



IN THE EASTERN CARIBBEAN SUPREME COURT

IN THE HIGH COURT OF JUSTICE

ANTIGUA AND BARBUDA

CIVIL CLAIM NO.

BETWEEN:

CRAIG STEVEN WRIGHT

*Claimant*

and

ROGER KEITH VER

*Defendant*

STATEMENT OF CLAIM

**Parties and background**

1. The Claimant is a citizen of Antigua and Barbuda and a computer scientist and businessman. He is highly active within the cryptocurrency sphere, running a number of cryptocurrency and blockchain businesses.
2. The Defendant is also a citizen of Antigua and Barbuda and an investor and commentator within the bitcoin and cryptocurrency community. He has invested in a number of bitcoin related-startups, including Blockchain.com, Bitpay.com and Kraken.com. He is also the CEO and operator of the website, Bitcoin.com (accessible here: <https://www.bitcoin.com>), a web-portal that provides a number of cryptocurrency related services to users.
3. Bitcoin.com has its own account on the popular video sharing platform Youtube. The account, "Bitcoin.com - Official Channel" ("**the YouTube Channel**") was set up on 26 February 2016 (accessible here: <https://www.youtube.com/channel/UCetxkZolEBHX47BqtZktbkq>). Videos are regularly uploaded to the Youtube Channel, and the Channel has had its content viewed over 2.7 million times by internet users. The Youtube Channel currently has 43k subscribers and, pending disclosure of relevant metrics, the inference will be invited that at the same time the words complained of below were published, the Youtube Channel had a similar number of subscribers.

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4. Alongside Bitcoin.com's own channels for distributing content, the Defendant has a public account on the social media platform Twitter. His account, @RogerKVer (accessible here: <https://twitter.com/rogerkver>) was set up on August 2010. The Defendant is an active user of Twitter, having posted around 3,570 tweets on the platform. The Defendant regularly uses his Twitter account to tweet about news and other developments in bitcoin and associated cryptocurrencies. The account currently has around over 604,100 followers and, pending disclosure of relevant metrics, the inference will be invited that at the same time the words complained of below were published, the Defendant had a similar number of followers.

**The Video: first publication complained of**

5. On or around 15 April 2019 the Defendant first published a video on the Youtube Channel ("the Video" at <https://www.youtube.com/watch?v=Ygv-2YXrxxA&feature=youtu.be>). The video remained available to be viewed until around 22 April 2019 when it was removed by Youtube for violating its community guidelines. In the Video the Defendant published or caused to be published the following words which referred to and were defamatory of the Claimant:

*"Craig Wright is a liar and a fraud. So sue me. Again."*

6. By way of innuendo, the said words meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

**PARTICULARS OF INNUENDO**

- 6.1. The individual, or group of individuals behind the pseudonym Satoshi Nakamoto is/are generally accepted within the bitcoin and cryptocurrency community as the original creator, or one of the original creators, of the cryptocurrency bitcoin.
- 6.2. In the week prior to 15 April 2019 the Claimant and Calvin Ayre had made it very widely publicly known, including on Twitter and through the Coingeek digital currency news site, that the Claimant was intending to bring proceedings for libel against individuals who had alleged that the Claimant had made false and fraudulent claims to be Satoshi Nakamoto.

6.3. The above facts and matters were known to a substantial but unquantifiable number of unidentifiable viewers of the Video, and these viewers would have understood the words complained of herein to bear the meaning set out above.

#### **The Twitter Video: second publication complained of**

7. On 3 May 2019 the Defendant published the Video on his Twitter feed at <https://twitter.com/rogerkver/status/1124256267025780736> with the caption "My response to CSW's 100,000 GBP lawsuit" ("the **Twitter Video**").
8. By way of innuendo, the Twitter Video, read in conjunction with its caption, meant and were understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

#### **PARTICULARS OF INNUENDO**

8.1. Paragraphs 6.1 and 6.2 above are repeated.

8.2. Further, on 2 May 2019 the Defendant, Claimant and Calvin Ayre made it publicly known that the Claimant had made a complaint of libel in the United Kingdom against the Defendant for alleging that the Claimant has falsely claimed to be Satoshi Nakamoto. The libel complaint was reported on the CoinGeek website on 2 May 2019 (<https://CoinGeek.com/craig-wright-libel-claim-roger-ver/>) and on the Decrypt Media crypto currency website on 2 May 2019 (<https://decrypt.co/6874/roger-ver-craig-wright-lawsuit>).

8.3. The above facts and matters were known to a substantial proportion of the viewers of the Twitter Video, and these viewers would have understood the words complained of herein to bear the meaning set out above.

#### **BKK Shadow Reply: third publication complained of**

9. On 3 May 2019 the Defendant published or caused to be published the following words on his Twitter feed at <https://twitter.com/BkkShadow/status/1124258190105833472> ("the **BKK Shadow Reply**"):

*"BKK Shadow @BKKShadow Replying to @RogerKVer  
Faketoshi, claiming to be Satoshi Nakamoto when you are not.  
Craig Wright is a cockwombling bunglecunt Faketoshi"*

10. It is to be inferred that the Defendant became aware of the BKK Shadow Reply at the time it was posted or thereabouts on 3 May 2019. Accordingly, in permitting the continued publication of the BKK Shadow Reply on his Twitter feed, the Defendant was liable for the said publication from 3 May 2019. In this regard, the Claimant will rely on the following:
  - 10.1. The BKK Shadow Reply was one of the most popular responses to the Twitter Video, and was interacted with by Twitter users around 87 times. The inference will be invited that the Claimant was notified of such interactions when they occurred.
  - 10.2. The BKK Shadow Reply was posted eight minutes after the Twitter Video was published. This fact, coupled with the number of interactions, has meant that it appears relatively highly in the thread of responses to the Twitter video.
  - 10.3. The Claimant interacted with a number of responses to the Twitter Video by "liking" them. The inference will be invited that the Claimant was therefore viewing the responses to the Twitter Video, including the BKK Shadow Reply.
11. By way of innuendo, the BKK Shadow Reply meant and was understood to mean that the Claimant had fraudulently claimed to be Satoshi Nakamoto, that is to say the person, or one of the group of people, who developed bitcoin.

#### **PARTICULARS OF INNUENDO**

- 11.1. Paragraphs 6.1, 6.2 and 8.3 above are repeated. The facts and matters therein were known to a substantial proportion of the readers of the BKK Shadow Reply.
- 11.2. Readers of the BKK Shadow Reply would also have viewed the Twitter Video, and would have read its caption, to which the BKK Shadow reply was a response, and which appeared on the Defendant's Twitter feed immediately above the BKK Shadow Reply.
- 11.3. A substantial proportion of the readers of the BKK Shadow Reply would therefore have understood the words complained of herein to bear the meaning set out above.

## Damage and remedies

12. The publication of the words referred to at paragraphs 5, 7 and 9 above caused and/or was likely to cause serious harm to the reputation of the Claimant. The Claimant will rely in this regard on the following facts and matters:

12.1. The imputations complained of are inherently serious in terms of their propensity to cause harm to the reputation of the Claimant. They go to the heart of his personal reputation for honesty and ethical conduct and, given his involvement within the cryptocurrency industry, to the heart of his professional reputation.

12.2. The words complained of were widely published to any internet user, without subscription or registration. In this regard paragraphs 3 and 4 above are repeated. Therefore, pending disclosure of the relevant statistics, the inference will be invited that a very substantial number of readers viewed the Video and the Twitter Video.

12.3. The publications have been published extraordinarily widely. By way of example, the Twitter Video was viewed over 145,600 times, retweeted 341 times, and liked over 1,600 times by other Twitter users.

12.4. The Claimant will also rely on the grapevine effect.

13. Furthermore, given the seriousness of the allegations made in the publications complained of and the forum the publications were made in, republication of the publication complained of and the allegations complained of therein was reasonably foreseeable and the Defendant is responsible in law for all such republications. The Claimant will rely in this regard upon the republications of the Twitter Video on websites such as in American Crypto Association (<https://www.americancryptoassociation.com/2019/05/04/bitcoin-cashes-roger-ver-hits-back-craig-wright-is-a-liar-and-a-fraud-so-sue-me-again/>).

14. In addition to the serious harm caused to his reputation by the Video, the Twitter Video and the BKK Shadow Reply, and republication of the video complained of, the Claimant has suffered considerable distress and embarrassment. In support of his claims for general and/or aggravated damages for libel, the Claimant will rely upon the fact that the Defendant published the words as part of a campaign to undermine and invalidate the Claimant's attempts to vindicate his reputation via legal proceedings. The Claimant will refer to the fact that the Defendant posted the Twitter Video after the removal of the Video

from Youtube on or around 22 April 2019, demonstrating the Defendant's determination to overcome any obstacles in order to sustain his campaign.

15. In respect of damage to his reputation, the Claimant claims in respect of the publication of the words complained of within this jurisdiction.
16. Unless a suitable undertaking is provided by the Defendant that he will not repeat or republish the words complained of or any similar allegations defamatory of the Claimant, the Claimant will seek an injunction to restrain further publication or republication.

AND the Claimant claims:

- (1) An injunction restraining the Defendant from further publishing the Video, the Twitter Video and the BKK Shadow Reply within the jurisdiction of this court restraining the Defendant whether by itself, its servants, its agents or otherwise howsoever from further publishing, causing, authorising or procuring the publications of the allegations complained of or similar allegations defamatory of the Claimant (in the publications or otherwise);
- (2) A correction order pursuant to s.32 of the Defamation Act 2015 or alternatively damages, including aggravated damages, for defamation; or
- (3) Such further and other relief as the court deems fit;
- (4) Costs.

Dated the 24<sup>th</sup> day of August 2020

*CORT & CORT*


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Cort & Cort

Attorneys-at-Law for the Claimant

CERTIFICATE OF TRUTH

I, Craig Steven Wright the within-named Claimant hereby certify that I believe that the facts stated in this Statement of Claim are true.

  
CRAIG STEVEN WRIGHT

Dated the 24<sup>th</sup> day of Aug. 2020

NOTICE TO THE DEFENDANT -

The First Hearing of this Claim will take place at the High Court of Justice, Parliament Drive, St. John's, Antigua on the ..... day of ....., 20....., at ..... a.m./p.m.

**If you do not attend at that hearing, judgement may be entered against you in accordance with the Claim.**

If you do attend, the judge may –

- a) deal with the claim; or
- b) give directions for the preparation of the case for a further hearing

A statement of claim or an affidavit giving full details of the Claimant's claim should be served on you with this Claim Form. If not and there is no order permitting the Claimant not to serve the statement of claim or affidavit you should contact the court office immediately.

You should complete the form of acknowledgement of service served on you with this Claim Form and deliver or send it to the court office (address below) so that they receive it within FOURTEEN days of service of this Claim Form on you. The form of acknowledgement of service may be completed by you or a solicitor acting for you.

**You should consider obtaining legal advice with regard to this claim. See the notes on the back of this form or on the next page.**

The Court Office is at Parliament Drive, St. John's, Antigua. Telephone number 462-3145, 462-0609, 462-0409 FAX 462-3929 The office is open between 8:30 a.m. and 4:30 p.m. Monday to Thursday and 8:30 a.m. and 2:30 p.m. on Fridays except public holidays and court holidays.

Dated the 24<sup>th</sup> day of August, 2020

The Claimant's address for service is: Cort & Cort  
44 Church Street  
St. John's  
Antigua



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