

# CRYPTOCURRENCY, PROPRIETARY INJUNCTIONS, FREEZING ORDERS, AND TRUSTS: THE LAW IS NOT CRYPTIC

03 May 2022 | London  
Legal Briefings

---

Herbert Smith Freehills LLP have published an article in *Butterworths Journal of International Banking and Financial Law* on a recent cryptocurrency case, [Wang v Darby \[2021\] EWHC 3054 \(Comm\)](#), which applies established principles relating to trusts, proprietary injunctions and worldwide freezing orders to this new asset class.

Despite the meteoric rise of cryptocurrency as an asset class, there has to date been little case law concerning it. *Wang v Darby* confirms that familiar legal principles apply equally to cryptocurrencies, although digital assets can shine a light on established areas of law.

In our article we discuss the key issues arising from the application of established principles to novel circumstances and the way in which *Wang v Darby* represents a missed opportunity to address the more interesting points arising in existing case law concerning cryptocurrency.

The article can be found here: [Cryptocurrency, proprietary injunctions, freezing orders, and trusts: the law is not cryptic](#). This article first appeared in the April 2022 edition of JIBFL.



## KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



**AJAY MALHOTRA**  
PARTNER, LONDON

+44 20 7466 7605  
Ajay.Malhotra@hsf.com



**THOMAS WYER**  
ASSOCIATE, LONDON

+44 20 7466 7579  
thomas.wyer@hsf.com

---

## LEGAL NOTICE

The contents of this publication are for reference purposes only and may not be current as at the date of accessing this publication. They do not constitute legal advice and should not be relied upon as such. Specific legal advice about your specific circumstances should always be sought separately before taking any action based on this publication.

© Herbert Smith Freehills 2022

---

**SUBSCRIBE TO STAY UP-TO-DATE WITH INSIGHTS, LEGAL UPDATES, EVENTS, AND MORE**

Close