

LEGAL Q&A GUIDE

Understanding the Legal Framework of BlockWill Platform

Introduction

This Legal Q&A Guide has been prepared to help users understand the legal framework, regulatory compliance, and evidentiary value of services provided by BlockWill. The questions and answers below address common legal inquiries regarding the transfer of asset information, digital wills, trust deeds, Shariah-compliant instruments, DIFC structures, and data privacy compliance.

IMPORTANT NOTICE: This document is for informational purposes only and does not constitute legal advice. Users should consult with qualified legal professionals in their jurisdiction for specific legal guidance.

Section 1: Transfer of Asset Information

Q1: What exactly does BlockWill transfer, my actual assets or information about my assets?

A1: BlockWill transfers *information about your assets*, not the assets themselves. Our platform operates as a secure digital vault and communication system that stores, manages, and conditionally releases documentation, credentials, access instructions, and succession wishes related to your digital and traditional assets. The actual ownership transfer of assets occurs through the appropriate legal and financial channels (banks, exchanges, registrars, courts) using the information and documentation preserved on BlockWill. This distinction is critical: we are a secure information management and relay system, not a custodian of assets.

How BlockWill Strengthens Your Legal Position: By creating timestamped, immutable records of your asset information and succession intentions, BlockWill provides robust documentary evidence that may support legal proceedings for asset transfer, reducing disputes and expediting probate processes.

Q2: Is the transfer of asset information through BlockWill legally recognized?

A2: Yes. The transfer of information is legally recognized under general contract law, data protection regulations, and electronic transaction laws in most jurisdictions. BlockWill operates within the DIFC legal framework, which recognizes electronic records and communications under DIFC Law No. 2 of 2017 (Electronic Transactions Law). The information transferred through BlockWill may serve as documentary evidence that can be presented in court proceedings, probate applications, and estate administration processes. Our platform ensures that information transfers comply with applicable data protection laws including DIFC Data Protection Law No. 5 of 2020 and GDPR where applicable.

Section 2: Evidentiary Value of Proof of Intent

Q3: What is the “Proof of Intent” generated on BlockWill, and does it have legal evidentiary value?

A3: The “Proof of Intent” is a cryptographically secured, timestamped digital record that captures your testamentary intentions, asset allocation wishes, and succession instructions at a specific point in time. This record carries significant evidentiary value because it: (a) establishes a clear timeline of when decisions were made; (b) provides tamper-proof evidence through blockchain timestamping; (c) demonstrates the mental state and clear intentions of the user; and (d) creates an audit trail of any modifications or updates. While “Proof of Intent” alone may not replace formal legal instruments required in certain jurisdictions, it serves as powerful corroborating evidence that may support the interpretation of formal documents, establish the testator’s wishes in cases of ambiguity, and provide evidence in contested inheritance matters.

How BlockWill Strengthens Your Legal Position: Courts increasingly recognize digital evidence. BlockWill's Proof of Intent creates contemporaneous records that demonstrate your clear, considered intentions, often decisive in inheritance disputes where parties claim the testator "didn't really mean" what was written.

Q4: Can BlockWill's Proof of Intent be used in court as evidence of my intentions?

A4: Yes, subject to the evidentiary rules of the relevant jurisdiction. BlockWill's Proof of Intent is designed to meet modern evidentiary standards for digital records. The platform employs: (a) secure authentication to verify user identity; (b) cryptographic hashing to ensure document integrity; (c) blockchain-based timestamps for immutable dating; (d) comprehensive audit logs documenting all interactions; and (e) secure storage meeting international data protection standards. These features align with the requirements for electronic evidence under the DIFC Electronic Transactions Law, UAE Federal Law, and international standards like UNCITRAL Model Law on Electronic Commerce.

How BlockWill Strengthens Your Legal Position: In jurisdictions that accept electronic evidence, BlockWill's records can be presented as documentary evidence supporting claims about testamentary intent.

Section 3: Legality of DigiWish and Digital Wills

Q5: What is DigiWish, and is it a legally binding will?

A5: DigiWish is BlockWill's digital asset succession documentation system that allows users to create, store, and manage their succession wishes for digital and traditional assets. The legal status of documents created through DigiWish depends on: (a) the type of document created (informal wish list, formal will, trust deed, etc.); (b) the jurisdiction governing the estate; (c) compliance with formal requirements (witnesses, signatures, attestation) of that jurisdiction; and (d) the nature of assets being addressed. DigiWish can generate documents ranging from informal memoranda of wishes (which guide executors but may not be legally binding) to formally executed wills that meet jurisdictional requirements. For wills to be legally binding, they must generally comply with the formalities required by applicable succession laws using the professional legal services of a qualified attorney or lawyer.

It is clarified that BlockWill does not generate any wills but generates templates which facilitates the users with a comprehensive document containing all their assets and their intended beneficiaries, which through proper legal execution procedures in adherence to the applicable law of the land, may be converted into a legally compliant will by a qualified lawyer.

Q6: Are templates generated using DigiWish legally valid?

A6: Templates generated using DigiWish can be legally valid if they adhere to the formal requirements of the applicable jurisdiction. Most jurisdictions require wills to be: (a) in writing; (b) signed by the testator; (c) witnessed by a specified number of witnesses (typically two); and (d) executed with testamentary intent. DigiWish facilitates compliance by providing will templates drafted by legal professionals.

Important: For maximum legal protection, we recommend having DigiWish-generated templates reviewed by a qualified legal professional in your jurisdiction and properly executed with witnesses physically present where required by law.

How BlockWill Strengthens Your Legal Position: DigiWish creates a template containing all the assets documented by the user and assigning the intended beneficiaries, establishing evidence of testamentary capacity, absence of undue influence and facilitates the process of will creation by providing a document which may be considered a legally compliant will, subject to compliance of all the necessary

requirements of a will (written form, signatures, witness attestation, registration, notarization etc.) in adherence to the applicable laws.

Section 4: Trust Deeds Generated Using DigiWish

Q7: Can I create legally valid trust deeds using DigiWish?

A7: DigiWish provides templates and frameworks which may facilitate for creating trust deed documentation by availing the professional legal services of qualified attorney or lawyer. It is clarified that DigiWish a will-like template and not a trust template.

Please note that the legal validity of trust deeds depends on additional factors beyond the document itself. A valid trust typically requires: (a) certainty of intention to create a trust; (b) certainty of subject matter (the assets being placed in trust); (c) certainty of objects (the beneficiaries); (d) proper constitution of the trust (transfer of assets to trustees or declaration of trust); and (e) compliance with any registration or formal requirements.

DigiWish assists by providing a document which comprehensively lists all the assets included by the user and the intended beneficiaries for those assets, which facilitates the users and their estate planners and estate attorneys to create a legally-compliant trust.

For complex trust arrangements, particularly those involving significant assets or cross-border elements, we strongly recommend engagement with qualified trust professionals and legal advisors.

Section 5: DIFC Wills, Trusts & Foundations

Q8: What is a DIFC Will and how is it different from a UAE onshore will?

A8: A DIFC Will is a will registered with the DIFC Wills Service Centre, operating under a common law legal framework separate from UAE onshore civil and Shariah law. Key differences include:

Legal Framework: DIFC Wills operate under DIFC Wills and Probate Registry Rules, based on English common law principles, while UAE onshore wills are subject to UAE Personal Status Law and Shariah inheritance rules for Muslims.

Testamentary Freedom: DIFC Wills allow non-Muslims to freely distribute their assets according to their wishes, whereas UAE onshore laws apply Shariah-based heirship rules.

Asset Coverage: DIFC Wills can cover UAE-wide assets (Full Will), DIFC-specific assets, financial assets only, real property only, guardianship matters, or business interests.

Probate Process: DIFC Courts handle probate for registered DIFC Wills, providing a streamlined English-language process.

DIFC also facilitates DIFC Trusts and DIFC Foundations.

To know more, visit <https://www.difccourts.ae/difc-courts-wills/services>.

Section 6: Data Privacy Compliance

Q9: How does BlockWill comply with DIFC Data Protection Law?

A9: BlockWill is fully committed to compliance with DIFC Data Protection Law No. 5 of 2020 (DPL 2020), which establishes a comprehensive data protection framework aligned with international standards. Our compliance measures include:

Lawful Basis: We process personal data only on lawful grounds (contract performance, consent, legal obligation, or legitimate interests).

Data Minimization: We collect only data necessary for providing our services.

Purpose Limitation: Data is used only for specified, explicit purposes disclosed to users.

Security Measures: We implement appropriate technical and organizational measures to protect personal data.

Data Subject Rights: We facilitate exercise of rights including access, rectification, erasure, and portability.

Cross-Border Transfers: International data transfers comply with DPL 2020 adequacy and safeguard requirements.

Breach Notification: We maintain procedures for timely notification of data breaches to the Commissioner and affected individuals where required.

Q10: How does BlockWill comply with GDPR for European users?

A10: For users in the European Economic Area (EEA) or where GDPR otherwise applies, BlockWill implements GDPR-compliant data processing practices:

Legal Basis: Processing based on Article 6 grounds (contract, consent, legal obligation, legitimate interests).

Transparency: Clear privacy notices explaining data processing activities.

Rights Facilitation: Processes to handle requests for access, rectification, erasure, restriction, portability, and objection.

Data Protection by Design: Privacy considerations integrated into system development.

International Transfers: Appropriate safeguards (Standard Contractual Clauses, adequacy decisions) for data transferred outside the EEA.

Data Protection Officer: Designated DPO contactable for privacy-related inquiries.

Records of Processing: Comprehensive documentation of processing activities as required by Article 30.

How BlockWill Strengthens Your Legal Position: *Our rigorous data protection compliance ensures that the personal and sensitive information you store with us is protected to the highest international standards, reducing risks of unauthorized access or data breaches that could compromise your estate planning.*

Q11: What happens to my data if BlockWill ceases operations?

A11: BlockWill has implemented business continuity and data succession measures to protect users in the unlikely event of business cessation:

Data Escrow: Critical user data is maintained in secure escrow arrangements.

Advance Notice: Users would receive substantial advance notice of any planned cessation of services.

Data Export: Users can export their data within a prescribed time through our platform.

Successor Arrangements: Where possible, services would be transferred to a qualified successor provider.

Decentralized Backup: Blockchain-based timestamping provides independent verification of documents even if our systems are unavailable. These measures ensure that your estate planning documentation remains accessible and verifiable regardless of BlockWill's operational status.

Section 7: Platform Security & Legal Authentication

Q12: How does BlockWill verify my identity, and is this verification legally sufficient?

A12: BlockWill employs multi-layered identity verification that meets requirements for electronic identification under applicable laws:

Know Your Customer (KYC): Government-issued ID verification during onboarding.

Multi-Factor Authentication: Combination of knowledge, possession, and inherence factors.

Biometric Verification: Optional biometric authentication for high-security operations.

Session Recording: Timestamped logs of all authentication events.

Device Recognition: Trusted device management and anomaly detection.

This verification framework satisfies requirements under DIFC Electronic Transactions Law for reliable electronic identification and supports the evidentiary weight of documents created on our platform by establishing clear chains of authentication.

Q13: Can digital signatures on BlockWill documents be legally challenged?

A13: Like all forms of signature (including traditional wet ink signatures), digital signatures can potentially be challenged. However, BlockWill's digital signature implementation is designed to withstand legal scrutiny:

Authentication: Multi-factor authentication ensures the signatory is who they claim to be.

Intent: Clear user interface requiring affirmative action to sign demonstrates intent.

Audit Trail: Comprehensive logs document the entire signing process.

Integrity: Cryptographic sealing prevents post-signature alterations.

Timestamps: Blockchain-anchored timestamps provide independent verification.

Under DIFC Electronic Transactions Law and similar legislation worldwide, electronic signatures meeting reliability requirements have the same legal effect as handwritten signatures. BlockWill's signatures are designed to meet these standards.

How BlockWill Strengthens Your Legal Position: Our comprehensive authentication and audit systems create multiple layers of evidence supporting the validity of your signatures, making challenges significantly more difficult than with traditional paper documents where forgery can be harder to detect.

Section 8: Cross-Border & Jurisdictional Matters

Q14: Will documents created on BlockWill be recognized in jurisdictions outside the UAE?

A14: Recognition of BlockWill documents in foreign jurisdictions depends on several factors:

Document Type: Evidentiary documents (proof of intent, asset inventories) are generally admissible worldwide as documentary evidence. Formal legal instruments (wills, trusts) must comply with the formality requirements of both the governing law chosen and the jurisdiction where enforcement is sought.

Applicable Law: International private law principles determine which jurisdiction's laws apply to succession matters, typically the deceased's domicile or nationality for movable assets, and the location for immovable property.

Treaty Recognition: Some jurisdictions have treaties (like the Hague Convention on Wills) that facilitate cross-border recognition.

For complex international estates, we recommend engagement with legal advisors familiar with relevant jurisdictions.

Q15: How does BlockWill help strengthen the legal enforceability of my estate planning documents?

A15: BlockWill employs multiple mechanisms to maximize the legal strength of your estate planning documents:

Immutable Records: Blockchain timestamping creates tamper-evident records.

Comprehensive Documentation: Surrounding evidence of capacity, intent, and absence of undue influence.

Regular Review Prompts: Reminders to review and update documents, ensuring currency.

Secure Delivery: Reliable conditional release mechanisms ensuring documents reach intended recipients only.

Multi-Layered Verification: Multiple authentication and verification systems supporting document authenticity.

How BlockWill Strengthens Your Legal Position: By combining technology-enabled security and authentication, BlockWill creates a comprehensive evidentiary package that supports the validity and enforceability of your estate planning instruments across multiple legal systems.

Conclusion

BlockWill is committed to bridging the gap between traditional legal frameworks and modern blockchain technology — what we call the “Trust-Tech Chasm.”

Our platform is designed to provide users with secure, legally robust tools for digital estate planning while respecting the requirements of various legal systems and cultural traditions.

The legal Q&As in this guide address common concerns, but estate planning is inherently personal and jurisdiction-specific. We strongly encourage users to work with qualified legal professionals to ensure their estate planning documents are appropriate for their individual circumstances and comply with all applicable legal requirements.

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Legal Disclaimer

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