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MTGOX のビットコイン取引所のユーザーの皆様へ

株式会社 MTGOX

破産管財人 弁護士 小林信明

ユーザーがオンライン方法により届け出た取引所関係破産債権の保有者が 変動した場合について

第1 はじめに

破産管財人は、株式会社 MTGOX（以下「MTGOX」といいます。）のビットコイン取引所のユーザー（以下「ユーザー」といいます。）がウェブサイト上で、MTGOX に対する BTC 及び金銭の返還に関する破産債権（以下「債権」といいます。）の届出等をできるシステム（以下「本システム」といいます。）を構築しました (<https://claims.mtgox.com>)。

本書は、本システムを利用する方法（以下「オンライン方法」といいます。）により債権の届出をしたユーザーが、届け出た債権を譲渡する場合の手続を説明するものです。なお、必要な書式を入力し、破産管財人室に郵送する方法（以下「オフライン方法」といいます。）により債権の届出をしたユーザーが届け出た債権を譲渡する場合の手続については、「ユーザーがオフライン方法により届け出た債権の保有者が変動した場合について」をご覧ください。ユーザー以外の破産債権者が、届け出た債権を譲渡する場合の手続についても同様です。

なお、オンライン方法により届出をした債権を譲渡する場合、全部を譲渡するか一部を譲渡するかを問わず、譲渡人は本システムを利用できなくなり、譲受人も譲受後に本システムを利用することはできません。

また、2015年4月22日付け「MTGOX のビットコイン取引所のユーザーによる破産債権の届出開始に関するお知らせ」(https://www.mtgox.com/img/pdf/201504_noticel_ja.pdf) 第4の5において、債権の全部を譲渡する場合と一部を譲渡する場合で異なる手続があると記載しましたが、同じ手続になりますので、訂正させていただきます。

第2 債権譲渡手続の流れ

1 譲渡人の手続

- (1) 本システムにログインした後の画面にある債権譲渡ボタンを押し、債権譲渡の画面に進みます。なお、債権譲渡をするには、債権譲渡画面において、債権譲渡に際して

の同意事項を確認し、チェックボックスにチェックすることにより同意する必要があります。

- (2) 譲受人の氏名を入力してください。例えば、A に半分、B に半分譲渡する場合には、譲受人2名の情報を入力します。
- (3) セーブボタンをクリックします。すると、入力した譲受人の氏名及び債権譲渡番号（8桁の数字です。）等が表示されますので、当該画面を印刷して保存しておいて下さい。また、譲渡人に、譲渡に関する入力が入力されてセーブボタンが押されたことを確認するメールが届きます。
- (4) セーブボタンクリック後の画面において、債権譲渡通知（譲渡するために法的に必要となる書面）の書式をダウンロードできる URL 及び債権譲渡番号が表示されますので、当該書式をダウンロードし、必要な事項（債権譲渡番号を含む）を入力して印刷し、譲渡人及び譲受人において押印又はサインをして、以下の破産管財人室宛に郵送してください。譲渡の原因を証明する書類を同封して下さい（例えば、債権譲渡契約書）。なお、A と B に債権の一部をそれぞれ譲渡する場合には、譲渡人と A の連名の債権譲渡通知及び譲渡人と B の連名の債権譲渡通知をいずれも郵送する必要があります。いずれか1通しか届かない場合には、届いた債権譲渡通知に入力されている譲受人への譲渡のみが破産管財人との関係で有効になりますのでご注意ください。

株式会社MTGOX破産管財人室

東京都千代田区麹町三丁目4番地1麹町3丁目ビル202号室

2 破産管財人の手続

- (1) 債権譲渡通知に必要な事項が入力されているか、譲受人の氏名が前述1（2）で入力された情報と前述1（4）の債権譲渡通知で同じ内容になっているか確認いたします。なお、確認の結果、不十分な内容であれば、破産管財人から譲渡人に連絡いたしますので、再度前述1（1）から手続をやり直していただく必要があります。
- (2) (1) の確認完了後、譲渡人が債権届出時に届け出た連絡先メールアドレス及び譲受人が債権譲渡通知に入力したメールアドレスに対し、債権譲渡が完了したメールを送ります。
- (3) (2) のメール送信後、譲渡人は本システムにログインできなくなります（譲受人も本システムを利用することはできません）。債権の一部を譲渡した譲渡人が、譲渡後に自らの届出内容の変更をする場合には、2015年4月22日付け「MTGOX のビットコイン取引所のユーザーによる破産債権の届出開始に関するお知らせ」（https://www.mtgox.com/img/pdf/201504_noticel_ja.pdf）第6の4をご参照ください。

3 以上の1及び2の手続により、債権譲渡手続が完了し、譲受人が破産債権者と

して扱われます。なお、債権の一部が譲渡された場合には、譲渡人は、引き続き、譲渡対象部分以外の債権の債権者です（ただし、本システムを利用できなくなります）。

4 注意点

届け出た債権の一部が譲渡された場合で、かつ、債権調査において譲渡された債権の一部のみが認められたときには、譲渡人と譲受人は、認められた債権額について非譲渡債権額と譲渡債権額で按分した額をそれぞれ有することとなります。また、按分の結果、1円未満の端数が生じた場合には、当該端数を四捨五入します。

第3 不明点の問い合わせ窓口

不明点の問い合わせ窓口は以下のとおりです。なお、個別的な問い合わせには回答できませんので、ご注意ください。

株式会社MTGOX破産管財人室

電話 03-4588-3921（平日午前10時～午後5時）（日本時間）

以上

July 23, 2015

To MTGOX Bitcoin exchange Users:

Bankrupt Entity: MTGOX Co., Ltd.

Bankruptcy trustee: Nobuaki Kobayashi, attorney-at-law

Regarding Change of Holder of Claim Users Have Filed Using Online Method

I. Introduction

The bankruptcy trustee created a system (the “System”) that will enable users of MTGOX Co., Ltd.’s Bitcoin exchange (hereinafter MTGOX Co., Ltd. will be referred to as “MTGOX” and the said users will be referred to as “Users”) to file through a website (<https://claims.mtgox.com>), bankruptcy claims against MTGOX regarding Bitcoin and cash (the “claim(s)”).

In this document, the bankruptcy trustee explains the process which must be followed by the User, if a User who has filed a claim using the System (the “Online Method”) wishes to transfer the said claim. Please refer to the document titled “Regarding Change of Holder of Claim Users Have Filed Using Offline Method” relating to the process which must be followed by the User, if a User who has filed a claim by completing a bankruptcy claim form on the User’s computer and mailed the completed form to MTGOX Co., Ltd. Office of Bankruptcy Trustee (the “Offline Method”) wishes to transfer the said claim. Please also refer to the said document if bankruptcy creditors other than Users wish to transfer claims which they have filed.

Please be aware that the transferor will no longer be able to use the System if the transferor transfers the claim which he or she has filed using the Online Method (irrespective of whether the whole claim is transferred, or only part of it). In addition, the transferee will also not be able to use the System after the transferee receives the claims pursuant to the transfer.

The trustee wishes to correct the explanation given in section IV.5 of the document titled “Notice of Commencement of Filing of Bankruptcy Claims by MTGOX Bitcoin Exchange Users” (https://www.mtgox.com/img/pdf/201504_notice1_ja.pdf) dated April 22, 2015. The said document wrongly stated that there were different processes for the transfer of the whole of a claim and the transfer of only part of it; however, in fact, both processes are the same.

II. Flow of Process of Transfer of Claim

1. Process to be followed by the Transferor

- (1) Please click the button which states “Process of transferring a claim” on the screen which appears after logging in to the System, and move on to the screen for transfers of claims. The transferor is required to confirm and agree with the terms regarding transfers of claims by checking the box on the screen for transfers of claims, before he or she can transfer his or her claim to another person.
- (2) Please enter the name of the transferee in the appropriate field[s] which appear[s] on the screen. For instance, if one half of a claim is transferred to person A and the remaining one half is transferred to person B, please enter the names of both person A and person B.
- (3) The name of the transferee and the claim transfer number (an 8 digit number) will be shown on the screen when the transferor clicks the “save” button. Please keep a copy of the screen by printing it out. In addition, an e-mail will be sent to the transferor to notify him that an entry was made regarding a transfer of a claim and that the save button has been clicked.
- (4) The web address from which the transferor can download the “Notice of Transferring Claims and Change of Holder of Claim Form” (the document which is legally necessary to transfer the claim) and the transferor’s claim transfer number will be displayed on the screen after clicking the “Save” button. Please download the form and complete the form, including the claim transfer number. Then, print the completed form and, once it has been signed or sealed by both the transferor and the transferee, mail it to MTGOX Co., Ltd. Office of Bankruptcy Trustee, whose address is set forth below. Please enclose documents which evidence the reason you are transferring your bankruptcy claim (for example, a copy of the agreement pursuant to which you are transferring your bankruptcy claim). For instance, if the transferor transfers different parts of his or her claim to person A and person B, the transferor must mail two forms: one form must be mailed to the bankruptcy trustee for the first transfer after it has been signed or sealed by both the transferor and person A, and another form must be mailed for the second transfer after it has been signed or sealed by both the transferor and person B. Please note that, if only one of the two forms reaches the bankruptcy trustee, only the transfer that is described on the form which reaches the bankruptcy trustee will be effective, as between the bankruptcy trustee.

MTGOX Co., Ltd. Office of Bankruptcy Trustee
Suite 202, Kojimachi 3-chome Building 3-4-1 Kojimachi,
Chiyoda-ku, Tokyo, Japan 102-0083

2. Process to be followed by the Bankruptcy Trustee

- (1) The bankruptcy trustee will confirm whether the “Notice of Transferring Claims and Change of Holder of Claim Form” is completed, and whether the name of the transferee that the transferor entered using the System in accordance with paragraph 1(2) above is the same as the name of the transferee that is entered in the “Notice of Transferring Claims and Change of Holder of Claim Form” that is mentioned in paragraph 1(4) above. If, as a result of this confirmation, it is found that the form was not completed correctly, the bankruptcy trustee will notify the transferor and the transferor will have to restart the process from paragraph 1(1) above.
- (2) The trustee will send an e-mail notifying the completion of the transfer to the contact e-mail address which the transferor entered when he or she filed his or her claim, and the e-mail address which the transferee entered on the “Notice of Transferring Claims and Change of Holder of Claim Form” after the completion of the confirmation that is mentioned in paragraph (1) above.
- (3) Please note that the transferor will no longer be able to use the System after the bankruptcy trustee has sent to the transferor and the transferee the e-mail notification that is mentioned in paragraph (2) above. If a transferor who transferred part of his or her claim wishes to change the details of that claim after the said transfer has been completed, please refer to section VI.4 of the document titled “Notice of Commencement of Filing of Bankruptcy Claims by MTGOX Bitcoin Exchange Users” (https://www.mtgox.com/img/pdf/201504_notice1_ja.pdf) dated April 22, 2015.

3. **The transfer of the claim will be completed by carrying out the process described in sections 1 and 2 above, and the transferee will be treated as a bankruptcy creditor. In addition, if part of a claim is transferred, the transferor will continue to be the creditor of the remaining part of his or her claim which was not transferred (however, the transferor will no longer be able to use the System).**

4. Cautionary Note

If part of a claim that was filed is transferred and only part of such transferred claim is accepted by the bankruptcy trustee pursuant to bankruptcy claim investigations, each of the transferor and the transferee will have rights in the accepted part of the claim on a pro-rata basis. If the said division of claim results in fractions of less than

one Japanese yen, the figure will be rounded up or down to the nearest yen.

III. Contact details for inquiries regarding any matter that may be unclear

The contact details to be used to make inquiries for any matter that may be unclear is as set forth below. Please note that the bankruptcy trustee will not be able to answer inquiries regarding individual cases.

MTGOX Co., Ltd., Office of Bankruptcy Trustee

Telephone: +81-3-03-4588-3922 (open from 10a.m. to 5p.m. on weekdays) (Japan time)

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