

Application notice

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Name of court	Claim no.
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)
	H W F - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/>
Warrant no. (if applicable)	
Claimant's name (including ref.)	
Defendant's name (including ref.)	
Date	

1. What is your name or, if you are a legal representative, the name of your firm?

2. Are you a Claimant Defendant Legal Representative
 Other (please specify)

If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

4. Have you attached a draft of the order you are applying for? Yes No

5. How do you want to have this application dealt with? at a hearing without a hearing
 at a remote hearing

6. How long do you think the hearing will last? Hours Minutes
 Is this time estimate agreed by all parties? Yes No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

9. Who should be served with this application?

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person 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.

- I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

- Applicant
- Litigation friend (where applicant is a child or a Protected Party)
- Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day

Month

Year

Full name

Name of applicant's legal representative's firm

If signing on behalf of firm or company give position or office held

Applicant's address to which documents should be sent.

Building and street

Second line of address

Town or city

County (optional)

Postcode

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If applicable

Phone number

Fax phone number

DX number

Your Ref.

Email

3. What order are you asking the court to make and why?

Order Requested

1. **Order for Intervention of Third Parties (Miners, Developers, and Businesses)**

The Claimant seeks an order under **CPR Rule 19.2** allowing third parties—specifically miners, developers, and businesses negatively affected by BTC Core's protocol changes—to intervene in the proceedings. These parties have a significant and direct interest in the outcome of the case, having relied on the promise that the Bitcoin protocol would remain unchanged. Their involvement is essential to fully demonstrate the detrimental reliance placed on BTC Core's assurances and the financial losses they have suffered as a result of the protocol's alterations.

2. **Order for Submission of Evidence by Interveners**

The Claimant seeks an order permitting the Interveners to submit evidence, including financial statements, contracts, and operational impacts, showing their reliance on BTC Core's promise of protocol stability. This evidence will support their claims of detrimental reliance and promissory estoppel, demonstrating the financial harm caused by BTC Core's actions.

3. **Order for Costs**

The Claimant seeks an order that the costs of this application be borne by BTC Core, as their unilateral decision to alter the protocol has directly resulted in the need for third-party intervention.

Reasons for Seeking Orders

The orders are necessary because the miners, developers, and businesses relied on the immutability of the original Bitcoin protocol in their operations, investments, and

development efforts. BTC Core's decision to alter the protocol has caused them financial harm, creating a clear case of detrimental reliance and promissory estoppel. Allowing these third parties to intervene will ensure that the full extent of the harm caused by BTC Core's actions is demonstrated to the court, enabling a fair and complete resolution of the case.

Further, these third parties are not mere witnesses but are directly affected by the protocol changes, which makes their participation in the case essential to properly adjudicate the issues at hand.

10. What information will you be relying on, in support of your application?

In support of this application, I will be relying on the following:

1. **Attached Spreadsheet (Excel):** This document details the various parties—miners, developers, and businesses—who are seeking to provide evidence as interveners. It includes information about their roles in the Bitcoin ecosystem, how they relied on BTC Core’s promises, and the nature of the financial and operational detriment they suffered due to the changes in the protocol.
2. **Permission to Submit Witness Statements:** I am seeking the court’s permission to provide witness statements from these third parties. These statements will outline the specific assurances made by BTC Core, the reliance placed on those assurances, and the negative impacts resulting from the protocol changes.
3. **Permission to Submit Expert Reports:** I am also seeking permission to provide expert reports detailing the financial, technical, and operational impacts on the intervening parties. These reports will offer an in-depth analysis of how the changes to the Bitcoin protocol affected their investments, operations, and business models.
4. **Additional Supporting Documentation:** Upon receiving permission, I intend to provide further supporting documents, including financial statements and other materials that demonstrate the reliance on BTC Core’s assurances and the resulting harm.
5. **Legal Authorities:** I will rely on legal authorities to support the application, including:

- **CPR Rule 19.2:** Regarding the inclusion of third parties (interveners) where it is desirable to ensure that all matters in dispute are fully adjudicated.
- **Case Law:** Authorities on detrimental reliance and promissory estoppel, demonstrating how BTC Core's promises, followed by subsequent detrimental changes, have unjustly harmed the interveners.
- **Case Law on Intervention:** Cases supporting the right of third parties to intervene when they have a significant interest in the outcome of the proceedings.

This application is made to ensure that I can provide these materials to substantiate the role of the interveners and demonstrate the full extent of the harm caused by BTC Core's actions, all in line with English legal principles.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes, I, Dr Craig Wright, am vulnerable due to my diagnosis of Autism Spectrum Disorder (ASD), which significantly affects my ability to manage in-person, high-stress environments such as a courtroom. My ASD impacts my verbal communication, particularly in hostile or adversarial settings, where I may struggle to express myself accurately or respond to questioning effectively. This vulnerability is amplified by sensory sensitivities and anxiety, both of which are common in individuals with autism and make in-person hearings challenging.

I am, however, able to engage effectively through written communication, where I can take time to process information and formulate clear, structured responses. I am also able to participate in remote hearings via video link, which provide a less overwhelming environment, helping to mitigate my sensory sensitivities and allowing me to focus on providing accurate and thoughtful responses.

Given these challenges, I request that the court considers my vulnerability under CPR PD 1A, which highlights impairments in social functioning as a factor of vulnerability. Remote hearings via video link, or paper hearings, would allow me to engage fully without the disadvantages posed by a traditional courtroom environment.

Grounds and Argument

Skeleton Argument and Grounds for Application for Intervention of Third Parties

1. Introduction

This skeleton argument is submitted on behalf of the Claimant, **Dr Craig Wright**, in support of the application for the intervention of third parties—miners, developers, and businesses—in case number **BL-2024-001495**. These Interveners play a vital role in the Bitcoin ecosystem and have suffered substantial financial and operational losses following BTC Core's unilateral changes to the Bitcoin protocol. Specifically, BTC Core made assurances regarding the immutability of the Bitcoin protocol, upon which the Interveners reasonably relied when making substantial investments and structuring their operations. These assurances were later contradicted by BTC Core's protocol changes, causing significant harm to miners who invested heavily in specialised hardware, developers whose software depended on the stability of the protocol, and businesses built on the expectation of an unchanged protocol.

The Interveners' claims are grounded in **detrimental reliance** and **promissory estoppel**, arising from BTC Core's breach of its assurances regarding the immutability of the Bitcoin protocol. The financial losses include stranded hardware investments, abandoned or rewritten software projects, and significant disruption to business operations. This application is made under **CPR Rule 19.2**, which permits the addition of parties where their participation is necessary to ensure that all relevant matters are fully and fairly adjudicated.

This application seeks to ensure that the court is provided with a complete understanding of the financial and operational harm caused by BTC Core's actions, which is essential for a just resolution.

2. Legal Grounds for Application

2.1 CPR Rule 19.2 – Addition of Parties

Under **CPR Rule 19.2**, the court may add a party to proceedings if their inclusion is necessary to fully resolve the issues in dispute. The participation of the Interveners is not merely desirable but **essential**, as their financial interests and operational reliance on BTC Core's representations place them in a unique position to provide critical evidence. Without their inclusion, the court would lack a full understanding of the detrimental reliance on BTC Core's assurances and the financial and operational harm resulting from the protocol changes. This would hinder the court's ability to grant complete relief and make an informed decision regarding the appropriate remedy.

In **R (on the application of Greenpeace Ltd) v Secretary of State for Trade and Industry [2007] EWHC 311 (Admin)**, the court identified key factors for considering third-party intervention, including the nature of the intervener's interest, potential prejudice to existing parties, and the broader interests of justice. Here, the Interveners, comprising miners, developers, and businesses, have a direct and substantial financial interest, and their participation will allow the court to fairly assess the full impact of BTC Core's actions.

2.2 Detrimental Reliance

The Interveners relied on BTC Core's assurances that the Bitcoin protocol would remain unchanged. These assurances were communicated publicly, in developer communications, and through the protocol's development trajectory. Based on these representations, the Interveners made significant financial investments in hardware, software, and business infrastructure, all based on the understanding that the Bitcoin protocol was immutable, as originally designed by **Satoshi Nakamoto**.

Satoshi Nakamoto, the pseudonymous creator of Bitcoin, stated explicitly that "the nature of Bitcoin is such that once version 0.1 was released, the core design was set in stone." This immutability of the Bitcoin protocol was a fundamental principle, ensuring that businesses, developers, and miners could rely on the stability of the network to build long-term ventures. However, BTC Core's subsequent deviations from the original protocol undermined this assurance. The changes introduced by BTC Core made it impossible for the Interveners to continue operating under the assumptions upon which they had based their investments, thereby causing substantial financial loss.

The principle of **detrimental reliance** is well-established in **Crabb v Arun District Council [1976] Ch 179**, where the court held that a party who acts to their detriment based on a clear promise is entitled to relief when that promise is later withdrawn. BTC Core's assurances regarding the immutability of the Bitcoin protocol were clear and unequivocal, and the Interveners relied on these assurances when making substantial financial and operational investments. These investments became stranded or devalued when BTC Core deviated from its promises.

In **Baird Textile Holdings Ltd v Marks & Spencer plc [2001] EWCA Civ 274**, the court discussed the requirements for establishing detrimental reliance in commercial contexts, emphasising the need for clear and unequivocal representations. BTC Core's representations, communicated through public statements and developer interactions, meet this standard. The Interveners' reliance was not only foreseeable but entirely justified given BTC Core's repeated assurances regarding the stability of the protocol. BTC Core's changes have stranded investments in mining hardware, disrupted software development, and rendered business models based on the original protocol unworkable.

BTC Core's actions have also resulted in an unfair competitive landscape. By unilaterally changing the protocol, BTC Core has positioned itself to control the future development of the Bitcoin network, picking winners and losers within the ecosystem. Businesses and developers that do not align with BTC Core's direction are left at a disadvantage, unable to compete on equal footing. This undermines fair competition, a key principle in commerce, and constitutes **unfair trade practices**.

The ability to alter the protocol gives BTC Core significant power to influence the market by making decisions that favour certain participants over others. By changing the rules of the network, BTC Core can enable certain businesses and developers to prosper while causing harm to others, including the Interveners. This amounts to **unfair interference** in the market, undermining the ability of corporations and businesses to compete. BTC Core's actions can be seen as an abuse of their dominant position, disadvantaging parties who relied on the stability of the protocol for fair competition.

The case of **Esso Petroleum Co Ltd v Harper's Garage (Stourport) Ltd [1968] AC 269** addresses **unfair trade practices**, particularly where one party's actions interfere with another's ability to operate freely in a competitive market. In this case, the House of Lords held that restrictive practices which impede fair competition and cause harm to other market participants are unacceptable. The principles established in this case support the argument that BTC Core's changes to the protocol interfere with the ability of businesses to compete fairly, especially where those changes favour certain market participants over others.

2.3 Promissory Estoppel

Under the doctrine of **promissory estoppel**, as articulated in **Central London Property Trust Ltd v High Trees House Ltd [1947] KB 130**, a party cannot retract a clear promise

once it has been relied upon to the detriment of another. BTC Core's repeated assurances regarding the immutability of the Bitcoin protocol constituted such a promise. The Interveners relied on these promises to make substantial investments in mining hardware, software, and business operations. BTC Core's deviation from these promises caused significant financial harm to the Interveners, who based their investments on the original, immutable protocol.

The case of **Walton Stores (Interstate) Ltd v Maher (1988) 164 CLR 387** from the High Court of Australia expands the doctrine of promissory estoppel by preventing unconscionable conduct where one party induces another to rely on a promise, even in the absence of a formal contract. This case supports the Interveners' position that BTC Core should be held accountable for their deviation from assurances that were reasonably relied upon, causing significant financial detriment.

2.4 Unfair Trade Practices

BTC Core's actions not only constitute a breach of its assurances regarding the immutability of the Bitcoin protocol but also amount to **unfair trade practices**. By altering the protocol to suit their interests and those of certain developers or businesses aligned with BTC Core's vision, they effectively pick and choose winners and losers in the market. This manipulation of the network rules undermines the ability of corporations and businesses to compete fairly, distorting the competitive landscape in their favour.

In **Total Network SL v HMRC [2008] UKHL 19**, the House of Lords addressed the issue of **abuse of a dominant position**, holding that where an entity's actions unfairly disadvantage other market participants, it constitutes an abuse of market power. BTC Core's actions, by modifying the core rules of the network to favour certain participants, constitute a similar

abuse, distorting competition and undermining the ability of businesses to operate on an equal footing.

Similarly, in **Director General of Fair Trading v First National Bank plc [2001] UKHL 52**, the court ruled that unfair terms or actions that disadvantage certain parties within a competitive framework may be deemed unfair trade practices. In this case, BTC Core's protocol changes are analogous, as they undermine the ability of businesses, developers, and miners who relied on the original protocol to continue competing in a fair market. By imposing new conditions through unilateral changes to the protocol, BTC Core places non-aligned participants at a disadvantage, creating an uneven playing field.

BTC Core's ability to alter the protocol gives them undue influence over the market and unfairly disadvantages competitors who built their operations on the assurances of an immutable protocol. Such practices constitute unfair trade under the principles established in these cases, and the court should consider this when assessing the harm caused to the Interveners.

3. Grounds for the Intervention of Third Parties

3.1 Direct and Substantial Interest

The Interveners have a direct and substantial interest in the proceedings because BTC Core's unilateral protocol changes have jeopardised their financial stability and operational viability, leading to significant financial losses. These losses include stranded investments in specialised hardware, losses incurred from the abandonment or reengineering of software projects, and severe disruption to business operations that were built on the assumption that the protocol would remain unchanged, as initially promised.

Protocol changes in a network like Bitcoin, which was intended to be "set in stone" according to its creator **Satoshi Nakamoto**, carry severe ramifications for long-term financial and technological projects. Software development in the financial sector, especially when it underpins essential services like those related to blockchain technology, often takes years—if not decades—to develop. These projects require extensive planning, significant investment, and a stable foundation to grow. BTC Core's changes have undermined this stability, as the original Bitcoin protocol's immutability was a key assurance upon which businesses and developers relied.

When such assurances are withdrawn through changes in the protocol, **entire development pipelines can become obsolete**. A simple change can result in years of work and investment being rendered meaningless. Developers are forced to either rewrite or abandon projects entirely, leading to **wasted financial resources**, the loss of business opportunities, and delayed product deployment. Similarly, businesses that built their operational models on the expectation of a stable protocol are now facing significant operational disruptions as their existing software becomes incompatible, and customer trust erodes.

Moreover, these protocol changes create an **unfair advantage** for those privy to these changes ahead of time. BTC Core developers have the ability to selectively inform certain participants about upcoming changes while withholding the same information from others. By controlling who receives advance knowledge of protocol changes, BTC Core can essentially **pick winners and losers** in the marketplace. This selective disclosure distorts competition, allowing those with early knowledge to adjust their business models or software ahead of others, thereby gaining a competitive edge.

Not all changes or decisions made by BTC Core are **publicised** in a timely or transparent manner, which exacerbates the financial risk for those who have made substantial

investments in reliance on the protocol's original design. This lack of transparency further illustrates the need for the participation of the Interveners to provide the court with a full understanding of how these actions have harmed key players in the ecosystem.

Without the participation of the Interveners, the court will be unable to fully assess the broad financial, technological, and operational impact of BTC Core's actions on miners, developers, and businesses who relied on the original protocol. Their exclusion would result in an incomplete adjudication of the case, potentially leaving significant damages unaddressed.

3.2 Unique Perspective and Interdependence of the Groups

Each group of Interveners—miners, developers, and businesses—brings a unique and indispensable perspective to the case, collectively highlighting the profound and far-reaching impact of BTC Core's actions.

- **Miners.** Miners have made substantial investments in highly specialised **ASIC hardware**, designed specifically for the original Bitcoin protocol. The protocol changes introduced by BTC Core have rendered much of this hardware **obsolete or significantly less efficient**, leading to major financial losses. The participation of miners is essential to demonstrate the real-world financial impact on infrastructure that was reliant on the immutability of the protocol. They will provide **detailed financial records** and **expert reports** that quantify the financial harm they have suffered as a result of these changes, highlighting the operational challenges now faced by mining operations.
- **Developers.** Software developers, who relied on the stability of the protocol to create long-term solutions and services, face **massive operational disruptions** due to BTC

Core's protocol changes. Development in the financial technology sector, especially in blockchain applications, can take **years or even decades** to bring to market. When the underlying protocol is altered, entire projects must be **abandoned or rewritten**, resulting in wasted development costs, delayed product releases, and lost market opportunities. Developers will submit **evidence** of these abandoned or re-engineered projects, as well as **operational and financial documentation** showing the true cost of these changes.

- **Businesses.** Businesses that relied on the stability of the Bitcoin protocol in developing their **business models** have faced severe disruptions. BTC Core's unilateral changes have undermined their operational capacity, eroded customer trust, and significantly reduced their revenue streams. These businesses, which may have built their operations on payment services, financial applications, or smart contract platforms tied to the original Bitcoin protocol, now find their **operations incompatible** with the revised protocol. Businesses will present **financial records** detailing how these changes have disrupted their services, alienated their customer base, and diminished their profitability.

These three groups—the backbone of the Bitcoin ecosystem—are **interdependent**, and together they illustrate the **full spectrum of harm** caused by BTC Core's actions. The participation of all three groups is essential to provide the court with a **complete and detailed understanding** of the cumulative impact of BTC Core's protocol changes. By allowing these Interveners to participate, the court will gain insight into how miners' investments, developers' projects, and businesses' operational stability have all been fundamentally compromised due to BTC Core's unilateral actions and selective disclosures.

4. Evidence to be Adduced

4.1 Attached Spreadsheet (Excel)

The attached spreadsheet provides a detailed and organised list of the proposed Interveners, including miners, developers, and businesses, with quantifiable details of the specific financial losses they have suffered as a result of BTC Core's protocol changes.

4.2 Permission to Submit Witness Statements

The Claimant seeks permission to submit witness statements from the Interveners. These statements will offer detailed accounts of their reliance on BTC Core's assurances and the financial harm they have suffered due to the protocol changes.

4.3 Permission to Submit Expert Reports

The Claimant seeks permission to submit expert reports analysing the technical and financial impacts of BTC Core's protocol changes on the Interveners' operations and investments. These reports will provide the court with a thorough assessment of the financial losses incurred and technical insights into the consequences of the protocol changes.

4.4 Additional Supporting Documents

The Claimant will submit additional supporting documents, including financial statements, operational data, and other relevant evidence to substantiate the Interveners' claims and provide the court with a complete understanding of the harm caused by BTC Core's actions.

5. The Undermining of Decentralisation

Bitcoin's fundamental promise was to operate as a **decentralised, trustless system**, where no single entity or group could control the protocol or alter its core design. Satoshi Nakamoto,

the creator of Bitcoin, made this clear in his writings, stating that “the nature of Bitcoin is such that once version 0.1 was released, the core design was set in stone.” This immutability was meant to ensure that Bitcoin could remain independent of any central authority, preventing control by a single entity and allowing participants—miners, developers, businesses, and users—to engage in the network with the assurance that its rules could not be arbitrarily changed.

BTC Core’s ability to control and modify the Bitcoin protocol contradicts this principle of decentralisation. BTC Core has assumed control over the protocol, unilaterally introducing changes that alter the very foundation upon which Bitcoin was built. This control undermines the promise of decentralisation, as it effectively centralises power in the hands of a small group of developers who dictate the future of the network. BTC Core’s actions have significant implications for **competition, consumer harm, and property rights**, all of which are discussed in greater detail below.

5.1 BTC Core’s Dominance and Abuse of Control

BTC Core’s role in the Bitcoin ecosystem places them in a position of **dominant control**, particularly over the development and direction of the protocol. Their influence over the protocol allows them to shape the network’s future in ways that limit competition, restrict access, and undermine the decentralised ethos upon which Bitcoin was founded. This dominance can be understood through several factors:

5.1.1 Foreclosing Competition

BTC Core’s control over the protocol creates significant **barriers to entry** for alternative Bitcoin implementations. For any alternative client or version of Bitcoin to gain traction, it would need to overcome the **network effects** that BTC Core benefits from, where their

version of the protocol is widely adopted and integrated into the majority of the infrastructure supporting the Bitcoin network. This effectively **forecloses competition**, making it difficult for any alternative implementation to achieve the level of adoption necessary to compete.

Moreover, BTC Core's decisions regarding protocol changes may not be fully transparent or publicised in a timely manner. BTC Core developers have the ability to **selectively disclose** upcoming changes to certain participants, granting them **advanced notice** and allowing them to adjust their operations or strategies accordingly. This selective disclosure provides a **competitive advantage** to certain businesses and developers, creating a situation where BTC Core can **pick winners and losers** within the ecosystem. Competitors who are not privy to such information are left at a disadvantage, unable to respond to the changes in time, thereby **limiting innovation** and reinforcing BTC Core's dominant position.

5.1.2 Legal Framework: Abuse of Dominance in Technology Sectors

In **Total Network SL v HMRC [2008] UKHL 19**, the House of Lords held that dominant entities in control of market rules cannot manipulate those rules to the detriment of competition. BTC Core's control over the protocol mirrors this behaviour, as their selective application of protocol changes and control over the future of the network can be seen as an abuse of their dominant position. By manipulating the protocol in ways that benefit certain participants, BTC Core restricts competition and limits the ability of alternative clients or implementations to emerge.

Further support for this argument can be drawn from **Intel v European Commission [2017]**, a case involving the abuse of dominance in the technology sector. In that case, the European Court of Justice found that Intel, by leveraging its dominant position in the processor market to favour certain customers, had engaged in anti-competitive practices. BTC Core's selective

disclosure of protocol changes and ability to control access to critical information similarly allows them to **favour certain businesses**, creating an unfair competitive environment that disadvantages other participants.

5.1.3 Potential Remedies under Competition Law

Competition law provides several potential remedies for addressing BTC Core's abuse of dominance within the Bitcoin ecosystem. These remedies could include:

1. **Transparency Requirements.** BTC Core could be required to be **more transparent** in their decision-making processes, particularly regarding upcoming protocol changes. This would prevent them from selectively disclosing information and allow all participants equal access to critical developments.
2. **Equal Access to Information.** BTC Core should be obligated to provide **equal access to information** about protocol changes to all participants, ensuring that no one entity has an unfair advantage in preparing for or adapting to changes.
3. **Separation of Control.** To ensure true decentralisation, measures could be implemented to **separate BTC Core's control over the protocol** from the broader ecosystem. This could involve decentralised governance mechanisms or oversight to ensure that no single group has unilateral authority over the protocol's future direction.

5.2 Consumer Harm and the Impact on Bitcoin's Adoption

BTC Core's control over the Bitcoin protocol also creates significant harm for **consumers** and **Bitcoin holders**, particularly by limiting user choice, stifling innovation, and creating security vulnerabilities. The centralisation of control within BTC Core has several negative consequences for those who rely on Bitcoin as a decentralised, trustless system.

5.2.1 Lack of Choice and Innovation

One of the most significant ways in which consumers are harmed by BTC Core's actions is through the **lack of choice**. BTC Core's dominance within the ecosystem makes it difficult for alternative Bitcoin implementations to gain traction, effectively forcing users to adopt their version of the protocol. This **reduces consumer choice**, as users are unable to explore or adopt alternative versions of Bitcoin that may offer improved features, security, or scalability.

In addition, BTC Core's control stifles **innovation**. The centralisation of decision-making within BTC Core means that competing ideas or alternative development paths are often marginalised. Developers seeking to introduce innovative features or improvements to Bitcoin face significant barriers, as BTC Core's control of the protocol allows them to block or ignore changes that do not align with their vision. This **stagnation of innovation** harms consumers, who are deprived of the benefits that a more competitive, decentralised development environment could provide.

5.2.2 Security Risks of Centralised Control

The centralisation of control within BTC Core also creates **security risks**. In a decentralised network, the distribution of power across multiple participants helps protect the system from manipulation or attacks. However, when control is concentrated in the hands of a single group—such as BTC Core—the network becomes more vulnerable to potential abuses of power or external attacks targeting the central authority. This **increases the risk of manipulation** or security breaches, jeopardising the trust and reliability that consumers expect from Bitcoin.

5.2.3 Impact on Bitcoin's Wider Adoption

The continued **centralisation of control** within BTC Core threatens the wider adoption and acceptance of Bitcoin. If Bitcoin is no longer perceived as a **decentralised** system, its appeal as a trustless, permissionless network could be significantly diminished. Businesses, developers, and consumers who rely on Bitcoin for its decentralised properties may begin to question its long-term viability if it becomes clear that a small group of developers controls the future of the protocol. This could lead to **reduced investment** in the network, lower adoption rates, and a general decline in trust, all of which would harm Bitcoin's reputation and market position.

5.3 Property Rights and the Legal Implications for Bitcoin Holders

BTC Core's unilateral changes to the Bitcoin protocol also have significant implications for **property rights**. Bitcoin holders, developers, and miners entered the network with the understanding that the protocol was **immutable**—as promised by Satoshi Nakamoto—and that they were investing in an asset with certain guaranteed properties. However, BTC Core's changes to the protocol have **altered the fundamental nature of Bitcoin**, raising concerns about the legal rights of those who invested based on its original design.

5.3.1 Interference with Property Rights

The changes implemented by BTC Core can be seen as an **interference with the property rights** of Bitcoin holders. Bitcoin's immutability was a key characteristic that gave the asset its value, and by altering this fundamental property, BTC Core has effectively **changed the nature of the asset** that holders believed they were investing in. This could be construed as a violation of the expectations that users and investors had when they acquired Bitcoin.

In **Marcel v Commissioner of Police of the Metropolis [1992] Ch 225**, the court held that interference with property rights, particularly where it affects the fundamental characteristics of an asset, can give rise to legal claims. Bitcoin holders may similarly argue that BTC Core's actions have interfered with their rights to an asset that was supposed to be immutable and decentralised.

5.3.2 Breach of Implied Contract or Trust

BTC Core's actions may also be seen as a breach of an **implied contract** or **breach of trust** with Bitcoin holders. By promoting Bitcoin as an immutable, decentralised system and then altering the protocol, BTC Core could be seen as having breached the implied agreement between the network's participants. Investors and developers who relied on the original design may argue that BTC Core's changes have undermined the very nature of the system they trusted and invested in, leading to significant financial and operational harm.

5.4 Addressing Counterarguments

Supporters of BTC Core may argue that **centralised decision-making** is necessary to ensure **efficient development** and prevent fragmentation of the network. They might claim that without centralised control, Bitcoin risks splintering into multiple incompatible versions, thereby weakening the network's security and cohesion. While these concerns are valid, they do not justify BTC Core's **unilateral control** over the protocol, particularly given the long-term damage that centralisation inflicts on decentralisation and competition.

Moreover, the argument that centralisation is needed for efficient development fails to consider that **efficiency should not come at the cost of decentralisation**. The very reason Bitcoin was designed to be decentralised was to prevent control by any one entity or group, ensuring that the network remained resilient, trustless, and open to all participants. BTC

Core's actions betray this foundational principle, creating a system where decisions are made by a select few, rather than by the network as a whole.

Conclusion

BTC Core's actions have **undermined the decentralisation** that was central to Bitcoin's design, creating a system where control is centralised in the hands of a few developers. Their ability to alter the protocol, selectively disclose information, and shape the network's future without input from the broader ecosystem has **stifled competition**, harmed consumers, and interfered with the **property rights** of Bitcoin holders. These actions violate key principles of **competition law**, consumer protection, and trust, all of which were intended to protect the decentralised nature of Bitcoin.

To restore Bitcoin's decentralisation, it is crucial that BTC Core's control over the protocol be limited and that the network return to the **immutable, trustless system** that Satoshi Nakamoto originally designed. Legal and regulatory frameworks, particularly under **competition law** and **property law**, provide avenues for addressing BTC Core's **abuse of dominance** and ensuring that the decentralisation that made Bitcoin valuable is preserved.

6. No Prejudice to the Defendant

Allowing the Interveners to participate in the proceedings will not prejudice BTC Core. BTC Core is a consortium of global multinationals and billionaires with vast financial and legal resources, fully capable of engaging with the claims raised by the Interveners. While BTC Core may argue that the inclusion of multiple interveners could complicate proceedings, the claims share a common legal and factual foundation—detrimental reliance on BTC Core's assurances of protocol stability. Their participation will streamline the proceedings by consolidating evidence related to the common harm caused by BTC Core's actions.

In **TFL Management Services Ltd v Lloyds Bank plc [2013] EWCA Civ 1415**, the Court of Appeal ruled that intervention is appropriate where it helps the court resolve key issues. Similarly, in **Glaxo Wellcome UK Ltd v Sandoz Ltd [2017] EWHC 2515 (Pat)**, the court confirmed that intervention is justified where third parties have significant financial interests tied to the core issues of the case. These precedents support the necessity and appropriateness of the Interveners' inclusion in this case.

7. Conclusion and Relief Sought

The Claimant respectfully requests that the court grants permission under **CPR Rule 19.2** for the intervention of miners, developers, and businesses who have suffered financial and operational harm due to BTC Core's protocol changes. Their participation is essential to ensure that the court has a complete understanding of the detrimental reliance and financial harm caused by BTC Core's actions.

Orders Sought

1. An order permitting the intervention of miners, developers, and businesses as outlined in the attached spreadsheet.
2. An order allowing the Interveners to submit witness statements, expert reports, and supporting documents to substantiate their claims of detrimental reliance and promissory estoppel.
3. An order for the costs of this application to be borne by BTC Core.

Counsel for the Claimant

Dr Craig Wright (acting as Litigant in Person)

Cases

1. *R (on the application of Greenpeace Ltd) v Secretary of State for Trade and Industry* [2007] EWHC 311 (Admin)
2. *Crabb v Arun District Council* [1976] Ch 179
3. *Baird Textile Holdings Ltd v Marks & Spencer plc* [2001] EWCA Civ 274
4. *Central London Property Trust Ltd v High Trees House Ltd* [1947] KB 130
5. *Walton Stores (Interstate) Ltd v Maher* (1988) 164 CLR 387
6. *TFL Management Services Ltd v Lloyds Bank plc* [2013] EWCA Civ 1415
7. *Glaxo Wellcome UK Ltd v Sandoz Ltd* [2017] EWHC 2515 (Pat)
8. *Total Network SL v HMRC* [2008] UKHL 19
9. *United Brands Co v Commission* [1978] ECR 207
10. *Marcel v Commissioner of Police of the Metropolis* [1992] Ch 225