

On behalf of the Claimant
Witness: M Malmi
Exhibits: MM1
2023

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

Claim No:
IL-2021-000019

BETWEEN:

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-

DR CRAIG STEVEN WRIGHT

Defendant

WITNESS STATEMENT OF
MARTTI MALMI

I, **Martti Malmi**, of [REDACTED] will say as follows:

1. I am a Finnish computer scientist and software engineer who corresponded with the pseudonymous “Satoshi Nakamoto” regarding Bitcoin, shortly after its release in January 2009 until early 2011. This written statement has been prepared by Bird & Bird to record my own evidence and answers given to Bird & Bird during an interview conducted via Teams, but I understand from Bird & Bird that our exchanges are considered privileged. The evidence given in this statement is written in my own words as far as practicable. The facts and matters set out in this statement are within my own knowledge unless otherwise stated. Where I refer to facts within my own knowledge, I believe them to be true. Where I refer to information from other sources, those facts and matters are true to the best of my knowledge and belief and I have identified my sources.

2. Bird & Bird has pointed out the declaration at the bottom of this statement to me and asked me in particular to keep in mind that on points that I understand to be important in the case, I have stated honestly (a) how well I recall matters and (b) whether my memory has been refreshed by considering documents, and if so how and when.

What I know about Craig Wright

3. I first became aware of Dr Wright in around 2015. I didn't know anything about him then. He first sent an email to someone else I knew, who introduced him to me. Dr Wright then emailed me and asked me to have a meeting. He was interested in a project I was developing (which was a p2p decentralized identity and reputation database called "Identifi") and he wanted to have a video call. I said yes but Dr Wright never came back to me about it.
4. Later, I came across a blog post by Dr Wright in which he claimed to be Satoshi Nakamoto. When I read the blog post, it was very lengthy and hard to follow and understand, when just the simple signature would have been enough. Satoshi could just sign a public statement saying he is Satoshi using one of the keys from his first Bitcoin transactions, or his known PGP key.
5. Since then I have followed his claims online, on Twitter. I am aware that Craig Wright has been in lots of litigations and has mentioned me in some of them. I am also aware he is involved in the competitor cryptocurrency called BSV or "Bitcoin Satoshi's Vision".
6. I was reluctant to make a statement in relation to these proceedings at first because I was worried that he might use it as an excuse to come up with lawsuits against me. I prefer to not be involved with that whole hassle. But in this case, I find it important and worthwhile to speak the truth and tell what I know to be true.

My involvement with Bitcoin

7. I was studying computer science at Helsinki University of Technology in 2009. I was interested in changing the world through technology rather than politics. I thought changing the money would be the most impactful thing. So I went looking for innovations in money, like googling for peer-to-peer money, and Bitcoin came up. It had been published recently. I think it was around April 2009 when I found it, and took a look at the white paper. I took some time to digest it and sent email to Satoshi. I offered him my help.
8. He asked me to do the FAQ and other website content stuff first, which you can see mentioned in the emails, like creating a logo for the site.

9. Later in 2009 I set up the forums and helped Satoshi by contributing to the Bitcoin source code as well. Satoshi and I worked together on the Linux port of the Bitcoin software. I know that he was able to compile on Linux as well as me, because we discussed him doing so.
10. We mostly communicated by unencrypted email. I remember I did send the forum or server admin password to Satoshi using his PGP key, which he was able to decrypt.
11. I don't contribute to Bitcoin any more. I needed a real job in 2010, and got my first job that kind of matched my skill set. So I had less time to contribute from then on. The Bitcoin community started growing in 2010 and they were so on it I didn't feel the same urgency to be a contributor. I did also maintain the domain name records for bitcoin.org and bitcointalk.org for some time, up to about 2013 I think, when I handed over to others. I did not have the time and energy to participate in the maintenance and oversight of those sites, especially as Bitcoin grew and everything became more intense.

My exhibit MM1

12. I have not previously published any of my emails with Satoshi. I was approached by a writer called Nathaniel Popper when he was writing a book about Bitcoin. I did show him some text from some of my emails before but I have not exported them before or shown all of it.

{D/207} -{D/487} 13. Exhibit MM1 is a zip archive of electronic documents that I have created. I created it on my current personal computer by exporting native files. It contains copies of all my emails with Satoshi Nakamoto that I still have. I identified these by searching for all emails in my mailbox with Satoshi as the sender or a recipient.

14. Bird & Bird have asked me to comment on my technical set up during the relevant period. I recall that I used Windows in 2009 When I was corresponding with Satoshi Nakamoto, and used Thunderbird as a mail client. I also used Ubuntu Linux.

15. Now, I normally use MacOS as my operating system and normally use a browser-based client [i.e. access my email through an internet browser]. To create this export, I used the program MacOS Mail, which downloaded and exported the emails in their native format.

16. The archive in MM1 is everything I still have now but it's not totally complete because:

- a. I did not keep most attachments. I cleaned up my inbox at some point, particularly for bigger files, back then there were storage limitations that meant the inbox had to be cleared more often. I didn't keep backups of those files.
- b. I used more than one email address to email Satoshi. At some point the University changed its domain name and email addresses from @cc.hut.fi to @aalto.fi. I forgot to back up emails of the @aalto.fi address before it expired, so those emails are lost.

17. I do not think I have any other relevant files. I didn't keep backups of any of my Bitcoin development work or my original copy of the white paper. I don't still have a copy of the email that Dr Wright sent to me in 2015, for the same reason that my other old emails are lost.

18. I was able to ask my friend, who was cc'd into Dr Wright's email, to forward it to me and also send it as an exported file attachment. I exhibit that as **Exhibit MM2**.

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Dr Wright's claims about me

19. I am aware that Craig Wright mentioned me in the Kleiman proceedings. I just read again parts of the transcript. He said I was one of the cofounders of the Silk Road and other dark web marketplaces, along with another Bitcoin Talk forum admin Theymos, and an American man called Ross Ulbricht. He cited the creation of these dark web marketplaces as the reason why he "left publicly as Satoshi in 2010". He also said I started working on a system to allow assassination markets. It has been well known from reports that Ross Ulbricht was convicted actually, of operating Silk Road. But the claims about me are ridiculous and false and I believe the claim against Theymos is also false.

20. In the proceedings he was asked to spell out my name for the court reporter, and he misspelled it as "Marrrti". I do not think this was a mistake in transcribing because my name was written correctly elsewhere in the transcript. Satoshi could spell my name! Craig Wright also said I was Norwegian but I am Finnish. I emailed Satoshi from my addresses ending in .fi. In one of the exhibited emails I even gave him my street address in Finland.

21. I think in a trial in Norway, Craig Wright mentioned me in another context there. I think he said that I wrote some of the posts from Satoshi's accounts, which I did not do.

22. Bird & Bird have showed me a Tweet conversation of Craig Wright at https://twitter.com/Dr_CSwright/status/1599477178168528897?ref_s which mentions

me. It says that it was me that called Bitcoin a “cryptocurrency” and that he should not have let others write marketing material. While I wrote texts for the bitcoin.org website, I did not write the referred Bitcoin 0.3 release note where Satoshi calls Bitcoin a “cryptocurrency”, or any other marketing material.

23. Bird & Bird have also asked me whether it is true that I locked Satoshi out of the site bitcoin.org. I did not.

I have not referred to or been referred to any documents for the purposes of giving my evidence other than the documents exhibited here and the transcript and URL mentioned above.

Declaration

I understand that the purpose of this witness statement is to set out matters of fact of which I have personal knowledge. I understand that it is not my function to argue the case, either generally or on particular points, or to take the court through the documents in the case. This witness statement sets out only my personal knowledge and recollection, in my own words.

On points that I understand to be important in the case, I have stated honestly (a) how well I recall matters and (b) whether my memory has been refreshed by considering documents, if so how and when.

I have not been asked or encouraged by anyone to include in this statement anything that is not my own account, to the best of my ability and recollection, of events I witnessed or matters of which I have personal knowledge. I believe the facts stated in this 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: 

Date: 28 June 2023