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MTGOX のビットコイン取引所のユーザー及びユーザー以外の債権者の皆様へ

株式会社 MTGOX

破産管財人 弁護士 小林信明

オフライン方法により届け出た破産債権の破産債権者が 変動した場合について

第1 はじめに

本書は、必要な書式に入力し、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、①株式会社 MTGOX（以下「MTGOX」といいます。）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。）の届出をした MTGOX 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。）、及び②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を説明するものです。なお、ユーザーが、ウェブサイト上で債権の届出等ができるシステム（以下「本システム」といいます。）を利用する方法（以下「オンライン方法」といいます。）により届け出た債権を譲渡する場合の手続については、「ユーザーがオン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。

第2 債権譲渡手続の流れ

- 1 譲渡人が債権届出時に届け出た連絡先メールアドレスを使って、破産管財人のオフライン債権譲渡用メールアドレス (mtgoxmail@mtgox.com¹) に、債権譲渡をしたい旨、及び譲受人の氏名をメールにて申請して下さい。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。債権届出時に届け出た連絡先メールアドレス以外のメールアドレスから送信されたメールの場合、正式な連絡とはみなしませんのでご注意ください。
- 2 上記申請を受領した場合、破産管財人は、譲渡人が債権届出時に届け出た連絡先メールアドレスに、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 及び債権譲渡番号をメールにて通知します。
- 3 譲渡人は、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

¹ 当該メールアドレスは、オフラインで債権届出をした譲渡人による債権譲渡の申請を受け付ける目的のメールアドレスであるため、それ以外の内容については確認せず、回答もしません。

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

- 4 破産管財人が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のメールに記載された情報と前述3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から手続をやり直していただく必要があります。
- 5 4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債権譲渡通知に入力された譲受人のメールアドレスに対し、債権譲渡が完了した旨のメールを送ります。
- 6 **以上の1から5までの手続により、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。**

7 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、ご注意下さい。

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 and Creditors other than Users:

Bankrupt Entity: MTGOX Co., Ltd.

Bankruptcy trustee: Nobuaki Kobayashi, attorney-at-law

Regarding Change of Holder of Bankruptcy Claim Filed Using Offline Method

I. Introduction

In this document, the bankruptcy trustee explains the process which must be followed by a user of MTGOX Co., Ltd.'s Bitcoin exchange (hereinafter MTGOX Co., Ltd. will be referred to as "MTGOX" and the said user will be referred to as "User") or a creditor other than a User, if (i) a User, or (ii) a creditor other than a User, who has filed a claim against MTGOX regarding Bitcoin and cash (the "claim") by completing a bankruptcy claim form and mailing the completed form to MTGOX Co., Ltd. Office of Bankruptcy Trustee (the "Offline Method"), wishes to transfer the said claim. Please refer to the document titled "Regarding Change of Holder of Claim Users Have Filed Using Online Method" relating to the process which must be followed by the User, if a User who has filed a bankruptcy claim by using the system that enables Users to file their bankruptcy claims through a website wishes to transfer the said claim.

II. Flow of Process of Transfer of Claim

1. Please notify the bankruptcy trustee of the fact that the transferor wishes to transfer [all or part of?] his or her bankruptcy claim and the name(s) of the transferee(s) by sending an e-mail to mtgoxmail@mtgox.com, if you wish to transfer your claim offline. The said e-mail must be sent from the e-mail address which the transferor has entered when the transferor filed his or her claim. 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. Please note that any e-mail sent from an e-mail address other than the one which the transferor has entered when the transferor filed his or her claim will be deemed to be invalid.
2. If the bankruptcy trustee receives the aforesaid e-mail notification from a User, the bankruptcy trustee will send an e-mail to the User to notify 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. The said e-mail from the

bankruptcy trustee will be sent to the e-mail address which the transferor has entered when the transferor filed his or her claim.

3. 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

4. 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 described in the e-mail that was sent to the bankruptcy trustee in accordance with paragraph 1 above is the same as the name of the transferee that the transferee entered in the “Notice of Transferring Claims and Change of Holder of Claim Form” that is mentioned in paragraph 3 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 above.
5. 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 of the transferee which was 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 4 above.
6. **The transfer of the claim will be completed by carrying out the process described in sections 1 to 5 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.

7. 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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