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The claims are against the cryptocurrency exchanges Binance, Kraken, Bittylicious and ShapeShift on behalf of UK consumers who held the cryptocurrency Bitcoin Satoshi Vision (BSV) on 11 April 2019. In these claims those BSV holders are collectively known as the “class”. The claimants seek redress on behalf of consumers for the delisting of BSV in April 2019 by the Defendant cryptocurrency exchanges and the public collusion, via a series of tweets, in relation to that delisting

According to some of the tweets, the delisting arose from personal animosity from the individuals in charge of these exchanges towards a high profile proponent of BSV. However, the effect of this conduct was to harm competition by artificially driving down the value of BSV, causing loss to holders of and investors in the coin. Following the delisting, the Binance and Kraken exchanges also seized some users’ BSV coins, depriving those users of their holdings.

The claims are brought under Article 101 of the Treaty on the Functioning of the European Union (“TFEU”) and/or pursuant to the Chapter I prohibition in section 2 of the UK’s Competition Act 1998 (the “Chapter I prohibition”).

Article 101 TFEU and the Chapter I prohibition both prohibit collusion between “undertakings” which have as their object or effect the restriction, distortion or prevention of competition in the UK. The collusive delisting of BSV by the Defendants is said to have restricted, distorted and/or prevented competition in the UK. In competition law an undertaking means that a group of several legal entities (such as multiple corporate entities which collectively run a cryptocurrency exchange) and/or natural persons may be held collectively responsible for anti-competitive conduct carried out by one of them.

The claims are brought in the UK’s Competition Appeal Tribunal (“CAT”). The Tribunal is a judicial body, similar to a court, which has the power to resolve competition law disputes. Collective actions can be brought in the Tribunal in respect of breaches of competition law. These are often known as class actions in other jurisdictions.

Lord David Currie of Marylebone is the director of BSV Claims Limited, an English company set up specifically to pursue the claims before the CAT on behalf of the class. As a first step the Tribunal will examine BSV Claims Limited’s Collective Proceedings Order (CPO) application and decide whether to approve the claims for collective proceedings, and whether to authorise it to act on behalf of the class. Should a CPO be granted, a full hearing before the CAT will eventually take place to enable the Tribunal to make their decision on the claims. If successful, the claims will then proceed to the recovery and distribution stage.

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The proceedings are pursued on an opt-out basis. An explanation of what this means is contained in the FAQ (<https://www.bsvclaims.com/faq/>). Those class members who do not wish to automatically be included as a claimant in the proceedings will be able to opt-out in due course.

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Lord David Currie of Marylebone

Advisory Board

Though Lord Currie is the decision maker behind BSV Claims Limited, he is supported by an Advisory Board offering further complementary skills and experience. The Board members are as follows:

Heather Clayton, a former senior director of the Office of Fair Trading and a former lead ombudsman for the Financial Ombudsman Service. Ms Clayton also has experience in developing regulatory policy in relation to water pricing and for communications services, from her work at Ofwat and Ofcom respectively;

Lord (Andrew) Tyrie the Member of Parliament for Chichester between 1997 and 2017, former Chairman of the Treasury Select Committee and a former Chairman of the CMA, Lord Tyrie is also a trained economist;

David Wingfield, a barrister at Fountain Court specialising in competition law. Mr. Wingfield is formerly of the Canadian Department of Justice, where he handled competition matters on behalf of the Canadian federal government.

Kurt Wuckert. Mr. Wuckert is a well-known commentator on BSV and cryptocurrency matters. We use cookies on our website to give you the most relevant experience by remembering your

Sir Robert Buckland, KC, MP. The current Member of Parliament for South Swindon, a former Lord Chancellor and Secretary of Justice and a former Secretary of State for Wales.

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Velitor Law, a London-based boutique disputes firm led by veteran Seamus Andrew, are the solicitors acting on behalf of BSV Claims Limited (<https://www.bsvclaims.com/>)



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✉ [Enquiries@BSVClaims.com \(mailto:Enquiries@BSVClaims.com\)](mailto:Enquiries@BSVClaims.com)

[Register \(https://www.bsvclaims.com/register/\)](https://www.bsvclaims.com/register/)

Media Enquiries

✉ [Media@BSVClaims.com \(mailto:Media@BSVClaims.com\)](mailto:Media@BSVClaims.com)

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