

ADMINISTRATIVE PANEL DECISION

Meta Platforms, Inc. v. Thanh Nguyen
Case No. D2025-0423

1. The Parties

The Complainant is Meta Platforms, Inc., United States of America (“United States”), represented by Hogan Lovells (Paris) LLP, France.

The Respondent is Thanh Nguyen, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <nguyenlieufbads.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 3, 2025. On February 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 4, 2025, the Registrar transmitted by email to the Center its verification response and disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 5, 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 10, 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 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 5, 2025.

The Center appointed Simone Huser as the sole panelist in this matter on March 7, 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 Meta Platforms, Inc. (formerly Facebook, Inc.) a United States social media technology company, which operates internationally, inter alia, the online platforms Facebook and Instagram. Founded in 2004, the Complainant's Facebook platform (Facebook, commonly known as FB) is a provider of online social-media and social-networking services worldwide.

The Complainant owns numerous trademark registrations in several jurisdictions, including:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	INTERNATIONAL CLASS
FB	European Union	008981383	August 23, 2011	45
FB	United States	4659777	December 23, 2014	35
FB	European Union	018146501	November 7, 2020	9, 35, 36, 38, 41, 42, 45
	European Union	018650026	December 20, 2022	9, 28, 35, 36, 38, 41, 42, 45

Because the Respondent did not file a Response, not much is known about the Respondent.

The disputed domain name was registered on March 13, 2024.

According to screenshots provided by the Complainant, the disputed domain name resolves to a website in Vietnamese purportedly offering for sale different types of Facebook advertising and/or verified accounts, suggesting that such accounts have been enhanced to include the blue verification badge. The website refers to the Complainant's Facebook trademark, provides a link to the Complainant's website and prominently displays the Complainant's figurative trademark.

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 as follows:

The disputed domain name is confusingly similar to the FB trademark in which the Complainant has rights, because it incorporates this trademark in its entirety, with the addition of the Vietnamese dictionary terms "Nguyên liệu" ("resources" in Vietnamese) and the term "ads", under the generic Top-Level Domain ("gTLD") ".com". The Complainant submits that the addition of these elements does not prevent a finding of confusing similarity with its trademark.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not been authorized by the Complainant to use the FB trademark, is not commonly known by the disputed domain name, and there is no evidence of the Respondent's use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods and services. Rather, the Respondent is using the disputed domain name to provide unauthorized Facebook advertising/verified accounts, in breach of the Complainant's terms and policies.

The disputed domain name was registered in bad faith because it is obvious that the Respondent had knowledge of both the Complainant and its highly distinctive and famous FB trademark at the time it registered the disputed domain name. The Respondent is using the disputed domain name in bad faith, by redirecting the public to a website purporting to offer Facebook accounts for sale.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the complainant has rights;
- (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 the FB trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

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

Although the addition of other terms, such as here "nguyenlieu" and "ads", may bear on assessment of the second and third elements, the Panel finds that in the present case 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.

The addition of the gTLD ".com" in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). See [WIPO Overview 3.0](#), section 1.11.1.

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 for a complainant to prove that 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 Complainant has shown that the Respondent has posted a website under the disputed domain name offering for sale different types of Facebook advertising and/or verified accounts. The Panel finds that the Respondent is unable to be viewed as a bona fide provider of any goods or services because the Respondent is making unauthorized use of the Complainant’s trademarks to market its own services (e.g., selling Facebook advertising and/or verified accounts).

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 Panel finds that the Respondent cannot conceivably claim that it is commonly known by the disputed domain name in accordance with paragraph 4(c)(ii) of the Policy. The Panel finds that the Respondent’s surname “Nguyen” (or “Nguyễn” in Vietnamese) does not grant it any rights to register the disputed domain name, which incorporates the Complainant’s FB trademark, and the Panel further notes “nguyen lieu”, which appears to correspond to “Nguyên liệu” in Vietnamese, may mean “raw material” or “ingredient” in English.

All the above taken together supports a conclusion that the Respondent has targeted the Complainant’s trademark with the registration and use of the disputed domain name in an attempt to attract Internet users to its website to create an improper commercial advantage.

Based on the available record, 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In the view of the Panel, noting that that the Complainant’s FB trademark predates the registration of the disputed domain name and considering that the Complainant’s FB trademark is well known and that the disputed domain name resolves to a website to offer for sale accounts of the Complainant’s social network platform Facebook, it is inconceivable that the Respondent could have registered the disputed domain name without knowledge of the Complainant’s well-known trademark. In the circumstances of this case, namely, the overall content of the website associated with the disputed domain name, including the use of the

Complainant's FB trademark in the disputed domain name and further figurative trademarks of the Complainant on the website associated with the disputed domain name, this is evidence of registration in bad faith.

As described above, the disputed domain name resolves to a website purportedly offering for sale different types of Facebook advertising and/or verified accounts. The Panel holds that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's FB mark as to the source, sponsorship, affiliation, or endorsement of its website in the sense of the Policy, paragraph 4(b)(iv).

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy with regard to the disputed domain name.

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 <nguyenlieufbads.com> be transferred to the Complainant.

/Simone Huser/

Simone Huser

Sole Panelist

Date: March 26, 2025