

Notice to the Parties

1. Challenger has shifted the focus of the dispute to new alleged violations of the primary document. For off-chain-lawsuits that is highly unusual. When arguing on-chain there is no way to prevent a party from doing so. This could lead to due process issues when new allegations are made that the other party cannot respond in time to defend itself. However, in this case, Submitter managed to respond and there is still plenty of time left. Therefore, I see no due process violation when considering Challenger's new arguments.
2. Submitter argues that they should be given a badge "by default" now the 10% issue might be resolved as this was the only reason they were denied the badge in a previous trial. I disagree. To reject an application there has to be at least one violation of the primary document. This means that when one violation is met the court can reject the application for a badge without even checking the other requirements. A verdict to reject a badge due to one violation does not imply that the other requirements were met. Therefore, I think the court should check whether the submitted Token violates any other points of the primary document.
3. The dispute has come to a point where some questions are not a matter of fact anymore, but a matter of law. This means that parties might have to interpret the primary document and make arguments about its interpretation and not rely so heavily on giving evidence. I hope it is clear which of my following questions regard the facts and which regard the law.
4. Challenger: Point 3.1 states that novel technology may be demonstrating using a working beta product (3.1.1). From what we have heard in this trial so far Submitter is already operating with the Token in questions. Doesn't his mean that 3.1 is met?
5. Challenger: You state yourself that Spendcoin has utility "at this current moment" (p. 1, new arguments). Point 3.2 states that there has to be "demand for a token driven by an *existing or future utility*". Why should the court deny the badge on the grounds of 3.2 when it, as both parties agree, have a current utility?

6. Challenger: When interpreting “dividend or similar payments” — doesn’t that have to mean a form of recurring payments or at least payments that are made using a predictable method? Can an abuse of the system that leads to regular income be a dividend?
7. Submitter: What exactly does a “full legal opinion” (p. 3, response to new arguments) mean? I am fine with any reference you do not have to explain it yourself.
8. Submitter: In what way. is the Blockchain required for your payment system? You argue that the tokens have to stake in order to get better cards. Why is this staking necessary for your business model to work?
9. Submitter: Point 1.1.5 tells jurors to reject an application when “[t]he project currently need a ‘coordinator node’ controlled by the issuer to work [and t]here is no plan of replacing” it. Do you currently have a plan on how to implement decentralised KYC? Do you agree that the need for KYC is currently an element of Spendcoin causing centralisation?