为何代币的问题更难回答

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每一起跨境纠纷都会引出三个问题。哪个法院有管辖权？适用哪国法律？由此作出的判决能否在资产所在地或被告所在地获得承认？对于土地、银行账户和股份，这些问题都有基于资产所在地的既定答案。代币却没有所在地。它以账本条目的形式存在，该账本复制在数十个国家的数千台计算机上，由持有私钥的人控制，而私钥本身可能被拆分存放在多个地点的多台设备上。新加坡法院不得不回答所在地问题，因为《法院规则》中的管辖权依据取决于这一问题。法院的回答是以控制人的居住地为准。本章阐述这一规则及其后果，随后讨论法律选择、新加坡与瑞士之间的判决承认，以及仲裁。对于许多加密合约而言，仲裁是唯一现实可行的争议解决途径。

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