

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Fahad Nawaz, ZeeTv
Case No. D2025-1630

1. The Parties

Complainant is Instagram, LLC, United States of America (“USA”), represented by Greenberg Traurig, LLP, USA.

Respondent is Fahad Nawaz, ZeeTv, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <sssinstagram.tools> (the “Domain Name”) is registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 23, 2025. On April 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On April 23, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from named Respondent (REDACTED, Domain Protection Services, Inc.) and contact information in the Complaint. The Center sent an email communication to Complainant on April 28, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on May 9, 2025.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on May 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 2, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on June 5, 2025.

The Center appointed Clive L. Elliott K.C. as the sole panelist in this matter on June 19, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

Complainant is a world-renowned online photo and video sharing social networking service and mobile application. It was launched in 2010 and has since acquired and developed considerable goodwill and renown worldwide. It was acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012, and has more than two billion monthly active accounts worldwide.

Complainant is the registered owner of the trade mark INSTAGRAM (“Complainant’s Mark”) in many jurisdictions throughout the world, including but not limited to:

Mark	Jurisdiction	Registration No.	Registration date
INSTAGRAM	USA	4146057	May 22, 2012
INSTAGRAM	European Union	1129314	March 15, 2012
	USA	4795634	August 18, 2015
INSTA	USA	5061916	October 18, 2016
	European Union	015442502	September 21, 2016
	USA	5299119	October 3, 2017
	USA	5424416	March 13, 2018
INSTAGRAM	India	2645896	November 7, 2018
INSTA 	USA	5748067	May 14, 2019
INSTA	India	4789526	May 30, 2021
INSTA	European Union	18359602	February 9, 2023

Complainant is also the owner of numerous domain names consisting of or including Complainant’s Mark under a wide range of generic Top-Level Domains (“gTLDs”) as well as under numerous country code Top-Level Domains.

Complainant has developed a strong online presence by being active on various social-media platforms, including Facebook, Twitter, and LinkedIn.

According to the publicly available Whois the Domain Name was registered on May 16, 2024, and resolves to a page that offers a downloader tool for photos or reels taken from Complainant’s Instagram platform.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that the Domain Name is composed of Complainant's Mark in full, preceded by the letters "sss". Complainant goes on to contend that it is not a known acronym and is insufficient to dispel the ensuing confusing similarity between Complainant's Mark and the Domain Name. Complainant also contends that the formulation of the Domain Name, coupled together with the letters "sss" specifically targets Complainant and entails a high risk of implied affiliation with Complainant in order to mislead unsuspecting Internet users.

Complainant asserts that Respondent has no rights or legitimate interests in the Domain Name, as there is no evidence that Respondent is commonly known by the Domain Name, especially as the Domain Name was registered using a proxy service, so the identity of the beneficial owner is hidden. Complainant goes on to assert that Respondent is not a licensee of Complainant nor are they affiliated with Complainant in any way.

Complainant alleges that Respondent has configured the Domain Name to redirect to website content that specifically targets Complainant by offering a downloader tool for literary, pictorial, and audio-visual content from Complainant's platform, whilst making prominent use of Complainant's Mark and misappropriating Complainant's distinctive trade dress, namely its colour gradient (specifically, the purple to pink to red/orange colour gradient). Complainant further alleges that Respondent has registered the Domain Name in order to exploit and profit from Complainant's trade mark rights.

Complainant points out that in its Terms of Use, it prohibits the registration or otherwise claiming rights in any domain name registration. Complainant suggests that Respondent was aware of Complainant when the Domain Name was registered and that Respondent is using the Domain Name to exploit the goodwill and reputation attached to Complainant's Mark by attracting Internet users to its website and offering them unauthorized derivative services related to Complainant.

More specifically, Complainant submits that Respondent is using the Domain Name to point to its website, which offers a tool for the unauthorized viewing and downloading of content on Complainant's Instagram platform. In doing so, Respondent is circumventing the requirement of creating an account to access Instagram and the safety prohibitions against downloading content from the platform. Complainant argues that such a tool places the privacy and security of Instagram users at risk, given that such content may be stored and used later for unauthorized purposes by third parties.

Complainant advises that it sought to contact Respondent indirectly through the Registrar, as well as respondent's hosting provider, Cloudflare, on two occasions each in May and June 2024 requesting that the Domain Name be suspended. No response was received by Respondent or its agents.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

The first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between Complainant's Mark and the Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

Complainant has made extensive use of and registered Complainant's Mark and clearly shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Complainant's Mark is wholly incorporated within the Domain Name. The Domain Name differs only to the extent of the addition of the letters "sss" at the front of the Domain Name. Complainant submits that, notwithstanding this change, the Domain Name is confusingly similar to Complainant's Mark. That is on the basis that "sss" is insufficient to dispel the ensuing confusing similarity between Complainant's Mark and the Domain Name. The Panel agrees and finds that the Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which Respondent may demonstrate rights or legitimate interests in a Domain Name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that respondent lacks rights or legitimate interests, the burden of production on this element shifts to respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the Domain Name (although the burden of proof always remains on complainant). If respondent fails to come forward with such relevant evidence, complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

The Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name. Respondent has not challenged Complainant's prima facie showing and has not provided an argument or relevant evidence demonstrating rights or legitimate interests in the Domain Name, such as those enumerated in the Policy or otherwise.

In the present case, it is alleged that Respondent has configured the Domain Name to redirect to website content that targets Complainant and its well-known platform by offering a downloader tool for literary, pictorial, and audio-visual content from Complainant's platform. In addition, it is alleged that Respondent has made use of Complainant's Mark and trade dress in order to exploit and profit from Complainant's trade mark rights.

Based on the above submission and in the absence of any explanation from Respondent, the Panel finds that the registration and use of the Domain Name in this manner carries a real risk of the Domain Name being used to impersonate Complainant or at least to create the impression of some form of association, when none exists. In this regard, the composition of the Domain Name, incorporating Complainant's Mark, albeit with additional letters, gives rise to a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

Finally, there is no evidence that Respondent is commonly known by the Domain Name.

Accordingly, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

The Panel notes that the composition of the Domain Name, incorporating Complainant's Mark in its entirety, but with non-material and rather meaningless additions, suggests Respondent knew of and sought to take advantage of Complainant's Mark when registering and using the Domain Name.

Respondent has not put forward any explanation for the choice of the Domain Name. Absent such explanation, the Panel considers that there is a significant risk that Internet users visiting the Domain Name will focus on the “Instagram” connection and be misled or deceived, falsely assuming a connection with Complainant. The evidenced use supports a finding that Respondent registered the Domain Name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with Complainant’s Mark.

The Panel finds that Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Name <sssinstagram.tools> be transferred to the Complainant.

/Clive L. Elliott/

Clive L. Elliott

Sole Panelist

Date: July 3, 2025