

Kyrrex wins Court of Appeal appeal in Jones v Persons Unknown

Court sets aside judgment that took 98.2 Bitcoin from an exchange that was never a party to the case

LONDON, UNITED KINGDOM, October 1, 2026 /EINPresswire.com/ -- [The Brooke Law Group LLP](#) has won a significant Court of Appeal victory for cryptocurrency exchange Kyrrex Ltd in Jones v Persons Unknown [2026] EWCA Civ 1212., Case No: CA - 2025 - 001599. The Court (Peter Jackson, Nugee and Foxton LJ) has set aside a 2022 summary judgment that led to approximately 98.2 BTC being taken from Kyrrex's exchange account, even though Kyrrex was never a party to the proceedings and none of the claimant's Bitcoin was ever traced to its wallet.

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*David Orchard | Partner at
The Brooke Law Group LLP*



The Brooke Law Group Wins Court of Appeal Victory for Crypto Exchange Kyrrex

Since the English courts first allowed claims against "persons unknown" in cryptocurrency fraud cases, freezing and delivery-up orders against exchange wallets have become a standard tool for victims trying to recover stolen assets. Those orders are powerful. They are often made at speed, and frequently without those affected by them being heard. The Court of Appeal's decision addresses what happens when such an order reaches the wrong wallet, and gives the digital asset industry clear guidance on the rights of those caught in its path.

In 2022, the claimant, Mr Jones, obtained summary judgment against persons unknown and the Huobi exchange following a fraud in which he lost Bitcoin. Huobi satisfied the judgment by debiting a wallet in which Kyrrex held rights. Kyrrex applied under CPR r 40.9 to have the judgment set aside. In 2025 the High Court refused, holding that Kyrrex was only indirectly affected and that its remedy, if any, lay against Huobi.

The Court of Appeal has reversed that conclusion. It held that a non-party may be "directly affected" by an order through contractual rights alone, without needing a proprietary interest; that an order aimed at a specific wallet directly affects whoever is actually interested in it; and that the question on the merits is whether the order should ever have been made, not whether the applicant could win a separate claim to recover the asset. Giving judgment, Peter Jackson LJ observed that the order had made Kyrrex "the unwitting insurer of the claimant's loss", paragraph 151.

"This is a decision of real importance for the digital asset industry," said [David Orchard](#), Partner at The Brooke Law Group LLP. "The Court of Appeal has confirmed that when an order reaches into a wallet, those with rights in it are entitled to be heard. We are grateful to Kyrrex for entrusting us with the case, and to our outstanding counsel team. Cases like this call for a firm that combines disputes expertise with a real understanding of how digital assets are held, and that is what we bring to our clients."

Kyrrex was represented by The Brooke Law Group LLP, instructing Brad Pomfret KC of 23 Essex Street, Mark Lorrell of Millennium Chambers and Ian Chai of Hailsham Chambers. The Court will determine consequential matters, including security for the Bitcoin, in due course.

To find out more about The Brooke Law Group's disputes, digital assets practice or get in touch, please visit <https://www.brooke.law/>.

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