

On behalf of the
Witness: R Cellan-Jones
Exhibits: RCJ-1 – RCJ-9
6th July 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

WITNESS STATEMENT OF
RORY CELLAN-JONES

I, **Rory Cellan-Jones**, of [REDACTED] will say as follows:

1. I am a technology journalist, author and podcaster. I was the BBC's technology correspondent until October 2021. In addition to my work as a journalist, I have written several books on technology.
2. This written statement has been prepared by Bird & Bird to record my own evidence and answers given to Bird & Bird during a face-to-face interview and during a follow up phone call. The evidence given in this statement is written in my own words as far as practicable. I understand from Bird & Bird that my exchanges with them are subject to privilege, and nothing I say in this statement is intended to waive any such privilege. 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.

3. Following my meeting with Bird & Bird, I discussed the matter with my former producer at the BBC at the time of the events which I describe in this statement, Priya Patel to see whether she still had any material from the time. I was prompted by this discussion to look on my Google Drive to see if there were any relevant documents or notes from the time. I have located some documents that appear to be relevant and have included them as part of this statement.
4. I discussed with Bird & Bird how to refer to these and I suggested using Otter.ai which is an automatic (AI-based) online computer-generated transcription service which I often use. Bird & Bird were familiar with it so they prepared transcripts which are at Exhibits RCJ-3, RCJ-6 and RCJ-9. Since this is computer generated speech-to-text it can make mistakes and I'm told that Bird & Bird fixed some obvious errors when they generated them.
5. 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. Prior to being contacted by Bird & Bird I was aware that Craig Wright was involved in various legal disputes relating to Bitcoin, but not fully aware of the details of this matter.

My background and career

6. I studied Modern and Medieval Languages at Jesus College, Cambridge, gaining a BA in 1981. After university, I got a job at the BBC, where I started as a researcher for the BBC regional programme "Look North". I worked in several roles in the BBC, including as the business and economics correspondent. I became the BBC's technology correspondent in 2007, and remained in that role until I left the corporation in October 2021. I am currently the host of the podcast "Movers and Shakers", about life with Parkinson's disease.

The 2016 Signing Sessions

7. In early 2016, I was contacted by Nick Caley of the Outside Organisation (a PR agency), and asked whether I would be interested in an important technology story. I was intrigued, and agreed to a meeting. I was later told that I would be invited to meet the person who, the PR agency said, was Satoshi Nakamoto. That person turned out to be Craig Wright.

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8. I wrote and broadcast extensively at the time about what happened when I met Craig Wright. In particular, I wrote a book called “Always On: Hope and Fear in the Social Smartphone Era”, first published in 2021, in which I included a chapter on what took place at the time (**Exhibit RCJ-1**). Having been asked by Bird & Bird to re-read the chapter, I stand by what I said there, but would like to supplement it with the following.
 9. The meetings with Craig Wright took place in two parts. There was an initial meeting and demonstration (with no TV cameras present), which took place in the last week of April 2016. This initial meeting was attended by myself, my producer Priya Patel and Mark Ward, a technology and cybersecurity specialist for BBC Online. It was at this meeting that Wright performed the demonstration which I describe on page 191 of my book, which I understood to be a demonstration of Wright showing that he had access to Satoshi’s private keys.
 10. Many of the technical processes in the demonstration that Wright performed at that initial meeting were incomprehensible to me. Although I am obviously interested in technology, I write about the business and social implications of the whole sector, rather than specialising in cryptocurrency and how its technology works. The demonstration was, however, also attended by Jon Matonis, a senior figure in the cryptocurrency world at the time, who “vouched” for what we had seen (i.e. he described what was happening and said it was proof Craig was Satoshi Nakamoto). Gavin Andresen, another senior figure in the cryptocurrency world at the time, was not present, but we were told by Nick Caley that Gavin Andresen had received a separate demonstration and had been persuaded by what Wright had shown him.
 11. Having checked, I have not been able to locate the audio corresponding to the demonstration at that initial meeting. However, I did interview Jon Matonis afterwards and have been able to find an audio recording of that interview on my Google Drive (**Exhibit RCJ-2**). A transcription of that recording is at **Exhibit RCJ-3**.
 12. I was also provided at the initial meeting with a “press pack” of documents via USB, some of which I have been able to locate on my cloud storage system (**Exhibit RCJ-4**).
 13. There was then a follow up meeting several days later, in which I interviewed Craig Wright on camera. I have been able to locate the audio for the piece that was broadcast from this interview on my Google drive (**Exhibit RCJ-5**). A transcription of that recording is at **Exhibit RCJ-6**.
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14. We waited to broadcast the interview until after Wright had published his own blogpost on his website (on 2 May 2016). I published a number of articles and broadcast pieces on the story, including:

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a. an article on the BBC News website on 2 May 2016 (**Exhibit RCJ-7**);

b. a video interview piece with Craig Wright, which forms part of the article referred to above (the audio of which I discuss at paragraph at paragraph 13 above).

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c. a radio piece broadcast on the Today programme on 2 May 2016, audio of which I have been able to locate on my Google drive (**Exhibit RCJ-8**). A

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transcription of that recording is at **Exhibit RCJ-9**;

15. As explained in my book, very shortly following the publication of Craig Wright's blogpost on 2 May 2016, various crypto experts began to cast doubt on whether the demonstration Wright had provided to us proved access to Satoshi's private keys.

16. As a result, there was a demand for more proof, and it was Wright's team who came up with what appeared to be a simple and comprehensive way for Wright to prove that he was Satoshi. This involved myself (as well as Jon Matonis and Gavin Andresen) sending a small amount of Bitcoin to the Bitcoin address used in the first ever Bitcoin transaction (which I understand to have been between Satoshi Nakamoto and Hal Finney), which Craig Wright would then send back.

17. On May 4th I sent 0.01701 BTC to that address myself, and could see from the ledger that Matonis and Andresen had sent their contributions. We waited, but then nothing happened. We were told by the Outside Organisation that the matter was on hold (I am pretty sure it was Nick Caley who told us by phone). The next day, Craig Wright published a further blogpost on his website (referred to in my book). I have to date still not received the 0.01701 BTC that I sent to the address used in the first Bitcoin transaction.

18. In the years following this period, I have had periodic interactions with Craig Wright on Twitter, although he has recently blocked me. In one post he has stated that our interview was 60 minutes in length, and that what we broadcast was spliced with new questions. That is not true.

19. I have subsequently been asked my view of who Satoshi Nakamoto is or was; whether I think Satoshi is Craig Wright or not. I don't actually care about that, nor do I care about getting the Bitcoin that I transferred back in itself. What I care about is that I

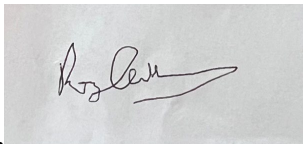
was offered what was said to be simple proof of the claim, by Craig Wright and/or his team, that was said to be conclusive, and he failed to deliver on this proof.

Declaration of Rory Cellan-Jones

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 Rory Cellan-Jones:

Date: 6th July 2023

Certificate of Compliance

I hereby certify that:

1. I am the relevant legal representative within the meaning of Practice Direction 57AC.
2. I am satisfied that the purpose and proper content of trial witness statements, and proper practice in relation to their preparation, including the witness confirmation required by

paragraph 4.1 of Practice Direction 57AC, have been discussed with and explained to Rory Cellan-Jones.

3. I believe this trial witness statement complies with Practice Direction 57AC and paragraphs 18.1 and 18.2 of Practice Direction 32, and that it has been prepared in accordance with the Statement of Best Practice contained in the Appendix to Practice Direction 57AC.

Signed:

Name: Philip Nathan Sherrell

Position: Partner, Bird & Bird LLP

Date: