

ADMINISTRATIVE PANEL DECISION

WhatsApp LLC v. Muhammad Uzair, Iskills
Case No. D2025-0974

1. The Parties

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

The Respondent is Muhammad Uzair, Iskills, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <alwhtsap.com> 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 March 10, 2025. On March 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 11, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 March 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 3, 2025.


The Center appointed Haig Oghigian as the sole panelist in this matter on April 10, 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, Whatsapp LLC, is an American corporation which operates WhatsApp, a mobile messaging application. The Complainant's application, WhatsApp, is one of the most popular mobile applications in the world, with over 2.9 billion monthly active users globally.

The Complainant owns numerous trademark registrations for WHATSAPP, such as but not limited to:

-

Trademark	Country	Registration Number	Registration Date
WHATSAPP	United States of America	3939463	April 5, -2011
WHATSAPP	European Union	009986514	October 25, -2011
WHATSAPP	International Registration	1085539	May 24, 2011
WHATSAPP	Pakistan	302143	May 27, 2011
	International Registration	1109890	January 10,2012

The Complainant operates its website at <whatsapp.com> among others and various social media profiles others including but not limited to <facebook.com/whatsapp> and <x.com/whatsapp>.

The disputed domain name <alwhtsap.com> was registered by the Respondent on March 20, 2024. At the time of its activity, the disputed domain name resolved to a website titled "ALWHTSAP" which stated "[t]his website is for downloading all types of WhatsApp MOD APK for free". That is to say, the stated use purpose of the disputed domain name was to facilitate the downloading of modified versions of the WhatsApp mobile application.

The Respondent is Muhammad Uzair, of the business lskills, located in Punjab Province, Pakistan.

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:

- The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant owns numerous trademark registrations for "WhatsApp" internationally, including in the Pakistan; and that furthermore the Complainant's rights to and associations with these marks have been recognized by multiple UDRP panels. The Complainant therefore submits that it has satisfied the requirement of holding rights in the mark WHATSAPP. The Complaint states that the relevant trademark WHATSAPP is recognizable within the disputed domain name, though misspelled and with the prefix "al-". The Complainant submits that the WHATSAPP trademark is sufficiently recognizable visually and phonetically to "whtsap" found in the disputed domain name and therefore is confusingly similar for purposes of the first element.

- The Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Complainant argues that as they have demonstrated rights to the mark contained within the disputed domain name, and have never licensed mark to the Respondent meaning that the Respondent cannot have used the mark with permission. The Complainant states that furthermore, the Respondent has no presence using the mark or similar marks, nor has the Respondent demonstrated any ownership of any marks that bare similarity with marks owned by the Complainant. The Complainant further argues that that the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. With all of the above in consideration, the Complainant states that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

- The disputed domain name was registered and used in bad faith.

The Complainant argues that as the registration of the disputed domain name by the Respondent was done in bad faith as the Respondent should have been aware of the Complainant's right to the mark as searching for the mark on popular search engines produces only references to the Complainant, and given the global popularity of the Complainant's mark. Additionally, the Complainant states that the Respondent's use of the disputed domain name clearly demonstrates knowledge of the Complainant and its marks, as it features prominent reference to the Complainant, its marks and its mobile application, while purporting to offer for download multiple unauthorized versions of the Complainant's mobile application. Furthermore, the Respondent's website features modified versions of the Complainant's figurative trademark, which indicates both registration and use of the disputed domain name in bad faith. The Complainant further states that the promotion of unauthorized versions of their application not only violates their application's Terms of Service, but also places the security of users at risk. As such, the Complainant argues that the Respondent's use of the disputed domain name to offer unauthorized versions of the application under the Complainant's trademark disrupts the Complainant's business by driving users to third-party applications. Prior UDRP panels have held that such activities amount to use of a domain name in bad faith, as it implies a risk that the domain names might be used to distribute malware or phishing via.

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.

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](#), sections 1.7 and 1.9.

Although the addition of other terms here, "al", may bear on assessment of the second and third elements, the Panel finds the addition of this term 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 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 fact that there is a disclaimer on the website at the disputed domain name stating that the information provided on the website is “for general information purposes only” does not alter the Panel’s finding that the Respondent lacks rights or legitimate interests in the disputed domain name.

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 Respondent acted in bad faith as they reproduced, without authorization, the Complainant’s marks creating the impression that there was a relationship the Complainant when no such relationship exists. This was done in order to offer unauthorized versions of the Complainant’s mobile application, which as prior panels have noted, and the Complainant claims, creates a potential security threat for users. Given all of the above, the Panel finds that the Respondent engaged in both bad faith registration and use of the disputed domain name.

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.

The Panel notes that the use of the disputed domain name for distribution of unauthorized versions of the Complainant’s product, which according to the Complainant creates a potential security threat for users, constitutes bad faith. Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <alwhtsap.com> be transferred to the Complainant.

/Haig Oghigian/

Haig Oghigian

Sole Panelist

Date: April 21, 2025