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of revert*

July 24, 2023

**The Governor**  
Central Bank of Nigeria  
Plot 33, Abubakar Tafawa Balewa Way  
Central Business District, Cadastral  
Zone,  
Abuja

Office of the Acting Governor  
**03 AUG 2023**  
**RECEIVED**  
Central Bank of Nigeria, Abuja

**LEGAL SERVICES RECEIVED**  
**15 AUG 2023**  
**CENTRAL BANK OF NIGERIA**  
Signed By:.....

*Dir Legal*

Dear Sir,

**RE: PRE-ACTION NOTICE IN RESPECT OF YOUR ADOPTION OF "ENAIRA" AS NIGERIA'S CBDC.**

We are a United States Tech Company based in Texas.

Sometime in January 2022, the Central Bank of Nigeria (CBN) wrote a letter of objection to the United States Patent and Trademark Office (USPTO), alleging that the name "eNaira" is Nigeria's sovereign assets and as such isn't registrable by anyone. In a subsequent follow-up letter it officially opposed Mefona's ongoing eNaira registration, claiming that having the said name by announcement and launching it as CBDC, it has since October 2021 become Nigeria's digital currency.

But rather than informing the same USPTO that the eNaira it claimed to be "**backed by law**," CBN remained deceptively silent on the fact that what it actually meant backed by law were simply some presidential directives and/or its in-house policy. CBN's continued silence on which enabling Act of the National Assembly it has been saying that empowered it in Nigeria to launch its eNaira digital currency, since it is only the National Assembly that the 1999 Constitution (as amended) empowers to make laws for the country, necessitated our asking our Nigerian Attorney to formally write the National Assembly to officially request for the copies of these laws CBN has continued to be silent on, and in which Government's Official Gazettes would they have been published. See: "*Request for Clarification on the Enabling Act by the National Assembly Specifically Empowering the Central Bank of Nigeria to Create a Digital Currency.*"

While our Attorney's letter to the Clark of the National Assembly received on September 13, 2022 remained unanswered, we extended our forensic investigations to "**backed by law...as a legal tender**" to "**eNaira Nigeria's sovereign asset.**" Shockingly was our

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discovery that the so-called law is never in existence beyond CBN's deceitful imaginations.

Going further we also discovered that rather than the said "sovereign assets" being naturally acquired or enacted by the Act of Parliament it was actually by mere announcement of the CBN. In other words, CBN's claim that its eNaira is "**backed by law...as a legal tender**" can't be more misleadingly since there is no enabling Act of the National Assembly that says that.

To ensure that USPTO never discovers its unpardonable lies, CBN went as far as hiring White and Case, one of Wall Street's most expensive law firms in its defence. With this CBN has since adopted all manner of measures in its determination to keep our eNaira name at all cost.

In its endless effort wanting to cover its deceits, CBN went as far as making USPTO believe that it has also by "backed by law" launched cashless policy, otherwise demonetization policy, and would started it by the end of January 2023 starting redesigning the country's currency too using refusal to swap old notes with new notes to force citizens into migrating to cashless driven by eNaira Wallet Accounts.

From our investigations too in this regard, we discovered that the said cashless/demonetization policy was brought to abrupt end since March 3, 2023 when the Supreme Court in a unanimous Judgment declared the said cashless policy simply based on mere presidential directives without any enabling law of the National Assembly is both "illegal and unconstitutional," and as a result injurious to the constitutional rights of citizens to freely own and use their properties without having government dictating to them how they should use those property rights. See NOs: 3, 5, 6, and 7 and pages: 50, 51, 52, and 53 in *Suit: SC/CV/162/2023 State Government v Federal Government*.

In CBN's letter to USPTO it also alleged that "**...there is a pending law suit filed against the CBN by another company on the use of eNaira have failed in its blackmail to get the CBN to pay it huge sums of money. Like Mefona LLC, the Company had rushed to the Trademark Registry in Nigeria to file an application for Trademark on eNaira only after the CBN announced the issuance of its Central Bank digital Currency. Expectedly, the Trademark Registry in Nigeria has since rejected the company's application via its letter dated 15th November 2021.**"

Given this misleading allegation, we applied for and obtained CTC of the said pending case. Our investigation proved that the company in reference is "**eNaira Payment Solutions Ltd,**" in operation since 2004, and that the lawsuit in question is against CBN for "**passing off**" and not for "**blackmail.**" Going through this suit **eNaira Payment Solutions Ltd v Central Bank of Nigeria FHC/ABJ/CS/113/2021**" and comparing it with what was stated in CBN's "**Objection to the registration of 'eNaira' by Mefona LLC**" will only leave

anyone in full disbelief that CBN could be this misleading and deceitful in its letter to USPTO.

Isn't it bizarre that this same eNaira name applied for by eNaira Payment Solutions Ltd since early September 2021, accepted by Trademark Registry and later cancelled by the said "letter dated 15th November 2021" was applied for by CBN on October 30, 2021, published in the Trademark Journal of November 18, 2021, and since then is in its possession in many classes, including classes that has nothing to do with finance? See *Publication page of Nigerian Trademark Journal of November 18, 2021 by Trademark Office.*

It is this CBN's opposition and deceitful actions that has since caused us incalculable damages in billions of dollars and millions of global members. As well as losing immeasurable intangible global corporate goodwill, which Mefona worked hard over the years to build, our world's first **Next-Generation Digital Multicurrency Solutions**, the "AI-Money" version of WhatsApp, Twitter, and ChatGPT is now in full suspense. In other words, notwithstanding that ours is "non-third-party global digital multicurrency," providing such AI-Money services which are hundred percent apart from CBN's third party Wallet Accounts.

From all our investigation, what else could be more than embarrassingly damning truth that those running the country central bank, CBN has decided to run it as a falsehood center, where in order to keep inventing and propagating its mount of lies to the unsuspecting public it has also maximized the deployment of its media outreach in such an incomparable way. That we are talking supposedly about the supplier and storer of Nigeria's most valuable assets, its currency is what makes these institutional lies very unfortunate.

GIVEN THE HUGE DAMAGES, we hereby make the following demands:

- (1) That CBN writes an apology to Mefona LLC, to be publishes in three (3) national newspapers and two (2) foreign newspapers, stating that there is no enacted law in Nigeria that empowered it to launch or operate digital currency, and that its claim of eNaira being a sovereign asset as well as its cashless (demonetization) policy were illegal and unconstitutional and as such not binding on us.
- (2) That CBN writes a letter to USPTO informing it that all its actions with regard to opposing Mefona's eNaira trademark, including claims of eNaira as a legal tender were all misleading and done in error.

TAKE NOTICE that should you fail to resolve to our satisfaction these issues raised by us in this letter within 14 days including the day of receipt of this letter, we shall commence the enforcement of our legitimate rights in the appropriate jurisdiction.

TAKE NOTICE also that should you force us to enforce our rights, unlike you that employed one of America's most expensive and unfriendly law firms, we shall be appointing the best and most professional law firm.

Yours Faithfully,



**Basil Odilim Enwegbara, CEO**

- CC: President of the Federal Republic of Nigeria**  
Office of the Secretary to the Government of the Federation,  
Shehu Shagari Complex, Three Arms Zone, Abuja, CBD, Abuja
- CC: Attorney General and Minister of Justice**  
Federal Ministry of Justice,  
Shehu Shagari Way,  
Maitama, Abuja
- 
- CC: Central Bank of Nigeria**  
Plot 33, Abubakar Tafawa Balewa Way,  
Central Business District,  
Cadastral Zone, Abuja
- CC: Registrar, Trademark Registry Office**  
Commercial Law Department  
Old Federal Secretariat,  
Garki Area 1, Abuja
- CC: Mr. Godwin Emefiele**  
Department of State Security,  
No. 1 Maitama Avenue,  
Three Arms Zone,  
Abuja
- CC: President of the Senate**  
The National Assembly,  
Federal Republic of Nigeria,  
Three-Arms Zone, Abuja