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UNIVERSITY OF LEEDS

FINANCIAL CONDUCT AUTHORITY PUBLIC CONSULTATION CP19/3: GUIDANCE ON CRYPTOASSETS

Comments

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The authors welcome this opportunity to respond to FCA's public consultation on the financial regulation of cryptoassets. As the cryptoasset market is still in flux, regulators must approach their tasks with caution, but also determination to create conditions of security, clarity, and opportunity in the market.

Overall, we find FCA's attempt to systematise and regulate the financial instruments and actors present in the cryptoasset market to be a step in the right direction. The positions taken by the FCA in this Guidance are for the most part reasonable and have indeed also been adopted by other regulatory bodies around the world, but opportunities to improve the regulatory activity remain. Our comments below focus on two areas that we believe the FCA should revisit:

- **Q1-3**. Our first contribution concerns the classification of cryptoassets in exchange, security, and utility tokens, and the use of the classification to determine the appropriate regulatory treatment. We submit that the proposed classification is superfluous for regulatory purposes, as the FCA can reach the same regulatory outcome by adopting a functional approach, whereby the various cryptoassets are regulated in line with the Specified Investment Instruments that most closely resemble their respective characteristics without the need for a pre-existing classification. Because any fixed classification of the sort proposed by the FCA is inherently inaccurate and bound to be outdated, we submit that the proposed classification will only serve to create unnecessary confusion and should be dispensed with.

- **Q9**. Our second contribution responds to FCA's request for identification of market actors and business models in the cryptoasset value chain that it may have missed as potential regulatory targets. We recommend that the FCA consider entities that advise on the economic strength/ health of cryptoassets, and entities that engage in financial promotion. The FCA makes no mention of such actors, yet their function in the cryptoasset value chain greatly resembles that of other regulated actors, such as Credit Rating Agencies, investment research providers, and financial promotion actors, which materially influence investor decisions and by extension market conditions, and therefore may soon need to be subject to appropriate regulatory oversight.

Our recommendations are not a call for heavy-handed regulation; any regulatory expert would advise regulatory humility in approaching nascent markets. Yet, we believe that, even when they are not ready to adopt formal rules, regulators should clearly state their principles and intentions and remind market participants of their watchful eye. Our recommendations below reflect this fine balance between formal but flexible regulation and dissuasive effect.

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Questions 1-3
Q1: Do you agree that exchange tokens do not constitute specified investments and do not fall within the FCA's regulatory perimeter? If not, please explain why.
Q2: Do you agree with our assessment of how security tokens can be categorised as a specified investment or financial instrument? If not, please explain why.
Q3: Do you agree with our assessment of utility tokens? If not, please explain why.

Our response to all three of the above questions is as follows and captures each question. We believe that the classification proposed by the FCA is inefficient and unnecessarily complex for the purpose of the proposed regulation. We recommend that the FCA do not adopt a cryptoasset classification approach and instead rely solely on a functional approach, whereby cryptoassets are regulated based on their functional resemblance to existing regulated financial instruments.

We acknowledge that the classification proposed by the FCA, splitting cryptoassets in exchange, security, and utility tokens is useful for academic, research, and learning purposes, and looks to be a sensible approach to regulation in an emergent area. The proposed approach correctly identifies the key characteristics of large families of cryptoassets and is in line with the direction of other national and international regulatory bodies, including Switzerland's FINMA and EU's ESMA.[1] This lends FCA's approach credibility and aligns it with international practice.

[1] FINMA, Guidelines for Enquiries Regarding the Regulatory Framework for Initial Coin Offerings (ICOs), (16 February 2018), available at: https://www.finma.ch/en/~/media/finma/dokumente/dokumentencenter/myfinma/1bewilligung/fintech/wegleitung-ico.pdf?la=en&hash=9CBB35972F3ABCB146FBF7F09C8E88E453CE600C; ESMA, Own Initiative Report on Initial Coin Offerings and Crypto-Assets, ESMA22-106-1338 (19 October 2018), available at:

However, we find that the proposed classification is not fit for regulatory purposes. This is because (a) any fixed classification of cryptoasset—not just FCA's—is inherently inaccurate and is bound to be rapidly outdated, and (b) it only serves to add an unnecessary step into the regulatory process.

(a) We submit that **the proposed classification is inherently inaccurate and soon to be outdated** because cryptoassets come in a large number of forms that do not always squarely fall under the three proposed categories. In fact, it is difficult—if not impossible—to group cryptoassets in any authoritative and future-proof classification unlike other assets that the FCA regulates e.g. equites. To make matters worse, even when cryptoassets accurately fall under one of the three categories, they often change function and/or are repurposed by their user base in ways that can potentially affect their classification. Below are several examples of this:

1. Ether/Ethereum (ETH): Ethereum's original function was to fund the execution of transactions on the Ethereum network, which makes it more akin to a *utility* token. From the beginning of its existence, it has also been used in the same way as Bitcoin, thereby performing an *exchange* (and *store of value*) function as well. However, considering that initially Ethereum was made available to the public by the Ethereum Foundation in a fashion similar to ICOs, which the FCA itself has regarded as potential candidates for regulation, it is conceivable that Ethereum can be classified as a *security* token as well.[2]

2. Decentraland/MANA: MANA was conceived as a token to buy virtual property (LAND) in Decentraland. As representing stake in virtual property, MANA is most likely to be considered a *utility* token and therefore unregulated. However, even assuming that virtual property will continue to escape regulatory purview, MANA can also be used to purchase services in Decentraland, including services that resemble investments and other regulated activities.[3] This will result in MANA's parallel classification as a *security* token.

3. Ripple IOU: Ripple IOU ("I Owe You") are tokens issued on the Ripple network that can be redeemable for fungible assets like USD or gold. While IOUs can well be issued in a way that their function resembles that of Ripple's XRP, which would make them more akin to *exchange* tokens, they can also function as *e-money*, which is regulated by the FCA. The FCA notes "any category of cryptoasset has the potential to be e-money depending on its structure and whether it meets the definition of e-money … [,]" which requires that they be centrally issued on the receipt of funds, that they represent a claim against the issuer, and that they be accepted by more parties than just the issuer (*see* paras 3.59-3.61), and it further clarifies that "[c]ryptoassets that establish a new sort of unit of account rather than representing fiat funds are unlikely to amount to e-money unless the value of the unit is

https://www.esma.europa.eu/sites/default/files/library/esma22-106-1338_smsg_advice_-_report_on_icos_and_crypto-assets.pdf.

[2] Preston Byrne, The UK FCA (Finally) Speaks About ICOs (12 September 2017), available at: https://prestonbyrne.com/2017/09/12/the-fca-finally-speaks/. Compare also in the US: Nathaniel Popper, Venture Capitalists Seek 'Safe Harbor' for Virtual Currencies, NY Times (April 19 2018), available at: https://www.nytimes.com/2018/04/19/technology/virtual-currency-securities.html; Preston Byrne, Whether Ether Is a Security (23 April 2018), available at: https://prestonbyrne.com/2018/04/23/on-ethereum-security/.

[3] Franco Zeoli, Exploring Future Projects in Decentraland, Medium (19 July 2017), available at: https://medium.com/decentraland/exploring-future-projects-in-decentraland-69d52106802b.

pegged to a fiat currency" (*see* para 3.63). Ripple IOUs which are issued to be redeemable for fiat currencies can be considered e-money since they have an issuer, represent a claim against the issuer and can be transacted with by third parties as well.

4. Basic Attention Token (BAT): BAT is used on the Brave digital advertising platform that tracks "user attention" (to advertisements) and rewards users with BATs. Advertisers and content publishers use BAT to participate in the digital advertising platform and users' attention is rewarded by the creation of new tokens. In this way, BATs serve as *utility* tokens to facilitate the digital advertising process. However, the token may be employed by users to purchase digital goods (instead of using/providing advertising space) and may be considered *exchange* token. As outlined in the BAT white paper: "*Eventually, BAT may be used within the Brave ecosystem to purchase digital goods such as high-resolution photos, data services, or publisher applications which are only needed on a one-time basis*."[4] While under FCA's approach neither utility nor exchange tokens are regulated, FCA's classification of a token as exchange token may have spill-over effects for its legal/regulatory treatment in other non-FCA contexts, for example on whether it can be considered "money," which has further implications for its use in commerce. Even if FCA's remit does not extend to these spill-over effects, it is desirable that FCA be receptive to such far-reaching implications.

This kind of fluidity is unlikely to go away soon, since new cryptoassets are constantly being created and old ones are being repurposed, if in declining numbers. To base regulation, then, on such protean classification would be unwise.

(b) We submit that the proposed classification is unnecessary for regulatory purposes because it **does not contribute to the regulatory outcome**. We understand FCA's proposed approach to consist of three steps: (1) analysis of the features and characteristics of the various cryptoassets; (2) classification of cryptoassets in exchange, security, and utility tokens based on their features and characteristics; (3) regulation of security tokens in line with the most similar regulated Specified Investment (the FCA proposes that exchange and utility tokens remain unregulated).

We submit that the FCA would reach the same regulatory outcome even if it omitted the second step of classifying cryptoassets into different categories. To the extent that the FCA is not creating any new regulations or any new legally recognised type of regulated asset/instrument, a functional approach by which the various cryptoassets are regulated in line with the Specified Investment Instrument that most closely resembles their features and characteristics, will deliver the same results, regardless of how the cryptoassets may have been previously classified. This is because the FCA (rightly) acknowledges that function, rather than form, is the defining factor for regulatory purposes.

The functional approach suggested herein has been adopted by other authorities around the world. For example, Lithuania's Ministry of Finance and Estonia's Financial Supervision Authority both forego a fixed classification of cryptoassets. Instead their starting point is to ask what kind of rights

[4] Brave Software, Basic Attention Token (BAT) (13 March 2018), available at: https://basicattentiontoken.org/BasicAttentionTokenWhitePaper-4.pdf.

tokens confer, and, if they confer rights similar to those of regulated instruments, the relevant laws apply.[5]

We believe it is good regulation to avoid unnecessary steps so as to minimize confusion. As the FCA itself recognises, it is ultimately firms' responsibility to make sure they have the correct permissions for their activities (*see* para 3.20), and the fewer and clearer compliance steps firms need to take, the more likely it is they will align themselves with regulatory goals. Moreover, this functional approach allows the FCA flexibility in regulating cryptoassets as their characteristics evolve through time.

Question 9: Are there other key market participants that are a part of the cryptoasset market value chain?

The FCA lists a number of market participants that may incur regulatory obligations, among which: issuers of tokens, advisers and other intermediaries, exchanges and trading platforms, wallet providers and custodians, and payment providers. We believe that this list is mostly sufficient but wish to add another emerging class of actors whose influence is becoming pervasive and which has largely escaped regulatory attention: **entities that advise on the economic strength/health of cryptoassets**. We propose that such entities resemble the role and function of such market actors as **credit rating agencies (CRA) and investment research providers**, which fall under FCA's regulatory ambit, and need to incur appropriate regulation.

We do not claim that the crypto-economy actors presented below are necessarily CRAs or investment researcher providers *per se* (although they may well be); our argument is that, at a minimum, they provide similar services and have similar function and position in the cryptoasset market as CRAs and sell-side analysts in their own respective markets, and therefore need to incur appropriate, but not necessarily identical, regulation.

Credit rating is defined in Regulation 1060/2009 as "an opinion regarding the credit worthiness of an entity, a debt or financial obligation, debt security, preferred share or other financial instrument, or of an issuer of such a debt or financial obligation, debt security, preferred share or other financial instrument, issued using an established and defined ranking system of rating categories" (Article 3(1)(a)). Entities that provide credit ratings are subject to a number of rules specified in the Regulation. Investment research is defined in CRA's Conduct of Business Sourcebook as "[research] that is intended or likely to be subsequently disseminated to clients of the firm or to the public, under its own responsibility or that of a member of its group" (Section 12.2.14) Further, if the research is not presented as objective or independent it is called "non-independent

[5] Lithuanian Ministry of Finance, ICO Guidelines (2018), available at: http://finmin.lrv.lt/uploads/finmin/documents/files/ICO%20Guidelines%20Lithuania.pdf; Estonian Financial Supervisory Authority, Information for entities engaging with virtual currencies and ICOs (10 September 2018), available at: https://www.fi.ee/en/investment/aktuaalsed-teemad-investeerimises/virtuaalraha-ico/information-entities-engaging-virtual-currencies-and-icos.

research" and is considered as marketing communication (Section 12.2.16). Both types fall under FCA regulatory ambit.

We submit that several entities provide services that resemble credit rating services or investment research to varying degrees. As regards credit rating, we appreciate that their current business model may not fully match the definition of credit rating in Regulation 1060/2009, because of the content of the opinion provided: whereas CRAs opine on credit-worthiness, cryptoasset ratings usually refer to the investment risk and investment rewards of cryptoassets. That said, to the extent that crypto-assets may be used in a fashion that bears debt-like characteristics, any opinion on their economic strength approximates credit rating yet more closely. For example, ETHLend markets itself as a "crypto-lending market place,"[6] which facilitates loans, where cryptoassets function as collaterals. In this economic context, cryptoassets have a credit-worthiness value, an opinion on which would be similar to the services provided by CRAs.

Similarly, to the extent that a service provides advice on crypto-asset trading, especially if it is clustered in the "buy, sell, hold" nomenclature, their function again greatly resembles the regulated activity of investment research.

We suggest that, even if the entities referred to herein do not currently fall directly under the existing regulatory spectrum, they should be included in the final Guidance on Cryptoassets to provide clarity on the FCA's regulatory intentions in this important growing segment of the cryptoasset market.

Because the opinions and services provided by these entities come in various forms, some of which are more relevant than others for regulatory purposes, below we set out examples that occupy different positions on the spectrum:

(a) Weiss Cryptocurrency Ratings: Weiss Ratings provides ratings on a large number of institutions and investments. The firm recently released a cryptocurrency rating report,[7] wherein cryptocurrencies are assigned grades from A (excellent) to E (very weak) based on a number of factors including "*investment risk, investment reward, technology, and adoption in the real world*"[8] (**Figure 1**). Weiss Ratings markets itself as *"…the first financial rating agency to bring that benefit [clarity] to investors – to help avoid the hype, while identifying the few solid and promising cryptocurrencies that truly merit their attention*."[9] The company plans to frequently update the ratings to reflect changes in market conditions ("*when using Weiss Cryptocurrency Ratings, investors should expect frequent upgrades and downgrades*").[10] Considering that at least some of the rated items by Weiss Ratings can be considered regulated financial instruments or entities that issue regulated financial instruments, the service offered by Weiss Ratings could incur credit-rating-like regulation if the ratings provided are considered to be an opinion of the credit worthiness of the rated items as described above.

[6] ETHLend, available at: https://ethlend.io/.
[7] Weiss Cryptocurrency Ratings (24 January 2018), available at: https://www.docdroid.net/y8xcErJ/weiss-cryptocurrency-ratings.pdf.
[8] Weiss Cryptocurrency Ratings, About, available at: https://weisscryptocurrencyratings.com/about.
[9] Ibid.
[10] Ibid.

Figure 1: Partial screenshot of the original Weiss Cryptocurrency Ratings report (2018).

WeissRatings
Independent. Unbiased. Accurate. Trusted.

Weiss Cryptocurrency Ratings
(A = excellent, B = good, C = fair, D = weak, E = very weak)

January 24, 2018

	Cryptocurrency Name Symbol	Price (USD)	24-hr Change	7-Day Change	30-Day Change	Market Cap (USD)	Last Rating Change
C	Aeon AEON	4.25	-0.55%	-1.32%	13.33%	61.24M	--
C+	Ark ARK	6.00	9.99%	5.69%	-4.56%	519.47M	--
C	Asch XAS	0.9594	4.35%	7.60%	-28.90%	92.60M	--
D+	Auroracoin AUR	1.29	0.60%	-9.89%	-2.97%	10.34M	--
C+	Bitcoin BTC	10,962.72	-1.67%	-5.75%	-22.45%	175.91B	--
C-	Bitcoin Cash BCH	1,630.70	-1.13%	-9.36%	-45.88%	26.16B	--
D+	Bitcoin Gold BTG	190.60	-6.74%	-5.07%	-35.96%	3.07B	--
C+	BitShares BTS	0.3232	-1.91%	-8.20%	-41.96%	805.47M	--
C	BlackCoin BLK	0.5029	-0.99%	-9.11%	-21.05%	38.93M	--
C	Blocknet BLOCK	34.83	5.63%	-6.94%	0.29%	163.45M	--

(b) Flipside Crypto Fundamental Crypto Asset Score (FCAS): FCAS is marketed as a "…*single, consistently comparable value for measuring cryptocurrency project health*…" which is calculated based on market risk, customer activity, and developer behaviour.[11] FCAS is embedded in cryptoasset monitoring, ranking, and analytics websites such as CoinMarketCap (**Figure 2**). but also in general financial analytics services such as MarketWatch (**Figure 3**). FCAS is updated daily. For reasons similar to those listed above for Weiss Ratings, we believe FCAS may be a candidate for credit-rating-like regulation.

[11] Flipside Crypto, available at: https://www.flipsidecrypto.com/.

Figure 2: FCAS rating for Ethereum as seen on CoinMarketCap.

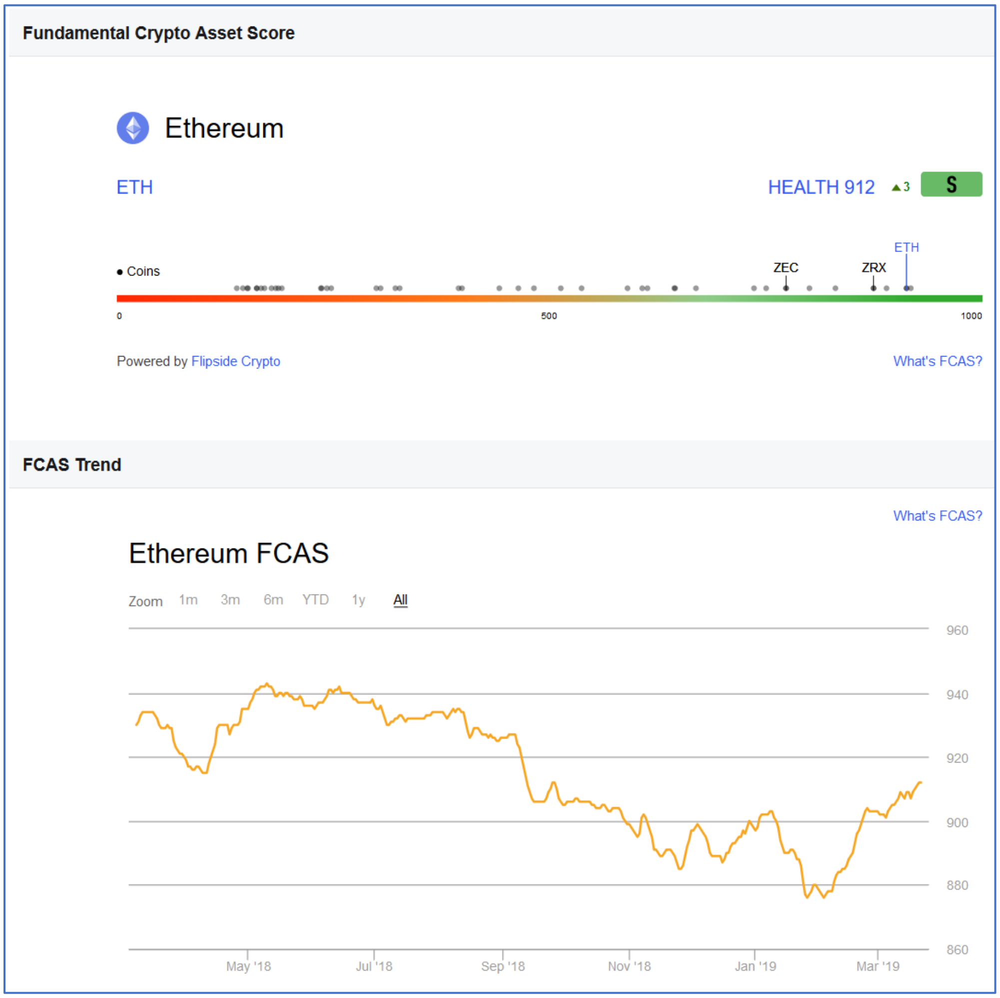
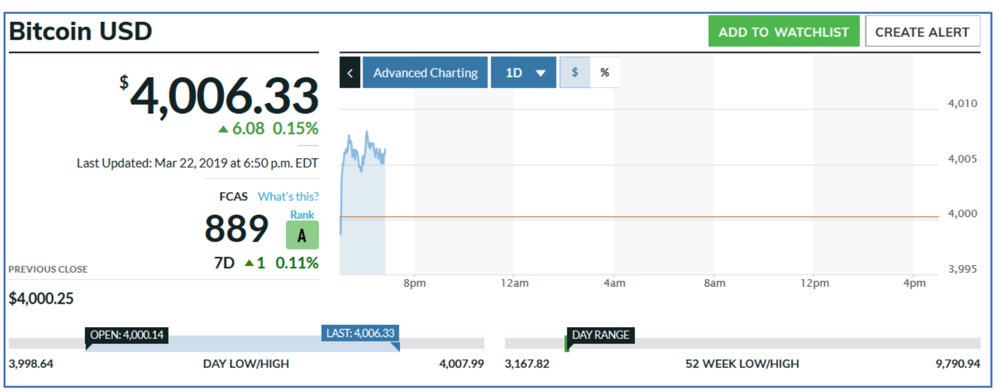


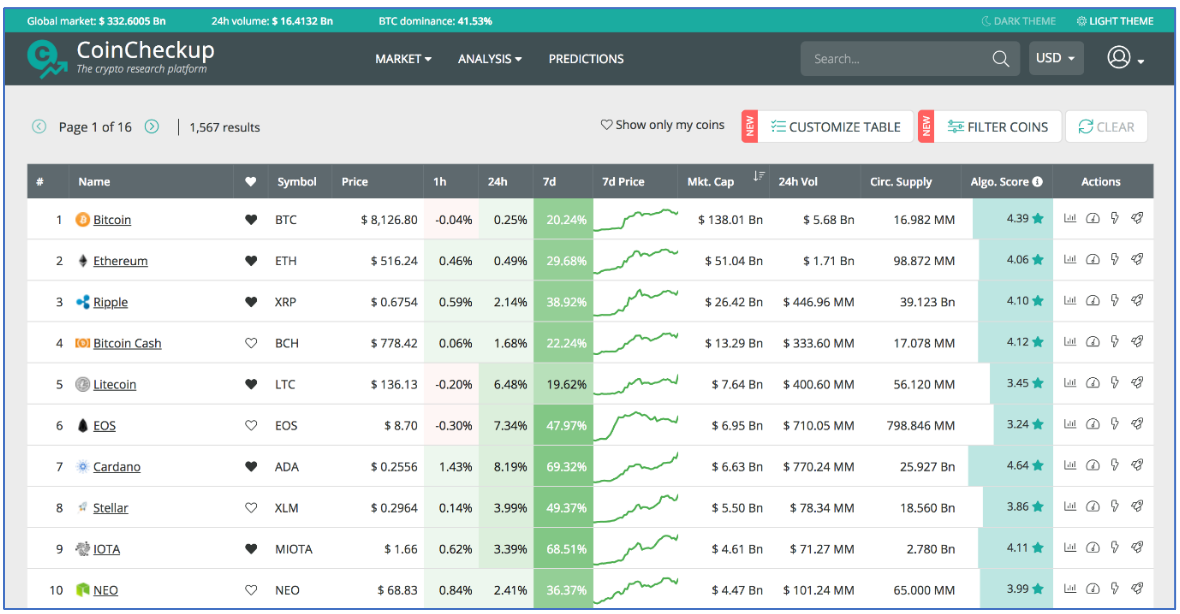
Figure 3: FCAS rating for Bitcoin as seen on MarketWatch.



(c) Other ranking websites and exchanges: Opinions and advice similar to credit ratings and investment research are often provided by ranking websites and exchanges. These services may be provided alongside other non-regulated activities, and while they do not necessarily form full opinions nor do they always come in an established and defined ranking system of rating categories or trading advice shortcuts, they are still influential on investor decisions, and, in the future, may develop into full rating or investment research services. It is therefore advisable to monitor them as potential regulatory targets. The services come in various forms.

For example, CoinCheckup ranks cryptoassets based on an algorithm that considers numerous economic and social factors.[12] It differs from the services provided by Weiss Ratings and FCAS in that the ranked cryptoassets are not grouped in defined rating categories—rather they are assigned a score (**Figure 4**). Interestingly, CoinCheckup, acknowledges that it performs similar functions to CRAs.[13] CoinGecko also ranks cryptoassets in a fashion similar to CoinCheckup assigning a percentage score to cryptoassets based on various parameters (**Figure 5**).[14]

Figure 4: CoinCheckup ranking service showing the algorithmic score of the ranked cryptoassets. Cryptoassets are not divided in defined ranked categories.



Global market: $ 332.6005 Bn   24h volume: $ 16.4132 Bn   BTC dominance: 41.53%   DARK THEME   LIGHT THEME

CoinCheckup
The crypto research platform
MARKET   ANALYSIS   PREDICTIONS   Search...   USD

Page 1 of 16 | 1,567 results   Show only my coins   NEW CUSTOMIZE TABLE   NEW FILTER COINS   CLEAR

#	Name	Symbol	Price	1h	24h	7d	7d Price	Mkt. Cap	24h Vol	Circ. Supply	Algo. Score	Actions
1	Bitcoin	BTC	$ 8,126.80	-0.04%	0.25%	20.24%		$ 138.01 Bn	$ 5.68 Bn	16.982 MM	4.39	
2	Ethereum	ETH	$ 516.24	0.46%	0.49%	29.68%		$ 51.04 Bn	$ 1.71 Bn	98.872 MM	4.06	
3	Ripple	XRP	$ 0.6754	0.59%	2.14%	38.92%		$ 26.42 Bn	$ 446.96 MM	39.123 Bn	4.10	
4	Bitcoin Cash	BCH	$ 778.42	0.06%	1.68%	22.24%		$ 13.29 Bn	$ 333.60 MM	17.078 MM	4.12	
5	Litecoin	LTC	$ 136.13	-0.20%	6.48%	19.62%		$ 7.64 Bn	$ 400.60 MM	56.120 MM	3.45	
6	EOS	EOS	$ 8.70	-0.30%	7.34%	47.97%		$ 6.95 Bn	$ 710.05 MM	798.846 MM	3.24	
7	Cardano	ADA	$ 0.2556	1.43%	8.19%	69.32%		$ 6.63 Bn	$ 770.24 MM	25.927 Bn	4.64	
8	Stellar	XLM	$ 0.2964	0.14%	3.99%	49.37%		$ 5.50 Bn	$ 78.34 MM	18.560 Bn	3.86	
9	IOTA	MIOTA	$ 1.66	0.62%	3.39%	68.51%		$ 4.61 Bn	$ 71.27 MM	2.780 Bn	4.11	
10	NEO	NEO	$ 68.83	0.84%	2.41%	36.37%		$ 4.47 Bn	$ 101.24 MM	65.000 MM	3.99	

[12] CoinCheckup, How We Stay Unbiased, available at: https://coincheckup.com/how-we-stay-unbiased
[13] Ibid.
[14] CoinGecko, Top 100 Coins by Market Capitalization Gecko Rating, available at: https://www.coingecko.com/en?view=gecko.

Figure 5: CoinGecko's ranking based on market and non-market parameters.

USD | Filter | Favorites | Market | All-Time High | Developer | Social | Chain | Gecko

	#	Coin		Price	Developer	Social	Total
☆	1	Bitcoin	BTC	$3,981.92	98%	86%	**90%**
☆	2	Ethereum	ETH	$135.70	96%	74%	**84%**
☆	4	EOS	EOS	$3.60	95%	58%	**78%**
☆	3	XRP	XRP	$0.309528	85%	68%	**77%**
☆	6	Bitcoin Cash	BCH	$155.95	71%	76%	**75%**

It is also worth mentioning that other websites provide advice on investments that, while not meeting the threshold of a systematic rating of cryptoassets, can still be influential on investor behaviour, and the FCA may wish to monitor these going forward in case they cross over into investment research activities. For instance, the popular exchange Kraken cautioned users against Bitcoin SV after its forking from Bitcoin Cash (**Figure 6**).[15] The controversial warning is currently the subject matter of litigation in the US, and the plaintiffs argue that Kraken was conspiring along with other actors to shift investors away from Bitcoin SV and toward the competing Bitcoin ABC.[16]

Figure 6: Kraken's warning against Bitcoin SV after it forked from Bitcoin Cash. The advice implicated Kraken in a lawsuit on antitrust and financial regulation counts.

WARNING: Bitcoin SV does NOT meet Kraken's usual listing requirements. It should be seen as an extremely high risk investment. There are many red flags that traders should be aware of:

- No known wallets supporting replay protection (be careful!)
- No support in major block explorers
- Miners apparently subsidized or operating at a loss
- Representatives threatening and openly hostile toward other chains
- Chain's survival may be mutually exclusive with other chains
- Supply is temporarily constrained because of limited wallet support
- Some large holders have indicated they'd be dumping everything ASAP
- Kraken has done only very minimal code review

Custodial losses taken on due to attacks originating from nChain or its affiliates will be socialized among all BSV holders on Kraken. Given the volatile state of the network and threats that have been made, Kraken cannot guarantee perfect custody of BSV.

[15] Kraken, Kraken Credits Clients with Bitcoin SV (BSV) and Launches BSV Trading (18 November 2018), available at https://blog.kraken.com/post/1928/kraken-credits-clients-with-bitcoin-sv-bsv-and-launches-bsv-trading/.
[16] United American Corp. v. Bitmain, Inc. et al., Case 1:18-cv-25105-KMW.

On top of entities that provide opinions and research, the FCA should also expect the proliferation of services and entities that **promote financial products**. There is a significant amount of regulation of market actors that undertake financial promotion activities,[17] and depending on the nature of the promoted product and the entity promoting it, such activity may indeed fall under FCA's Financial Promotion rules.[18] In the cryptoasset market such actors will come in numerous forms, bound to create definitional, and in turn, regulatory uncertainty. Considering the ambiguity around classification discussed previously, our approach of subsuming cryptoassets under categories that are already regulated is likely to make the regulation of financial promotion easier.

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Concluding remarks

It should be obvious that as the crypto-economy develops, and opportunities similar to those of the mainstream economy arise, new potential regulatory targets may emerge. While our submission sets out a case for a different regulatory method than the one being proposed by the FCA, we believe that our functional approach is likely to be more effective and clearer in the long-run given the changing characteristics of cryptoassets through time. In addition, we believe that the FCA should closely examine entities that advise on the economic strength/health of cryptoassets, which resemble the role and function of market actors such as credit rating agencies (CRA) and investment research providers, and also entities that engage in financial promotion. For other securities such as equities, providers of such information fall under the regulatory perimeter of the FCA and it would seem sensible that this also happens in the case of cryptoassets.

[17] See eg Section 21 of the Financial Services and Markets Act 2000, and Section 235 on Collective Investment Schemes.

[18] See eg Christopher Sherliker, Bitcoin, Crypto and Financial Promotions — the 'Duck' Principle, Laytons (13 March 2018), available at: https://www.laytons.com/news/bitcoin-crypto-and-financial-promotions-the-duck-principle; Nick Ayton, In a World of Security Token Offerings Be Careful not to Fall Foul of the Financial Promotion Laws…, Medium (1 April 2019), available at: https://medium.com/@NickAyton/in-a-world-of-security-token-offerings-be-careful-not-to-fall-foul-of-the-financial-promotion-laws-3256fd999f5c.