



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:

DR CRAIG STEVEN WRIGHT

Claimant

- and -

THE PERSON OR PERSONS RESPONSIBLE FOR THE
OPERATION AND PUBLICATION OF THE WEBSITE
WWW.BITCOIN.ORG (INCLUDING THE PERSON OR
PERSONS USING THE PSUEDONYM “CØBRA”)

Defendant

PARTICULARS OF CLAIM

1. The claimant (“**Dr Wright**”) is the author of a literary work being a paper entitled “*Bitcoin: A Peer-to-Peer Electronic Cash System*”, which was the first description of, and a proposal for, the blockchain-linked digital asset known as “*Bitcoin*”. The paper has subsequently become widely known among those interested in blockchain technology, blockchain-linked digital assets and cryptocurrencies, and will be referred to hereinafter, as the “**White Paper**”.
2. Dr Wright released the White Paper under the pseudonym “*Satoshi Nakamoto*”. On 31 October 2008, operating under that pseudonym, Dr Wright posted an announcement on The Cryptography Mailing List (hosted on metzdowd.com) that he had been “*working on a new electronic cash system that’s fully peer-to-peer, with no trusted third party*”. The announcement included a link to the White Paper, which Dr Wright had previously uploaded to a website he had created which was accessible at <http://www.bitcoin.org> (the “**Bitcoin.org Website**”).



3. Thereafter, the pseudonym “Satoshi Nakamoto” has been widely associated with the White Paper notwithstanding that the true name of the author is that of the claimant, namely Dr Craig Steven Wright.
4. At the time that the White Paper was written by him, and when it was first made available to the public, Dr Wright was an Australian citizen, resident and domiciled in Australia.
5. The White Paper is the original work of Dr Wright. Its creation required the expenditure of significant and substantial intellectual creativity, skill and labour on his part.
6. In the premises, copyright subsists in the White Paper in the United Kingdom.
7. As author of the White Paper, Dr Wright is has at all times been the owner of such copyright.
8. Alternatively, Dr Wright was the first owner of such copyright and despite intervening changes of ownership set out below is now again its owner.
 - (1) By an assignment in writing dated 30 January 2009, Dr Wright assigned certain rights he owned to Information Defense Pty Limited (“IDPL”), an Australian proprietary company limited by shares (Australian company no. ACN 135 141 347). In or about August 2009, IDPL assigned rights it owned relating to Bitcoin to Wright International Investments Ltd (“WIIL”), a company incorporated and registered in the Seychelles with registration no. 64409.
 - (2) Dr Wright does not consider that his assignment of rights to IDPL on 30 January 2009 included the copyright which subsists in the White Paper. If it did, such copyright was assigned by IDPL to WIIL in August 2009 by the assignment referred to above. Therefore, for the avoidance of doubt, by an assignment in writing dated 21 January 2021, WIIL assigned to Dr Wright (amongst other things) any copyright which it might own in the



White Paper, together with all accrued rights of action it might own in respect of any infringements of such copyright.

- (3) On 7 January 2016, Dr Wright assigned certain intellectual property rights he owned to nCrypt Holdings Ltd (now called nChain Holdings Ltd (“**nChain**”)). Both nChain and Dr Wright agree that it was not intended that any copyright Dr Wright owned in the White Paper would form part of that assignment. However, if and to the extent that any rights in the White Paper were inadvertently assigned to nChain by Dr Wright, by an assignment in writing dated 4 May 2020, nChain assigned back to Dr Wright all rights, title and interest in the White Paper and related preparatory materials.
9. In the premises, and by reason of the matters set out above, Dr Wright is the owner of the copyright in the White Paper and all rights of action in respect of any infringements of such copyright.
10. The defendant is the person or persons who now control the material which is published on the Bitcoin.org Website.
11. Despite investigations, Dr Wright has been unable to ascertain the identity of the defendant. However, the individual who is the defendant (or the group of individuals who are the defendant, or at least some of them) use the pseudonym “Cøbra”. In particular—
- (1) The “About-us” page of the Bitcoin.org Website identifies the “Domain Owners” only as “Cøbra”: see <https://bitcoin.org/en/about-us>.
- (2) The email address “*privacy@bitcoin.org*” is published on the Bitcoin.org Website at <https://bitcoin.org/en/privacy>. On 20 January 2021, under cover of an email at 16:23, Dr Wright’s solicitors – ONTIER LLP (“**ONTIER**”) – sent a letter of claim (the “**Letter of Claim**”) to this email address. The Letter of Claim set out the basis of Dr Wright’s claim against the defendant and requested, among other things, that the



defendant confirm their name, postal address and provide an active email address. ONTIER received an immediate “*bounce back*” message stating that the email could not be delivered because the email address “*does not exist*”.

- (3) As a consequence, at 19:58 on 20 January 2021, ONTIER sent a copy of the Letter of Claim to the defendant’s Twitter handle “@CobraBitcoin” by Twitter Direct Message (“TDM”).
 - (4) In apparent response to the TDM, ONTIER received: (a) a Twitter Direct Message from “@CobraBitcoin” at 21:18 on 20 January 2021; and (b) an email sent at 21:19 on 27 January 2021 from “Cøbra <domain@bitcoin.org>” (the “Cøbra Responses”).
 - (5) The Cøbra Responses did not provide any information as to the identity of the defendant. Further particulars of the Cøbra Responses are set out below.
12. The defendant has published and continues to publish the White Paper on the Bitcoin.org Website by making it available for download at <https://bitcoin.org/bitcoin.pdf>.
13. The Bitcoin.org Website is targeted to all jurisdictions in the world, including to the United Kingdom. In particular, as regards the targeting of the Bitcoin.org Website to United Kingdom, Dr Wright will refer to the following facts and matters –
- (1) English is the primary language of the Bitcoin.org Website. Furthermore, when typing “bitcoin.org” into the address bar of an internet search engine / program, the user is automatically re-directed to bitcoin.org/en regardless of their geographic location.
 - (2) The original White Paper was written in English and is available on and can be downloaded from the Bitcoin.org Website in English (<https://bitcoin.org/en/bitcoin-paper>) where the White Paper is referred to as “*English (Original)*”. The Bitcoin.org



Website makes the White Paper available in 35 other languages in alphabetical order, although the English version is listed first

- (3) There are many dealers and investors in Bitcoins and other cryptocurrencies within the UK, some of whom could be expected to take an interest in the matter published on the website bitcoin.org, including the White Paper.
14. The publication of the White Paper by the defendant on the Bitcoin.org Website is and was without the licence of Dr Wright and (for the avoidance of doubt) is and was without the licence of either nChain or WIIL. In or around 2016, Dr Wright made various public statements on social media platforms, including Slack, to the effect that he did not consent to the Defendant's continued publication of the White Paper on the Bitcoin.org Website.
15. Moreover, by the Letter of Claim Dr Wright informed the defendant as follows—

"Dr Wright originally released the White Paper pseudonymously under the name Satoshi Nakamoto, on 31 October 2008. At that time, our client wishes to preserve the confidentiality of his identity as the author of the White Paper. As you may know, in December 2015, our client's identity and his authorship of the White Paper was revealed to the world against his will. In May 2016, he publicly confirmed that he authored the White Paper and created Bitcoin."

Dr Wright has decided that it is time to enforce his copyright in the White Paper.

We understand that you are the controller and operator of the [Bitcoin.org Website] which (among other cryptocurrency activities) makes the White Paper available for download to the public in the UK and throughout the world. As you know, and as you admit on the website, the domain name bitcoin.org is owned by our client. The website is, however, wrongfully controlled by you, and our client no longer consents to its publication of the White Paper. The purpose of this letter is to give you notice that Dr Wright requires you to stop making the White Paper available, and to give an undertaking not to do so in the future.

Provided that your response to this letter indicates that you are prepared in principle to provide the undertaking referred to above, our client is willing to waive any claim to financial relief for your past infringements, and to agree to your having a



reasonable time to make the necessary arrangements to comply with the undertaking requested."

16. In response to the Letter of Claim, the defendant sent the Cobra Responses:
 - (1) At 21:18 on 20 January 2021, the defendant sent ONTIER a Twitter Direct Message, stating: "*Bitcoin.org isn't based in the UK, and Craig's copyright claims over the whitepaper can be easily verified to be false, so fuck off, losers.*"
 - (2) At 21:19 on 27 January 2021, the defendant emailed ONTIER from the email address/account domain@bitcoin.org, rejecting Dr Wright's claim to be Satoshi Nakamoto and impliedly refusing to take down the White Paper from the Bitcoin.org Website.
17. On 21 January 2021, the defendant published the following statement on the Bitcoin.org Website:

"Yesterday, both Bitcoin.org and Bitcoincore.org received allegations of copyright infringement of the Bitcoin whitepaper by lawyers representing Craig Steven Wright. In this letter, they claim Craig owns the copyright to the paper...[and] Bitcoin.org and Bitcoincore.org were both asked to take down the whitepaper. We believe these claims are without merit, and refuse to do so.

...

We will continue hosting the Bitcoin whitepaper..." (emphasis added).
18. The statement was published – and remains accessible – at <https://bitcoin.org/en/posts/regarding-csw>.
19. By an email dated 27 February 2021 (at 22:32), the defendant wrote to ONTIER stating: "*I won't take the whitepaper down, nor will I provide you with my personal information.*"
20. Accordingly, the defendant has infringed Dr Wright's copyrights in the White Paper by (at least) doing the following acts without his licence (or for the avoidance of doubt that of nChain and WIIL)—



- (1) Issuing copies of the White Paper to the public contrary to section 18 of the Copyright Designs and Patents Act 1988 (“CDPA”).
 - (2) Communicating the White Paper to the public contrary to section 20 CDPA.
21. Unless restrained by the court, the defendant threatens and intends to continue to infringe the copyright in the White Paper. Dr Wright is accordingly entitled to an injunction restraining further infringements.

Particulars of threats and intention

- (1) Notwithstanding the Letter of Claim, the Bitcoin.org Website continues to make the White Paper available for download.
 - (2) The Cøbra Responses, together with the defendant's published statement of 21 January and email of 27 February 2021 indicate that the defendant has no intention of ceasing to publish the White Paper and asserts a positive right to publish it.
22. The defendant's acts of infringement of copyright in the White Paper have caused and, unless restrained, will continue to cause damage to Dr Wright.
23. The defendant has knowingly, or at least with reasonable grounds to know, engaged in the acts of infringement of copyright complained of. In support of the foregoing, Dr Wright will refer to the Letter of Claim.
24. In the premises, the provisions of regulation 3 of the Intellectual Property (Enforcement, etc.) Regulations 2006 apply to the defendant's acts of infringement in the United Kingdom.
25. Furthermore, the defendant has infringed and threatens and intends to **infringe Dr Wright's copyright in the White Paper deliberately and flagrantly**. In support of the foregoing, Dr Wright will refer to the Cøbra Response of 27 January 2021 which included the following statement—

“I've attached the legal threat I was sent by you to remove the Bitcoin whitepaper from my website, filled with untruths, and



lies, which you sent on behalf of your client Craig Wright...The whitepaper is MIT licensed material...Your claims about your client owning bitcoin.org are lies...Nor does he have any rights to the Bitcoin name...

...

The Bitcoin network stores \$600B+ of wealth, when you send frivolous legal threats, aimed to intimidate and spook us, you are attacking a massive pile of money, and millions of people. This community is vocal, resourceful, and well connected. There are many of us, and we will not be bullied or silenced. I've been told that 'solicitors' in the UK are regulated by the SRA, and that dishonesty is not tolerated. I believe if you do bring litigation against us, it is a very clear case of bringing a false case to the court, something the SRA considers dishonest. If you bring such a case, we will lobby pro-Bitcoin MP's in parliament to write to the SRA on the community's behalf concerning your behaviour. We will also draw attention to your unethical behavior within mainstream media channels, as while Craig's malicious behavior is well known, those who assist such behavior deserve to be in the limelight too.

I would strongly recommend disassociating yourselves from Craig Wright, as he will bring you far more trouble than what he's paying. Proceeding with unnecessary and vindictive litigation is likely to cause you significant blowback, both to the ONTIER brand, and to all individuals associated with it. This is much very [sic] something where the juice ain't [sic] worth the squeeze."

26. Dr Wright will also refer to the defendant's email of 27 February 2021, which included the following statement –

"I won't take the whitepaper down, nor will I provide you with my personal information. You are wilfully engaged in a scheme to misrepresent your client as Satoshi Nakamoto, the author of the Bitcoin whitepaper and the inventor of Bitcoin.

You are acting dishonestly, and in a manner which is unacceptable for a regulated law firm. I will be writing a detailed letter to the SRA, [sic] regarding your harassment and dishonesty...

...

To be blunt, I personally don't give a shit about legal proceedings, nor am I intimidated. There's clear evidence that shows the whitepaper is MIT licensed material...[and] was uploaded to the [Bitcoin.org Website] by Satoshi Nakamoto himself, the author of the paper.

Keep going though, all you will do is sully the name of everyone associated with your firm, who I would personally advise to quit,



as ethical lines have been crossed here. Most human beings are generally good people, and I would imagine, aside from the rotten greedy apples at the top, many people working at ONTIER have some moral compass, and didn't spend years in law school to use their knowledge and talent to assist in dishonest shakedowns...Google Reviews when searching for "ONTIER" are already looking delightful. I feel sorry for anyone who will inevitably have ONTIER on their resume [sic]."

27. In the premises in relation to acts of infringement taking place in the United Kingdom, Dr Wright is entitled to and seeks and award of additional damages pursuant to section 97(2) CDPA.
28. Dr Wright is entitled to interest on all sums found due to him pursuant to section 35A of the Senior Courts Act 1981 and in the inherent jurisdiction of the court.

AND THE CLAIMANT CLAIMS:

- (1) Declarations that:
 - (a) Copyright subsists in the paper "*Bitcoin: A Peer-to-Peer Electronic Cash System*" (the "White Paper").
 - (b) The claimant is the owner of such copyright.
 - (c) The defendant has infringed such copyright by making White Paper available for downloading by the public on the Bitcoin.org Website (as defined above).
- (2) An injunction restraining the defendant from infringing the claimant's copyright in the White Paper in the United Kingdom.
- (3) An inquiry as to damages for infringement of copyright (including where appropriate damages pursuant to regulation 3 of the Intellectual Property (Enforcement, etc.) Regulations 2006 and additional damages pursuant to section 97(2) of the Copyright Designs and Patents Act 1988) and further or alternatively at the claimant's option, an account of profits.
- (4) An order for payment to the claimant of all sums found due upon taking such inquiry or account together with interest thereon pursuant to



section 35A of the Senior Courts Act 1981 or in the inherent jurisdiction of the court.

- (5) An order that, at the claimant's option and at the expense of the defendant, appropriate measures are taken for the dissemination and publication of any judgment or order made in this case including an order that the defendant, at the defendant's expense, publish on the Bitcoin.org Website a notice setting out the result of this action in a form to be approved by the Court, together with such other corrective advertising as shall be required by the Court.
- (6) Costs and interest on costs.
- (7) Further or other relief.

**ALASTAIR WILSON QC
MICHAEL HICKS**

Statement of truth

I believe that the facts stated in these particulars of claim 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 Dr Craig Steven Wright

Date: 31 March 2021

Served by: ONTIER LLP, Halton House, 20-23 Holborn, London EC1N 2JD
(reference: WRI2.24) solicitors for the claimant