

On behalf of the Claimant
Witness: M Malmi
Second
Exhibit: MM-3
28 November 2023

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

Claim No: IL-2021-000019

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-

DR CRAIG STEVEN WRIGHT

Defendant

SECOND WITNESS STATEMENT OF
MARTTI MALMI

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

1. I am the same Martti Malmi who provided a witness statement dated 28 June 2023 in these proceedings. 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 bear 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.

- {E/1}
{E/4}
3. Bird & Bird provided me with the First and Fourth Witness Statements of Craig Wright (dated 28 July 2023 and 23 October 2023), which mention me. I have been asked whether I have any comments in response to these statements.
4. My comments on Dr Wright's first statement are as follows:
- {E/1/17}
- a. At paragraph 83, he states "*From February 2009 when Martti Malmi approached me...*". This is incorrect. I did not first approach him in February 2009 but on 1 May 2009. As my correspondence with Satoshi Nakamoto shows, he replied to me on the next day (2 May 2009).
- {E/1/26}
- b. In respect of paragraphs 134 and 135, when bitcoin.org/forum was migrated to bitcointalk.org, only the URL and possibly the hosting arrangements changed. The forum database (including all posts and users) was not altered in the process.
5. My comments on Dr Wright's fourth statement are as follows:
- {E/4/9}
- a. Paragraph 14(c) refers to a "recovery email" of bitcoin.org@gmail.com, that was "*set-up as a back-up in 2011 for Martti Malmi*". I had never heard of a bitcoin.org@gmail.com email address before reading Dr Wright's statement.
- {E/4/34}
- b. In relation to paragraph 104, Satoshi's public PGP key was published by himself in 2009, this can be seen in the first Archive.org record of bitcoin.org (<https://web.archive.org/web/20090131115053/http://bitcoin.org/>) shown at Exhibit MM-3. Although the PGP key itself is not visible at this URL, there is a URL at the very bottom of this webpage that hyperlinks to the PGP key as highlighted in red below.
- {D/487.1}

Abstract. A purely peer-to-peer version of electronic cash would allow online payments to be sent directly from one party to another without the burdens of going through financial institutions. Digital signatures provide part of the solution, but the main benefits are lost if a trusted party is still required to prevent double-spending. We propose a solution to the double-spending problem using a peer-to-peer network. The network timestamps transactions by hashing them into an ongoing chain of hash-based proof-of-work, forming a record that cannot be changed without redoing the proof-of-work. The longest chain not only serves as proof of the sequence of events witnessed, but proof that it came from the largest pool of CPU power. As long as honest nodes control the most CPU power on the network, they can generate the longest chain and outpace any attackers. The network itself requires minimal structure. Messages are broadcasted on a best effort basis, and nodes can leave and rejoin the network at will, accepting the longest proof-of-work chain as proof of what happened while they were gone.

Satoshi Nakamoto
satoshi@gmx.com

[PGP key](#)

Declaration of Martti Malmi

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 by Martti Malmi:


Date:
28/11/2023