



ONTIER LLP Secures Landmark Victory for Bitcoin's Creator in the English Court of Appeal

On Friday, 15 January 2021, the Court of Appeal handed down a landmark judgment, delivering victory to ONTIER LLP client, Dr Craig Wright, in the jurisdiction challenge to his libel claim against Norwegian crypto-enthusiast Magnus Granath.

In [*Wright v Granath \[2021\] EWCA Civ 28*](#), the Court of Appeal agreed that the Courts of England and Wales should not decline to exercise jurisdiction to hear and determine Dr Wright's claim against Mr Granath and, in doing so, set aside the High Court's earlier January 2020 decision, which dismissed the claim under Article 27(2) of the Lugano Convention ("**the Convention**").

In the High Court, Mr Granath successfully challenged the English Court's jurisdiction to hear Dr Wright's claim on the basis that it involved the same cause of action as Mr Granath's ongoing claim for Negative Declaratory Relief against Dr Wright in the Norwegian Courts.

In overturning the High Court's decision, the Court of Appeal held that, for Article 27 to be engaged, both sets of proceedings had to be the same and exact mirror images of one another – i.e. that "the same" really does mean "the same".

The hearing before the Court of Appeal took place on 15 October 2020 and it heard arguments about the interpretation and application of the *lis pendens* rules under the Convention only months before the Brexit transition period ended on 31 December 2020. Given that the UK has applied to accede to the Lugano Convention in its own right, this decision looks set to redefine how the English Courts – and also perhaps their European counterparts – interpret Article 27 going forward.

Dr Wright is best known as the inventor of Bitcoin (now called Bitcoin Satoshi Vision) and the person behind the moniker 'Satoshi Nakamoto'.

The case continues.

Dr Wright was represented by [Simon Cohen](#), [Derek Stinson](#), [Sara Saleh](#) and [Joe Woodward](#) of ONTIER LLP, [Adam Wolanski QC](#), [Greg Callus](#) and [Lily Walker-Parr](#) of 5RB Chambers, and [Aled Maclean-Jones](#).