plug on that, and we**
 5 **have already investigated, and we would have**
 6 **the European courts start patent action on that. We**
 7 **would then –**
 8 **Q. And Dr Wright --**
 9 **A. -- go -- we would then start patent action in the US**
 10 **and, if I had to, I'll basically force them to shut**
 11 **down. We will go to vendors, such as AWS, who we're**
 12 **partnered with, and we will notify of the patent**
 13 **violations and it will be a patent case. So if I lose**
 14 **this, there are approximately 80 patent cases already**
 15 **waiting.**

67. Dr Wright added that he would “keep doing this, and no matter what the outcome of this [COPA] case is, I’ll hit 10,000 patents and then I’ll keep going.”. The ‘Champagne case’ Dr Wright referred to during trial appears to allude to the type of claim he has now bought in the New Claim.
68. Despite having suggested in this evidence that he could maintain an extended passing-off case, even without asserting that he was Satoshi, Dr Wright then agreed to the complete dismissal of the Kraken and Coinbase Claims. In those actions, he was advancing extended passing-off claims on the grounds (a) that he had created Bitcoin and/or (b) that he had acquired the requisite goodwill by other means (investment and/or development work). It is noteworthy that he did not seek to press the extended passing-off claims in those cases based on the latter ground.
69. Further, at the Form of Order hearing in June 2024, Dr Wright notably did not take issue with the scope of the proposed injunctive orders, which prevented any extended passing-off claim based on him owning goodwill in the designations BTC or Bitcoin. He told the Court through counsel that he had no intention of bringing such claims.
70. Dr Wright then proceeded to bring the New Claim, which advances an extended passing-off claim on the basis of his having goodwill in the designations Bitcoin and/or BTC. The day before issuing the New Claim, Dr Wright boasted on X: “By focusing the misrepresentation element rather than my identity as Satoshi, I could sidestep the constraints of the High Court’s prior judgment”. This post is included at [324] of the exhibit to my Second Affidavit in the COPA Claim.

71. This pattern of conduct suggests that Dr Wright will make every effort to relitigate his claims, harass his perceived opponents and get around any order made against him (even an order the scope of which he has agreed). Based on this conduct, he can be expected to exploit any limitation in an order made restraining him.

Overall: Court resources used up in Dr Wright's litigation

72. At trial, COPA produced a schedule of court days occupied by Dr Wright's recent litigation. That schedule is set out at **Exhibit PNS-238** and shows that by our best estimate at least 86 court days had been spent arising from Dr Wright's campaign,
73. That does not even account for all time spent, and for example it does not extend to the following:
- a. Judicial pre-reading, which must be very substantial given the volume and variety of Dr Wright's submissions;
 - b. Time spent preparing judgments, which have been many and detailed;
 - c. The various Worldwide Freezing Orders against Dr Wright in the hope of ensuring that costs can be recovered from him;
 - d. The Form of Order hearing itself, an extended court day involving dozens of parties;
 - e. The deluge of applications and filings before the Court of Appeal;
 - f. The contempt proceedings (hearings anticipated on at least 4 days) and the need to stay the New Claim; and
 - g. The time occupied by other court staff, especially the volume of work that falls on the judges' clerks, and matters that fall to the Masters on the papers.
74. In the judgment in *Pfizer Ltd v GlaxoSmithKline Biological SA & Anor* [2024] EWHC 2523 (Pat) dated 7 October 2024, Mellor J noted how litigation involving Dr Wright had caused delays in the production of that judgment:

"Finally, I must apologise to the parties for the delay in the production of this Judgment. A good part of the delay was caused by my involvement in the Bitcoin litigation involving Dr Wright. Some was caused by the complexity of the issues which the parties left me to determine and having to return to them after attending to other judicial commitments. I do not propose to allow such a delay to occur again."

A copy of the judgment is included at **Exhibit PNS-240**.

75. As well as Dr Wright's use of Court resources being grossly abusive and causing delays to other litigants, the large number of companies and individuals against whom he has targeted claims have suffered great inconvenience and cost. Huge numbers of billable hours have been spent by parties outside court, preparing for court and in court, attempting to untangle Dr Wright's false accusations and networks of intermingled allegations. The Court will be aware of the costs racked up in meeting Dr Wrights' false cases, amounting to many millions of pounds, from discussions before the court in arguments on costs and in the various applications for Worldwide Freezing Orders.

The need for a GCRO

Willingness and intention repeatedly to evade Court rulings

76. Dr Wright has evidently not been chastened by the Injunctive Order or his resounding defeat and the judicial findings repeatedly made about his integrity. Instead, he seems to have redoubled his efforts to bring meritless claims.
77. As observed by the Court at paragraphs [136] to [140] of the FOO Judgment (quoted above), it is clear that Dr Wright's claims encompass a wide range of causes of action and types and identities of Defendant and that any silence will be "only temporary" unless it is enforced. The WFO judgment in *Wright v McCormack* [2024] EWHC 1735 (KB) [82] refers to Dr Wright having boasted of rendering himself "judgment proof". Dr Wright's actions since the COPA Trial show that his vexatious conduct is continuing and, if anything, he is adopting an even more diffuse approach to his campaign.
78. It is important to prevent Dr Wright's vexatious conduct *at large*. A CRO which was limited only to certain issues, or certain parties, would not serve the purpose of preventing what is now obviously a vexatious and abusive pattern of conduct. Dr Wright's social media posts and his evidence in the COPA Claim (as for instance summarised in the passage from the judgment on relief quoted above) show that this conduct has been deliberately pursued in order to attack legitimate cryptocurrency development and to advance the financial interests of Dr Wright and associates. This is again amply demonstrated by the subject matter of his New Claim, in which:
- a. Dr Wright attempts to sue dozens of people and companies with whom he seems to have general grievances, naming them as if they were one entity (a fictional partnership), apparently with the idea that he does not even need to notify those people of the action at all; and
 - b. Dr Wright pursues a series of so-called causes of action, more or less vaguely defined

in nature, in an apparent attempt to circumvent the injunctions imposed on him.

The nuisance and harm of Dr Wrights claims

79. Dr Wright has a long history of pursuing highly aggressive campaigns of litigation against those in the cryptocurrency community whom he perceives as his adversaries. This is summarised in: my Twenty-Second Statement in these proceedings, the first statement of Magnus Granath; and the first statement of Peter McCormack (each of which documents appears already on the court file).
80. During trial, the Court heard from Steve Lee as to the harmful ‘chilling effect’ of Dr Wright’s claims against those in the Bitcoin community. A copy of the First Witness Statement of Steve Lee is included at **Exhibit PNS-239**. Paragraphs 17 and 18 refer to highly aggressive threats made by Dr Wright, including to bankrupt Bitcoin developers, have them imprisoned and to have them “defenestrated”.
81. As Mr Justice Mellor said in the relief judgment, the effect of Dr Wright’s claims on Mr Granath and Mr McCormack was to put both men through “five years of personal hell”. There is also an obvious chilling effect on the industry and the open-source developers who are critical to the industry if Dr Wright, having been exposed as a fraud, is allowed to continue to make his allegations and his diffuse claims for enormous sums: see paragraph 122 onwards of my Second Affidavit.

Requirement for a GCRO over an ECRO

82. The widespread nuisance and harm of Dr Wright’s campaign of litigation further supports the need for an effective form of CRO which will restrain him and protect the targets of his abusive litigation.
83. An ECRO would not be sufficient here to restrain Dr Wright, as he has demonstrated a willingness and intention repeatedly to evade Court rulings so as to continue his campaign of litigation against the community of Bitcoin developers and those associated with that community. If an ECRO were to be made in place of a GCRO, Dr Wright’s conduct has demonstrated that he would make every effort to side-step its restrictions, as COPA contends that he has done in respect of the Injunctive Order and the New Claim. An ECRO precluding litigation based on the subject matter of the COPA Claim and/or the BTC Core Claim would not be effective, as Dr Wright would seek to continue bringing vexatious claims, that he would assert as being outside the subject matter of the previous legal actions. The sheer range of his abusive litigation to date, and his preparedness to shift ground in order to evade restrictions imposed by the Court, shows this to be the case.

Conclusion

84. As set out above, Dr Wright has committed multiple abuses of process on an international scale. In order to protect the integrity of the Court's process, and to protect any future Defendants from similar abusive conduct in this jurisdiction, I request that the Court make a GCRO, or in the alternative an ECRO, in accordance with CPR 3.11(2) and Practice Direction 3C.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:



Philip Nathan Sherrell

Dated: 21 November 2024