

ADMINISTRATIVE PANEL DECISION

WhatsApp LLC v. Muhammad Ramzan
Case No. D2025-0340

1. The Parties

The Complainant is WhatsApp LLC, United States of America, represented by Hogan Lovells (Paris) LLP, France.

The Respondent is Muhammad Ramzan, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <gbwhatsapp-lite.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 28, 2025. On January 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 29, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 30, 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 amended Complaint on February 3, 2025.

The Center verified that the Complaint together with the amended 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 February 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 27, 2025.

The Center appointed Angelica Lodigiani as the sole panelist in this matter on March 3, 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 is the provider of one of the world's most popular mobile messaging applications named "WhatsApp". Since its launch in 2009, WhatsApp has become one of the fastest growing and most popular mobile applications in the world, with over 2.6 billion monthly active users worldwide in January 2023. WhatsApp is currently ranked amongst the most popular worldwide free mobile applications for iOS and Android phones. The Complainant has a strong presence on various social networks such as Facebook, with over 35 million "likes" for its official page, and 5.5 million followers on X (formerly, Twitter).

The Complainant is the owner of a large portfolio of WHATSAPP marks registered all over the world, including the following:

- WHATSAPP, United States registration No. 3939463, registered on April 5, 2011, and claiming first use in commerce since February 24, 2009, for services in class 42;
- WHATSAPP, European Union Trade Mark No. 009986514, registered on October 25, 2011, for goods and services in classes 9, 38, and 42;
- WHATSAPP, International trademark registration No. 1085539, registered on May 24, 2011, for goods and services in classes 9 and 38, designating various jurisdictions worldwide.

The Complainant is also the owner of the International trademark registration No. 1109890 for the telephone logo distinguishing the WhatsApp application, registered on January 10, 2012, covering goods and services in classes 9 and 38, designating various jurisdictions worldwide.

The Complainant has registered numerous domain names comprising the trademark WHATSAPP, including <whatsapp.com>, registered on September 4, 2008, resolving to the Complainant's official website.

The Respondent is an individual with an address in Pakistan. The Respondent is also the named respondent in another UDRP dispute against the same Complainant, which was pending at the time of the filing of the Complaint. The disputed domain name was registered on November 24, 2023, and resolves to a website that purports to offer for download an unauthorized modified APK version of the WhatsApp application. Moreover, the Respondent's website features a green-themed color scheme that is similar to WhatsApp's color scheme as well as a favicon and a logo that are very similar to the Complainant's WhatsApp telephone logo and figurative trademark. On January 7, 2025, the Complainant submitted a Registrar registrant contact form notice, seeking to contact the Respondent, but received no reply.

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. Notably, the Complainant contends that it is the owner of various trademark registrations in various jurisdictions for the WHATSAPP mark, dating back before the registration of the disputed domain name. The disputed domain name incorporates the Complainant's WHATSAPP mark preceded by the letters "gb" and followed by a hyphen and the term "lite" under the generic Top-Level Domain ("gTLD") ".com". The presence of the WHATSAPP mark in the disputed domain name is sufficient to establish confusing similarity of the disputed domain name with the Complainant's mark. The addition of the letters "gb" and the term "-lite" does prevent a finding of confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in relation to the disputed domain name. The Respondent is neither a licensee nor an affiliate of the Complainant. The Complainant never authorized the Respondent to make use of its WHATSAPP mark in any manner, including as part of the disputed domain name. The Respondent does not appear to be commonly known by

the disputed domain name. The identity of the Respondent does not bear any resemblance to the disputed domain name. There is no evidence that the Respondent has obtained a trademark registration or similar right for “whatsapp” or “gbwhatsapp-lite” as reflected in the disputed domain name.

The use of the disputed domain name that the Respondent is making does not support any reasonable claim of being commonly known by the disputed domain name.

The registration of the disputed domain name violates the Complainant’s Brand Assets and Guidelines, which prohibit the registration of domain names that comprise any WHATSAPP trademark and could be confused with the WhatsApp application. The disputed domain name is being used to offer for download an unauthorized modified APK version of the Complainant’s WhatsApp application. The Respondent cannot be viewed as a bona fide service provider as it does not provide sales or repairs in relation to a product provided by the Complainant. Instead, the Respondent is purporting to offer for download an unauthorized APK version of the Complainant’s application using the Complainant’s WHATSAPP mark. Such use of the disputed domain name does not give rise to any rights or legitimate interests. Moreover, the Respondent’s website does not contain a disclaimer as to the lack of relationship with the Complainant and features the Complainant’s WHATSAPP mark, a favicon and a logo very similar to the Complainant’s WhatsApp logo and figurative trademark. Accordingly, the website is misleading for the Internet users who can believe that it is affiliated with or otherwise endorsed by the Complainant, when in fact it is not. The described use of the disputed domain name does not amount to a bona fide use of the disputed domain name. The Complainant submits that it is more likely than not that the Respondent ultimately derives commercial gain, including reputational advantage from the unauthorized use of the Complainant’s mark in the disputed domain name and on its website. Accordingly, the Respondent is not making any legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers within the meaning of paragraph 4(c)(iii) of the Policy.

Finally, with regard to registration and use of the disputed domain name in bad faith, the Complainant contends that its WHATSAPP trademark is highly distinctive and enjoys wide reputation in light of its extensive and longstanding use. Accordingly, the Respondent cannot credibly argue that it did not have knowledge of the Complainant’s mark at the time of the registration of the disputed domain name. Rather, the nature of the Respondent’s website shows that the Respondent had the Complainant in mind when it registered the disputed domain name. Moreover, the Respondent is also the named respondent in another UDRP proceeding pending at the time of the filing of the Complaint, involving the same Complainant and the same mark. This circumstance is evidence of the fact that the Respondent has a bad faith intent to target the Complainant with the registration of the disputed domain name. Therefore, the Respondent registered the disputed domain name not only with full knowledge of the Complainant’s mark but also with the intent to attract Internet users to its website for the promotion of an unauthorized modified version of the Complainant’s WhatsApp application, in bad faith.

B. Respondent

The Respondent did not reply to the Complainant’s contentions.

6. Discussion and Findings

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. In particular, the Complainant has shown that it is the owner of the WHATSAPP trademark, registered in many jurisdictions worldwide before the registration of the disputed domain name.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here, “gb” and “-lite”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Accordingly, 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 Complainant has no relationship with the Respondent; the Respondent is not one of its licensees, nor is authorized to use the Complainant’s WHATSAPP mark in any manner, including as part of the disputed domain name. The Panel has found no evidence in the file that the Respondent has been commonly known by the disputed domain name. The disputed domain name incorporates the Complainant’s WHATSAPP mark preceded by the letters “gb”, which is the same as the acronym of “Great Britain”, and followed by a hyphen and the descriptive word “lite”. Possible customers looking for the Complainant and finding the disputed domain name could very well believe that it originates from the Complainant rather than from an unrelated party. This is even more so considering the use that the Respondent is making of the disputed domain name, to resolve to a misleading website proposing the download of an unauthorized APK version of the WhatsApp application. The website is titled “GB Whatsapp Lite APK” and displays the Complainant’s well-known telephone logo in similar colors. The Respondent’s website does not contain any clear indication allowing visitors to understand that the website is not operated by the Complainant or endorsed by the Complainant. At the time of the filing of the Complaint, the website featured the following wording: “For communication, WhatsApp is one of the most secure and fastest platforms for everyone. Today, we will introduce a new mod of whatsapp, which is known as GB Whatsapp Lite. This superb application is very safe and simple to download and use as well [...]. There are thousands of unique abilities on this platform where different possibilities are free For the users.” Such last sentence induces to believe that not all features of the proposed alternative application are free. The Panel finds that the Respondent is taking advantage of the Complainant’s mark in order to propose an unauthorized alternative and competitive version of the WhatsApp application most probably in return of some compensation. Therefore, the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, nor for a legitimate noncommercial or fair use.

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.

In the present case, the Panel notes that the Complainant's WHATSAPP mark is quite well known. Accordingly, it is highly unlikely that the Respondent was not aware of the Complainant's mark when it registered the disputed domain name. In this regard, knowledge of the Complainant's mark is clear from the contents of the Respondent's website, which depicts the Complainant's well-known telephone device mark in a similar green color shade and proposes the download of an alternative unauthorized version of the WhatsApp application. The Respondent's website also contains a picture of four telephone screens featuring contacts and chats of the seemingly original WhatsApp application. The registration of a domain name incorporating a third party's well-known mark being aware of such mark and without rights or legitimate interests amounts to registration in bad faith.

In light of the use of the disputed domain name as described above, the Panel finds that the Respondent is unduly exploiting the Complainant's fame and the reputation of its WHATSAPP mark to its own advantage for some undue profit. The Respondent is damaging the reputation of the Complainant and of its well-known WHATSAPP mark as it is comparing its alternative application, named after the Complainant's mark, with the Complainant's WhatsApp application, illustrating the various advantages of the Respondent's application. As such, the Respondent is unduly exploiting the reputation of the Complainant's WHATSAPP mark to belittle the value of the Complainant's application to the advantage of the Respondent's application.

Accordingly, the Panel finds that the 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 disputed domain name <gbwhatsapp-lite.com> be transferred to the Complainant.

/Angelica Lodigiani/

Angelica Lodigiani

Sole Panelist

Date: March 17, 2025.