起诉平台、协议与DAO

Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland and Germany),
Solicitor (England & Wales and Hong Kong)
Of Counsel, KGP Legal LLC
alexander.ressos@kgplegal.com.sg
www.ressos.com.sg

平台

起诉一家新加坡持牌交易所，就是起诉一家拥有注册办事处、MAS牌照和审计师的私人有限公司（Pte. Ltd.）。诉讼文书在注册办事处送达，由律师出庭抗辩。实际困难在于条款中的免责条款、许多平台订有的仲裁条款，以及平台倾向于援引其反洗钱义务来为冻结客户账户辩护。新加坡法院认为，平台在合同上的冻结权须受诚信和正当目的这一默示义务的约束。因此，未作解释的无限期冻结可能构成违约，这是新加坡版的银行账户冻结之争。

协议与DAO

起诉去中心化协议时，并没有明显的被告。新加坡尚未裁定DAO究竟是合伙、非法人团体，还是什么都不是。这一问题在第B部分第VII章和第K部分第IX章中讨论。诉讼技巧在于找出协议背后的法律主体：持有金库或知识产权的基金会或担保有限公司、开发者的公司、前端运营者以及多签签署人。每一方都可以被单独起诉，同时可请求法院将签署人视为为代币持有人持有金库的受托人。身份尚未查明的签署人，可适用身份不明人士程序。依*Janesh*案的推理，法院已准许通过协议的治理论坛和Discord进行送达。

© 2026 Dr Alexander Ressos. General information only, not legal, tax or investment advice. No client relationship is created. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. More information at SingaporeIQ.com and ressos.com.sg.

示例

一家新加坡家族办公室向一个借贷协议提供流动性，该协议由代币持有人投票治理，运营上由一个九选五多签控制。一项仅凭一名大额持有人的投票通过的治理提案，将协议费用转至该持有人控制的地址，并修改了抵押参数，导致该家族办公室的头寸被清算。该家族办公室在普通庭起诉持有协议知识产权的开曼基金会和四名已知的多签签署人，另以身份不明人士起诉其余五人，诉因为违反信义义务、共谋和不当得利。法院就存入某交易所的被转移费用批出所有权禁令，并准许通过治理论坛向签署人送达。披露令查明该大额持有人是一名居住在新加坡的协议创始人后，案件以和解告终。

Disclaimer

This article is provided for general information only. It is based on publicly available sources as at its date of publication. These sources have not been independently verified against licences, regulatory registers or the records of the entities concerned. It is not legal, tax, financial or investment advice. Nor is it a recommendation to invest in, transact with or use the services of any entity mentioned. Law and regulation change frequently, so the content may be incomplete or outdated. To the fullest extent permitted by law, Dr Alexander Ressos and the publisher of SingaporeIQ exclude all liability for loss or damage arising from the use of or reliance on this article. Readers should obtain advice on their specific circumstances before acting or refraining from action.

Names and trademarks of the entities discussed belong to their owners and are used for identification only. Their mention implies no endorsement, affiliation or allegation of wrongdoing. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. Corrections and updates: contact@ressos.com.

© 2026 Dr Alexander Ressos. This article may be quoted with attribution to SingaporeIQ (SingaporeIQ.com). Reproduction in full and any commercial use require prior written consent. The Legal Terms at https://singaporeiq.com/legal-terms apply.

Author contact: Dr Alexander Ressos, TEP · contact@ressos.com