COLLAS CRILL

Linksure Global Holding Limited v Infinite Solution Limited and Ors [2025] CIGC (FSD) 95

SEPTEMBER 2025

Court: Grand Court (Cayman Islands)
Subject: Leave to serve out of the jurisdiction, reliance on GCR O.11, r.1(1)(ff) where defendant was director or officer of another defendant, extension of validity of writ to enable service by Hague Convention methods
Judge: Asif J

Summary

The Plaintiff, a Cayman Islands company, alleged that the three Defendants had conspired to prevent an IPO it was pursuing in order to force the Plaintiff to comply with a put option. The First Defendant is another Cayman Islands company and investor in the Plaintiff. The Second Defendant, in Singapore, is a nominee director of the Plaintiff. The Third Defendant, in Hong Kong, is a director of the First Defendant.

The Court granted leave for service out of jurisdiction on the Second and Third Defendants and extended the validity of a writ to prevent expiry prior to service.

The decision reinforces the willingness of the Court to anchor jurisdiction to the Cayman Islands and its practical approach to cross-border commercial litigation.

Further details and novel application of GCR

The Court was satisfied that the Second and Third Defendants were necessary and proper parties under Grand Court Rule O.11, r.1(1)(c). The Court was also satisfied that there was a good arguable case that the Second and Third Defendants were within gateway (ff) in that they are directors of Cayman Islands companies and the claims against them arise out of their conduct as directors of those companies.

Critically, the Court endorsed the novel application of O.11, r.1(1)(ff) to the Third Defendant, who was not a director of the Plaintiff (and therefore did not owe directors' duties directly) but a director of the First Defendant, accepting that it was reasonably arguable that the rule's reach extended to such connected parties.

The Court was satisfied that, even if there will be few, if any, witnesses physically located in the Cayman Islands, it was clearly the most appropriate forum (the Plaintiff and First Defendant were both Cayman companies, the claims were going to involve largely issues of Cayman Islands law, and litigating elsewhere would necessitate costly Cayman Islands law expert evidence).

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Recognising the inherent delays in Hague Convention service, the Court granted a six-month extension of the writ to facilitate overseas service.

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