

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Tim Catron
Case No. D2025-1099

1. The Parties

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

The Respondent is Tim Catron, United States.

2. The Domain Names and Registrars

The disputed domain names <igstats.com> and <igstats.net> are registered with NameSilo, LLC (the “Registrar”).

The disputed domain name <myinstagramstats.com> is registered with Web Commerce Communications Limited dba WebNic.cc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 18, 2025. On March 18, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On March 18 and 19, 2025, the Registrars transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on March 20, 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 April 1, 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 April 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 23, 2025. The Respondent sent email communications to the Center on March 20, 2025, and a formal Response on April 1, 2025.

The Center appointed Evan D. Brown as the sole panelist in this matter on April 17, 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 in the business of providing an online photo and video sharing social networking application. It owns the trademark INSTAGRAM, which it has registered in a number of jurisdictions, including the United States (Reg. No. 4146057, registered on May 22, 2012), and the trademark IG, which it has also registered in a number of jurisdictions, including Australia (Reg. No. 1950863, registered on August 24, 2018).

According to the WhoIs records, the disputed domain names were registered on the following dates:

<igstats.net>: October 25, 2018

<igstats.com>: December 22, 2019

<myinstagramstats.com>: January 26, 2022

The Respondent has used the disputed domain name <igstats.net> to operate a website purporting to provide analytics services related to the Complainant's social media platform, Instagram. Users who typed the other two disputed domain names were redirected to <igstats.net>. This website featured advertising and promoted the sale of Instagram "likes" through a third-party commercial site. The Respondent's website also prominently displayed a logo having the same "look and feel" of the Complainant's stylized INSTAGRAM logo.

The Complainant submitted evidence that the Respondent has engaged in a pattern of conduct of registering domain names that target the Complainant's or its affiliates' marks, registering no less than five other domain names that incorporate the mark FACEBOOK, IG, or INSTAGRAM.

In August 2024, the Complainant, through counsel, sent a cease and desist letter to the email address appearing on the Respondent's website. No response was received.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain names are identical or confusingly similar to the Complainant's IG and INSTAGRAM trademarks; that the Respondent has no rights or legitimate interests in respect of the disputed domain names; and that the disputed domain names were registered and are being used in bad faith.

B. Respondent

The Respondent submits that the Complaint should be dismissed in its entirety, asserting that the Respondent holds legitimate rights and interests in the disputed domain names and that there is no evidence of bad faith registration or use. It denies any current or past control over <myinstagramstats.com>, stating that any prior redirection to its website was unauthorized and has since been actively blocked. The Respondent contends that the disputed domain names incorporate the term "IG", which it uses to signify

“Internet Graphs” – a common industry acronym with multiple meanings unrelated to the Complainant – and that “stats” is a generic term for statistical data. It argues that the website at <igstats.net> currently operates as a standalone web analytics platform unrelated to Instagram or any social media services, and has not offered Instagram analysis for several years. It further asserts that the Complainant’s reliance on outdated screenshots misrepresents the current functionality of the site. The Respondent claims that it has never attempted to sell the disputed domain names, never suggested affiliation with the Complainant, and has acted in good faith throughout. In light of these facts, the Respondent argues that the Complaint constitutes Reverse Domain Name Hijacking and requests a formal finding to that effect.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical or confusingly similar to a 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. The Panel finds that all three of these elements have been met in this case.

Preliminary Issue: Consolidation

There are three disputed domain names in this case. The Complainant requests that all three be consolidated into this matter. Consolidation is proper, so the Complainant’s request for consolidation is granted.

Paragraph 10(e) of the Rules states that a panel shall decide a request by a party to consolidate multiple domain name disputes in accordance with the Policy and the Rules. Paragraph 10(c) of the Rules provides, in relevant part, that a panel shall ensure that the administrative proceeding takes place with due expedition. Section 4.11.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)) summarizes the consensus view of UDRP panels on the consolidation of multiple respondents and provides that where a complaint is filed against multiple respondents, panels consider whether the domain names or corresponding websites are subject to common control, and whether the consolidation would be fair and equitable to all parties.

The record indicates the disputed domain names are under common control. The following facts support this conclusion:

- All three disputed domain names redirect to the same website.
- Each incorporates the Complainant’s IG or INSTAGRAM marks.
- The Registrar-provided information lists the same individual as registrant for each disputed domain name.

The Respondent has not presented any arguments as to why consolidation would be unfair or inequitable. Accordingly, conditions for proper consolidation of the disputed domain names into one matter are present here.

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. [WIPO Overview 3.0](#), section 1.7. 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. This element requires the Panel to consider two issues: first, whether the Complainant has rights in a relevant mark; and second, whether the disputed domain name is identical or confusingly similar to that mark.

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. See *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#). The Complainant has demonstrated its rights in the IG and INSTAGRAM marks by providing evidence of its trademark registrations. See [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain names incorporate the IG and INSTAGRAM marks in their entirety with the term “stats” or “my”, which does not prevent a finding of confusing similarity between the disputed domain names and the Complainant’s trademarks. See [WIPO Overview 3.0](#), section 1.8. The IG and INSTAGRAM marks remain recognizable for a showing of confusing similarity under the Policy.

It is standard practice when comparing a disputed domain name to a complainant’s trademarks, to not take the extension into account. See [WIPO Overview 3.0](#) at 1.11.1.

The Panel rejects the Respondent’s assertion that “IG” should be perceived in this situation as a generic acronym for “Internet Graphs”. Even if this is true (which the Panel doubts), the disputed domain names incorporate the IG mark in full. Moreover, while acronyms can have multiple meanings, the context here is determinative. The use of Instagram-related branding and references on the associated website, including the sale of services such as Instagram “likes”, confirms that the Respondent’s use of “IG” targets the Complainant’s mark, not a generic term, and even if the Panel accepted the Respondent’s argument, which it does not, this argument would be relevant under the second or third elements. The Panel also takes note of the content of the Respondent’s websites – purporting to provide services ancillary to the Complainant – to affirm the confusing similarity. See *Instagram, LLC v. Denis Robster*, WIPO Case No. [D2024-2534](#).

The Panel finds that the Complainant has established this first element under the Policy.

B. Rights or Legitimate Interests

The Panel evaluates this element of the Policy by first looking to see whether the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in respect of the disputed domain names. If the Complainant makes that showing, the burden of production of demonstrating rights or legitimate interests shifts to the Respondent (with the burden of proof always remaining with the Complainant). See [WIPO Overview 3.0](#), section 2.1; *AXA SA v. Huade Wang*, WIPO Case No. [D2022-1289](#).

On this point, the Complainant asserts, among other things, that: (1) the Respondent is not a licensee of the Complainant, (2) the Respondent is not affiliated with the Complainant in any way, (3) the Complainant has not granted any authorization for the Respondent to make use of its IG and INSTAGRAM trademarks in a domain name or otherwise, and (4) the Respondent has not used the disputed domain names in connection with any bona fide offering of goods or services. Instead, the Respondent has used the disputed domain names to offer its own services that piggyback on those of the Complainant and its reputation.

The Panel finds that the Complainant has made the required prima facie showing. Nothing in the record tilts the balance in the Respondent’s favor.

UDRP panels have recognized that website operators using a domain name containing a complainant’s trademark to undertake sales related to the complainant’s goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name. As outlined in the *Oki Data* test (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)), the following cumulative requirements are applied:

- (i) the respondent must actually be offering the goods or services at issue;
 - (ii) the respondent must use the site to sell only the trademarked goods or services;
 - (iii) the site must accurately and prominently disclose the registrant’s relationship with the trademark holder;
- and

(iv) the respondent must not try to “corner the market” in domain names that reflect the trademark.

The Panel finds that the Respondent does not meet the *Oki Data* criteria:

First, the Respondent is not genuinely offering goods or services authorized by the Complainant. While it claims to operate a neutral Internet analytics platform, the website historically offered Instagram account analysis and promoted the purchase of “likes” through a third-party commercial site, all while using design elements of the Complainant’s own website and logo. The site has been changed to no longer use those elements of the Complainant’s site and logo; even so, the disputed domain names themselves still use the Complainant’s mark to draw users in only to offer generalized Internet services. Not only that, but the change in the look and feel of the Respondent’s site appears to be an attempt to hide its tracks. These offerings undermine the Respondent’s claims.

Second, the services promoted via the disputed domain names are not limited to the Complainant’s authorized offerings.

Third, the website fails to accurately and prominently disclose the Respondent’s lack of affiliation with the Complainant. Any disclaimer appears buried in an FAQ section, while a copyright notice on the homepage (“Copyright © 2024 My Instagram Stats. All rights reserved.”) implies proprietary rights and could foster confusion.

Finally, the Respondent’s registration of multiple domain names incorporating the Complainant’s marks, including at least eight identified by the Complainant, demonstrates a pattern of conduct aimed at monopolizing domain names associated with the Complainant, in contravention of *Oki Data*.

Accordingly, the Panel finds that the Respondent has failed to establish rights or legitimate interests in the disputed domain names and that the Complainant has established this second element under the Policy.

C. Bad Faith

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith.

The Complainant has demonstrated that its INSTAGRAM and IG trademarks are distinctive and globally well known. The marks have been recognized by prior UDRP panels as a well-known and closely associated indicator of the Complainant’s services. The Respondent registered the disputed domain names between 2018 and 2022, well after the Complainant’s marks had gained widespread notoriety. The content of the Respondent’s websites, which made repeated and direct references to the Complainant’s services, and even used aspects of the Complainant’s site and logo, evidences that the Respondent was not only aware of the Complainant and its rights at the time of registration but intended to capitalize on them.

The Panel rejects the Respondent’s assertion that it had no connection with <myinstagramstats.com>. While the Respondent denies responsibility for that disputed domain name, the evidence in the record confirms that this disputed domain name redirected users to the same website as “www.igstats.net”, which the Respondent acknowledges operating. Moreover, the Registrar-confirmed registrant information identifies the same individual behind all three disputed domain names. The Panel finds this evidence sufficient to establish common control, and thus rejects the Respondent’s denial of involvement as not credible.

The Respondent’s pattern of registering additional domain names incorporating or targeting the Complainant’s trademarks further supports a finding of bad faith under paragraph 4(b)(ii) of the Policy.

Moreover, the imitation of the Complainant’s branding – later changed to hide this fact – and the absence of a clear and prominent disclaimer serve only to heighten confusion. This conduct constitutes bad faith under paragraph 4(b)(iv) of the Policy, which applies where a respondent seeks to attract, for commercial gain, Internet users by creating a likelihood of confusion with the complainant’s mark.

Finally, the Respondent's failure to respond to the Complainant's cease and desist correspondence bolsters the conclusion that the disputed domain names were registered and are being used in bad faith.

Accordingly, the Panel finds that the Complainant has established this third element under the Policy. Additionally, the Panel sees no basis for a finding of Reverse Domain Name Hijacking.

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 names <igstats.com>, <igstats.net>, and <myinstagramstats.com> be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: May 2, 2025