

ADMINISTRATIVE PANEL DECISION

WhatsApp, LLC v. Abdullah AL Mamun
Case No. D2025-2169

1. The Parties

The Complainant is WhatsApp, LLC, United States of America ("United States"), represented by Greenberg Traurig, LLP, United States.

The Respondent is Abdullah AL Mamun, Bangladesh.

2. The Domain Name and Registrar

The disputed domain name <gbwhatsapp.com> is registered with One.com A/S (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 3, 2025. On June 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 6, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 12, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on June 18, 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 the Respondent of the Complaint, and the proceedings commenced on June 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 8, 2025. The Response was filed with the Center on June 28, 2025.

On July 15, 2025, the Center informed the Parties about the commencement of Panel Appointment process.

The Center appointed Mireille Buydens as the sole panelist in this matter on July 28, 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

The Complainant operates the WhatsApp messaging and voice-over-IP service and mobile application. WhatsApp is a global leader in messaging services for mobile devices, with over two billion people in over 180 countries. The WhatsApp mobile application, which is available in sixty different languages, has in recent years ranked among the top apps in the market. The Complainant has a strong online presence under its WHATSAPP trademark and is active on various social-media platforms.

The Complainant has a large portfolio of registrations for the WHATSAPP trademark, including (inter alia) the following (hereafter “the WHATSAPP Trademark”):

- United States trademark registration number 3939463 for WHATSAPP (word mark) registered on April 5, 2011.
- International trademark registration number 1085539 for WHATSAPP (word mark) registered on May 24, 2011.
- European Union trademark registration number 017923676 for WHATS (word mark), registered on March 8, 2019.

In addition to the Complainant’s official website, available at the domain name <whatsapp.com>, the Complainant owns and operates numerous other domain names consisting of the WHATSAPP Trademark.

The disputed domain name was registered on November 17, 2024. According to the Complaint, the disputed domain name resolves to a website targeting the Complainant by offering an unauthorized modified version of the Complainant’s WhatsApp software, whilst making prominent use of the Complainant’s WHATSAPP Trademark. The website under the disputed domain name notably explains that “GB WhatsApp is a modified version of the official WhatsApp app, developed by third-party developers. It retains the core functionality of WhatsApp but adds several customization options, privacy controls, and advanced features that are not available in the official app.”

At the time of this Decision, the disputed domain name resolves to an error page.

In November and December of 2024, the Complainant’s agents sent to the Respondent (through the email point of contact provided through the WhoIs data for the disputed domain name) notification letters demanding that the Respondent ceases all unauthorized use of its WHATSAPP Trademark and transfers the disputed domain name to the Complainant. The Respondent never replied to the correspondence from the Complainant.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

First, the Complainant asserts that the disputed domain name is confusingly similar to the WHATSAPP Trademark as the disputed domain name is composed of the letters “gb” (which might refer to “gigabyte”) followed by a typo of the Complainant’s WHATSAPP Trademark, with the addition of an extra letter “t” and the substitution of a letter “k” in place of the second “p”. Despite these misspellings and typographical variations, the WHATSAPP Trademark is clearly recognizable within the disputed domain name. The applicable generic Top-Level Domain (“gTLD”), in this case “.com”, may be disregarded for the purposes of assessment under the first element, as it is viewed as a standard registration requirement.

Second, the Complainant asserts that the Respondent lacks rights or legitimate interests in the disputed domain name. There is no evidence to suggest that the Respondent is commonly known by the disputed domain name or would have acquired or applied for a trademark registration for “GB WHATTSAK” or “GB WhatsApp”, or any variation thereof. The Respondent is not a licensee of the Complainant, nor affiliated with the Complainant in any way. The Complainant has not authorized the Respondent to make any use of its WHATSAPP Trademark. The website to which the disputed domain name resolves targets the Complainant by offering an unauthorized modified version of the Complainant’s WhatsApp software, whilst making prominent use of Complainant’s WHATSAPP Trademark (including as its design trademark). By doing so, the Respondent’s website is likely to confuse users into believing that the disputed domain name and Respondent’s unauthorized, derivative application is operated, approved of, sponsored by, or affiliated with the Complainant, which cannot constitute legitimate or non-commercial fair use. The Complainant further stresses that the Respondent uses the Complainant’s WHATSAPP Trademark in violation of the prohibitions expressly set out in Complainant’s Terms of Use. The Complainant also explains that the Respondent does not provide legitimate sales or repairs in relation to a product provided by the Complainant and does disclose its lack of relationship with the Complainant.

Third, the Complainant asserts that the disputed domain name was registered and is being used in bad faith. The WHATSAPP Trademark is well-known throughout the world and has been continuously and extensively used by Complainant since 2009. As a result, it is inconceivable that the Respondent was not aware of the Complainant’s WHATSAPP Trademark when it registered the disputed domain name, and the Respondent’s website actually does explicitly refer to the Complainant’s Trademark and products. Such use by the Respondent, who has no connection to the Complainant, suggests opportunistic bad faith. Furthermore, in choosing a domain name that resembles the Complainant’s WHATSAPP Trademark to promote an unauthorized, derivative, competing service, the Respondent is taking advantage of the Complainant’s Trademark for commercial gain, which supports a finding of bad faith under Policy paragraph 4(b)(iv). In addition, the Complainant asserts that the Respondent’s modified application promoted via the disputed domain name may be used to spread malware, to enable spam, to harvest personal data from Complainant’s platform, to steal users’ account credentials, or for other illegal activities. The Complainant also refers to the fact that the Respondent has engaged in a pattern of bad faith registration as it was already found to have registered and used another domain name in bad faith (See *Navasard Limited v. Abdullah al manun*, WIPO Case No. [D2024-0635](#)).

B. Respondent

On June 28, 2025, the Respondent explained that the purpose of the registration and use of the disputed domain name was to conduct an experiment to explore the SEO ranking potential of a specific keyword, but in no way to infringe the Complainant’s rights or to harm the reputation of the WHATSAPP Trademark. . The Respondent further explains that he immediately shut down the website under the disputed domain name after being informed of the Complaint.

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that the Complainant proves each of the following three elements to succeed in its Complaint:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

It is well accepted that 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 the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name consists of the prefix "gb" followed by a typo of Complainant's WHATSAPP Trademark, with the addition of an extra letter "t" and the substitution of a letter "k" in place of the second "p". Despite these misspellings and typographical variations, the WHATSAPP Trademark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7, 1.8, and 1.9.

The gTLD ".com", may be disregarded for the purposes of assessment under the first element, as it is viewed as a standard registration requirement.

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 the Respondent may demonstrate rights or legitimate interests in a disputed 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 the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. The Respondent did not claim to be commonly known by the disputed domain name, nor to have acquired or applied for a trademark registration for "gb wattsapk" or "gb whatsapp", or any variation thereof. The Respondent does not contest, in his Response of June 28, 2025, that he is not a licensee of Complainant, nor affiliated with the Complainant in any way, nor authorized in any way to file and use the disputed domain name. The Respondent simply asserts, without filing any evidence, that he registered and used the disputed domain name in the framework of a "personal experiment" to "check the

SEO potential of a specific keyword” (the Panel assumes that the keyword at stake is the disputed domain name). This does not confer rights or legitimate interests under the Policy.

Besides, the Panel notes that the website to which the disputed domain name resolved targets the Complainant by offering an unauthorized modified version of the Complainant’s WHATSAPP software, whilst making prominent use of Complainant’s WHATSAPP Trademark. By doing so, the Respondent’s website is likely to confuse users into believing that the disputed domain name and Respondent’s unauthorized, derivative application is approved or endorsed by the Complainant, which cannot constitute legitimate or noncommercial fair use under the Policy.

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.

In the present case, the Panel notes that the disputed domain name is confusingly similar to the Complainant’s Trademark, which predates the registration of the disputed domain name for many years and is a widely known and even a notorious trademark. The disputed domain name reproduces the WHATSAPP Trademark with the mere addition of the prefix “gb” followed by a typo of Complainant’s WHATSAPP Trademark, with the addition of an extra letter “t” and the substitution of a letter “k” in place of the second “p”. Despite these misspellings and typographical variations, the resemblance with the Complainant’s Trademark is obvious and is not contested by the Respondent. Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#) section 3.1.4.

Bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant’s mark. [WIPO Overview 3.0](#) section 3.1. If circumstances indicate that the respondent’s intent in registering the disputed domain name was to profit from the complainant’s trademark, panels will find bad faith on the part of the respondent. While panel assessment remains fact-specific, generally speaking such circumstances, alone or together, include inter alia: (i) the respondent’s likely knowledge of the complainant’s rights, (ii) the distinctiveness of the complainant’s mark. [WIPO Overview](#), section 3.1.1. In the case at hand, it has been pointed out that the Respondent knew the Complainant’s well-known Trademark. In choosing a domain name that resembles the Complainant’s WHATSAPP well-known Trademark to promote an unauthorized, derivative, competing service, the Respondent is taking unfair advantage of the Complainant’s Trademark for commercial gain, which supports a finding of bad faith under Policy paragraph 4(b)(iv).

Lastly, the Panel finds that the Respondent has already registered a domain name for which a panel decision has admitted bad faith registration (*Navasard Limited v. Abdullah al manun*, WIPO Case No. [D2024-0635](#)). This further reinforces the overall impression of bad faith.

At the time of the current decision, the disputed domain name resolves to an inactive website. Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant’s mark; (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent’s concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3. In this respect, the Panel notes the distinctiveness of the WHATSAPP Trademark, the composition of the disputed domain name (which includes the WHATSAPP Trademark with some typos and the addition of the “gb” prefix), and the implausibility of any good faith use to which the disputed domain name may be put.

The Panel finds that in the circumstances of this case, the passive holding of the disputed domain name does not prevent a finding of bad faith under 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 disputed domain name <gbwhattsapk.com> be transferred to the Complainant.

/Mireille Buydens/

Mireille Buydens

Sole Panelist

Date: August 11, 2025