



Claim No: IL-2021-000008

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

IL-2021-000008

AND

CH-2023-000059

**IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

APPEALS (ChD)

**On appeal from the Senior Courts Cost Office Case No: SC-2022-BTP-0000030 Order of
Master Rowley dated 24 November 2022**

MR JUSTICE MELLOR

16 JULY 2024

BETWEEN

B E T W E E N:

DR CRAIG STEVEN WRIGHT

**Claimant/Applicant/
Respondent in CH-2023-000059**

- and -

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

**Defendant/Respondent/
Appellant in CH-2023-000059**

ORDER

UPON the Claimant commencing Claim No IL-2021-000008 in which he made a claim for infringement of copyright predicated on the basis that the Claimant was the owner of the copyright in a literary work entitled “*Bitcoin: A Peer-to-Peer Electronic Cash System*” (“**the Bitcoin White Paper**”).

AND UPON the Claimant’s application made by application notice dated 31 March 2021 for permission to serve the Defendant out of the jurisdiction and by the alternative method of email (“**the application for permission to serve out**”).

AND UPON the Order of Mr Justice Mann dated 21 April 2021 granting the application for permission to serve out.

AND UPON the Claimant's application made by application notice dated 25 May 2021 for a default judgment pursuant to CPR Part 12 because the Defendant failed to file an acknowledgment of service or a defence ("**the application for default judgment**").

AND UPON the Order of His Honour Judge Hodge KC dated 28 June 2021 granting the application for default judgment.

AND UPON the Claimant commencing detailed assessment proceedings in relation to Claim No. IL-2021-000008 in Case No. SC-2022-BTP-000030.

AND UPON Costs Judge Rowley making an Order dated 24 November 2022 ("**the First Instance Order**")

AND UPON the Respondent appealing the First Instance Order in Appeal Reference CH-2023-000059 and the dismissal of that appeal by Mr Justice Richard Smith by Order dated 25 September 2023.

AND UPON a joint trial ("**the Joint Trial**") in Claim Nos. IL-2021-000019 ("**the COPA Claim**") and IL-2022-000069 ("**the BTC Core Claim**") of the issue of whether the Claimant is the pseudonymous "Satoshi Nakamoto", i.e. the person who created Bitcoin in 2009 ("**the Identity Issue**").

AND UPON the hearing of the Joint Trial concerning the Identity Issue by Mr Justice Mellor in which the Second to Twelfth, Fourteenth and Fifteenth Defendants to the BTC Core Claim were referred to as "**the Developers**".

AND UPON Mr Justice Mellor making declarations in an Order dated 14 March 2024 following the Joint Trial that the Claimant is not the author of the White Paper and is not the owner of the copyright in the Bitcoin White Paper.

AND UPON the judgment of Mr Justice Mellor on the Identity Issue [2024] EWHC 1198 (Ch) (“**the Judgment**”) in which:

- (i) the Court found that Dr Wright’s conduct in litigation (including in particular in these proceedings) amounted to a ‘most serious’ abuse of the court’s process and an attempt to use the court as a vehicle for fraud; and
- (ii) the Court noted that the proceedings by the Claimant against the Defendant could be considered at the Form of Order hearing following the handing down of the Judgment.

AND UPON Mr Justice Mellor having given notice (to the Claimant and the Defendant) by email dated 31 May 2024 pursuant to CPR Part 3.3(3) that at the Form of Order hearing following the Joint Trial he proposed to consider whether he should make an Order to discharge the injunction obtained by Dr Wright in IL-20221-000008 because the injunction was obtained on the basis that Dr Wright is Satoshi Nakamoto, a claim which has now been found to be false and fraudulent.

AND UPON reading the second and third witness statements of Lois Evelyn Horne, solicitor for the Developers, dated 23 May 2024 and 24 May 2024 and made in the BTC Core Claim.

AND UPON hearing Alexander Gunning KC and Philip Ahlquist for the Developers and Imran Benson and Jack Castle for the Claimant.

AND UPON the Court’s judgment following the Form of Order hearing handed down on 16 July 2024 with the neutral citation [2024] EWHC 1809.

IT IS ORDERED THAT:

1. The Order of Mr Justice Mann dated 21 April 2021 be set aside pursuant to CPR Part 3.1(7) and / or the Court’s inherent jurisdiction.
2. The judgment and Order of HHJ Hodge KC dated 28 June 2021 be set aside pursuant to CPR Part 13.3(1)(b).

3. The judgment and Orders of Costs Judge Rowley dated 10 June 2022 and 24 November 2022 be set aside pursuant to CPR Part 3.1(7) and / or the Court's inherent jurisdiction.
4. The judgment and Orders of Richard Smith dated 25 September 2023 and 31 October 2023 be set aside pursuant to CPR Part 3.1(7) and / or the Court's inherent jurisdiction.
5. The parties have liberty to apply in relation to costs.
6. This Order will be served by the Developers in the BTC Core Claim:
 - a) on Dr Wright via his solicitors in the BTC Core Claim, Marcus Parker, 7th Floor, Melbourne House, 44-46 Aldwych, London, WC2B 4LL; and
 - b) on CØBRA via email at domain@bitcoin.org.