

## **ADMINISTRATIVE PANEL DECISION**

Instagram, LLC v. Sara Peterson  
Case No. D2025-1269

### **1. The Parties**

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

The Respondent is Sara Peterson, United Kingdom.

### **2. The Domain Name and Registrar**

The disputed domain names <instablogs.net> and <instaviews.net> are registered with Internet Domain Service BS Corp Internet Domain Service BS Corp (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 28, 2025. On March 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On March 31, 2025, the Registrar 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 (REDACTED FOR PRIVACY / Domain Admin Whois Privacy Corp.) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 1, 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 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 April 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 6, 2025.

The Center appointed Delia-Mihaela Belciu as the sole panelist in this matter on May 13, 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, Instagram, LLC (Instagram), is a world-renowned online photo and video sharing social-networking application. Since its launch in 2010, Instagram, commonly abbreviated as “Insta”, has rapidly acquired and developed considerable goodwill and renown worldwide. Acquired by Meta Platforms, Inc. in 2012 (formerly Facebook, Inc.), Instagram today is the world’s fastest growing photo and video sharing and editing software and online social network, with more than 2 billion monthly active accounts worldwide.

The term “Insta” has no stand-alone meaning in English and is not a dictionary term, but rather a term that is associated with the Complainant’s Instagram platform.

Instagram has consistently ranked amongst the top “apps” for mobile devices, including for iOS and Android operating systems. Instagram is currently the 3rd most downloaded app for iOS phones worldwide, according to applications information company Data.ai.

The launch of the Instagram app in October 2010 was highly anticipated and obtained media coverage in specialized online technology publications. Instagram’s exponential growth and explosive popularity has been widely reported by specialized technology publications including Tech Crunch<sup>1</sup> and Mashable.com as well as mainstream media, including major international publications, such as the New York Times<sup>2</sup>, The Washington Post (United States), The Telegraph, and The Guardian (United Kingdom).

The Complainant is in particular the owner of the following INSTA and INSTAGRAM trademark registrations:

- the International trademark registration No. 1129314 for INSTAGRAM, registered on March 15, 2012, for goods and services in classes 9 and 42, in various jurisdictions;
- the United States Registration No. 5061916 for INSTA, registered on October 18, 2016, for goods in class 9;
- the United States Registration No. 4146057, INSTAGRAM, registered on May 22, 2012, for goods in class 9;
- the European Union Trade Mark No. 014810535 for INSTA, registered on May 23, 2018, for goods in class 9;
- the European Union Trade Mark No. 14493886 for INSTAGRAM, registered on December 24, 2015, for goods and services in classes 25, 35, 38, 41 and 45;
- the United Kingdom Trade Mark No. 00003123325 for INSTAGRAM, registered on January 15, 2016, for goods and services in classes 9, 25, 35, 38, 41 and 42.

In addition, the Complainant is the registrant of numerous domain names consisting of or including the INSTAGRAM trade mark under a wide range of gTLDs as well as under numerous country code Top-Level Domains (ccTLDs), such as:

- <instagram.com>, registered on June 4, 2004,
- <instagram.net>, registered on November 6, 2010,
- <instagram.ae>, registered on December 22, 2010,
- <instagram.biz>, registered on April 25, 2014,

- <instagram.xyz>, registered on May 20, 2014,
- <instagram.org>, registered on May 10, 2015,
- <instagram.ca>, registered on January 7, 2014,
- <instagram.fr>, registered on January 14, 2011.

The Complainant has also made substantial investments to develop a strong presence online by being active on various social-media platforms. These pages are available at the following URLs:

"www.instagram.com/instagram",  
"www.facebook.com/instagram",  
"www.twitter.com/instagram",  
"www.linkedin.com/company/Instagram".

The disputed domain name <instablogs.net> was registered on July 20, 2020, and resolved at the time when the Complaint was filed to a blank website at "https://instablogs.net/" only containing the hyperlink titled "view private instagram". Prior to the sending of a cease and desist letter to the Respondent by the Complainant, upon clicking on the available hyperlink, Internet users were redirected to the website at "https://instablogs.net/ig-viewer/" titled "INSTABLOGS" purportedly providing a tool to anonymously view content from private profiles on the Complainant's Instagram platform.

The second disputed domain name <instaviews.net> was registered on June 11, 2020. Prior to the sending of a cease and desist letter to the Respondent by the Complainant, the disputed domain name <instaviews.net> resolved to the website at "https://instaviews.net", titled "View Private Instagram" purportedly providing a tool to anonymously view content from private profiles on the Complainant's Instagram platform. The website corresponding to the disputed domain name <instaviews.net> contained a hyperlinked button titled "view private instagram". Upon clicking, Internet users were redirected to the website corresponding to the other disputed domain name <instablogs.net> which, in turn, redirected to "https://instablogs.net/igviewer/". Further to the sending of the cease and desist letter mentioned above, the disputed domain name <instaviews.net> redirects to an inactive website at "https://instaviews.net/cgi-sys/suspendedpage.cgi" stating "This Account has been suspended".

## **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 names.

Notably, the Complainant contends that:

(i) the disputed domain names are confusingly similar to the Complainant's INSTA trademark with the addition of the terms "blogs" or "views" under the generic Top-Level Domain ".net";

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names for a number of reasons, among which that, (1) the Respondent is not a licensee of the Complainant nor affiliated with the Complainant in any way, (2) the Complainant has not granted any authorization for the Respondent to make use of its INSTA trademark, in a domain name or otherwise, (3) the disputed domain names resolved to various websites which ultimately redirected Internet users to the website at "https://instablogs.net/ig-viewer/" purportedly providing a tool to anonymously view content from private profiles on the Complainant's Instagram platform. In reality, by entering a username into this viewer tool, Internet users were prompted to click through multiple pages, including a "human verification" stage and to click on a link to complete an "offer", which required them to disclose personal identifying information or to sign up to a free trial of a third-party service, under the guise of being able to view private content from the Complainant's Instagram platform. Despite following these steps, the "tool" does / did not provide access to

private Instagram content. Private Instagram content is only viewable by approved followers of the concerned Instagram user. Thus, in the Complainant's view the Respondent is using the disputed domain names to attract Internet users to its websites under the premise of being able to view private Instagram content, but in reality the Respondent seeks to generate revenue from click-through links and the collection of Internet users' personal identifying information, (4) the provision of a tool to view Instagram content would facilitate breach of the Instagram Terms of Use, which prohibit interfering with or impairing the intended operation of the Instagram Service as well as accessing or collecting information from the Instagram platform in unauthorized ways. The tools for the unauthorized viewing of content from Instagram also place the security of Instagram users at risk, as content scraped from the Instagram platform may be stored and later used for unauthorized purposes by third parties. The Complainant therefore submits that such use of the disputed domain names does not amount to a bona fide offering of goods or services, (5) the Respondent is not commonly known by the disputed domain names, (6) there are no evidence of the Respondent having acquired or applied for any trade mark registrations for "INSTA" or any variation thereof, as reflected in the disputed domain names;

(iii) the disputed domain names were registered and are being used in bad faith for a number of reasons, among which that, (1) the Complainant's INSTAGRAM trademark is inherently distinctive and well known throughout the world in connection with its online photo sharing social network, having been continuously and extensively used since its launch in 2010. Similarly, the Complainant's INSTA trademark is well known throughout the world as an abbreviation of the Complainant's INSTAGRAM trademark.

Therefore, in the Complainant's view the Respondent could not credibly argue that it did not have knowledge of the Complainant's INSTAGRAM or INSTA trademarks when registering the disputed domain names, (2) the Respondent has taken steps to resolve the disputed domain names to websites that purport to offer an Instagram viewer/downloader tool, which in fact, is intended to lure Internet users to carry out various steps, including a "human verification" stage and completing a commercial offer by signing up to a trial of a third-party service and disclosing personal identifying information, (3) even if the viewer tool purportedly offered via the Respondent's websites was to enable Internet users to view Instagram content, which the Complainant submits that it does not, such use of the disputed domain names would go beyond the technical limits placed on the platform by the Complainant, in violation of the Meta Developer Policies, and would facilitate the breach of the Instagram Terms of Use, (4) the lack of accurate and prominent disclaimers on the Respondent's websites to clarify the Respondent's lack of relationship with the Complainant adds to the confusion caused by the disputed domain names and constitutes additional evidence of the Respondent's bad faith conduct, in the Complainant's view, (5) the Respondent's failure to respond to the Complainant's cease and desist letter and to the Registrar registrant contact form notice is a further indicator of the Respondent's bad faith, in the Complainant's view, (6) the change in pointing of the disputed domain names after the Complainant's cease and desist letter underlines also the Respondent's bad faith, in the Complainant's view.

## **B. Respondent**

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

## **6. Discussion and Findings**

In order for the Complainant to succeed, such must prove, according to paragraph 4(a) of the Policy, that:

- (i) the disputed domain names are 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 with respect to the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

In case all three elements above have been fulfilled, the Panel is able to grant the remedy requested by the Complainant. Thus, the Panel will deal with each of the requirements in turn.

## **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 names. 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 that the entirety of the INSTA mark is reproduced within both disputed domain names with the addition of the terms "blogs" in the disputed domain name <instablogs.net>, respectively "views", in the disputed domain name <instaviews.net>, both descriptive for the Complainant's activity, which does not prevent the finding that both disputed domain names are confusingly similar to the Complainant's trademark INSTA. Accordingly, the disputed domain names are confusingly similar to the INSTA mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, "blogs", respectively "views", 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 names and the INSTA mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

In what concerns the addition of the generic Top-Level Domain ("gTLD") ".net" in relation to the disputed domain names, such is viewed as a standard registration requirement, and is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, the Panel finds that 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 names. 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 names such as those enumerated in the Policy or otherwise.

Thus, based on the available evidence, the Respondent does not appear to be commonly known by the name "insta" and/or "instagram", does not appear to have any trademark rights regarding the term "insta" or any other term used in the disputed domain names nor a license from the Complainant in order to use the INSTA mark. Moreover, the Respondent is not affiliated with the Complainant in any way.

Based on the evidence from the file, both disputed domain names resolved to websites which ultimately redirected Internet users to the website at “https://instablogs.net/ig-viewer/” purportedly providing a tool to anonymously view content from private profiles on the Complainant’s Instagram platform. In reality, by entering a username into this viewer tool, Internet users were prompted to click through multiple pages, including a “human verification” stage and to click on a link to complete an “offer”, which required them to disclose personal identifying information or to sign up to a free trial of a third-party service, under the guise of being able to view private content from the Complainant’s Instagram platform. Despite following these steps, the “tool” did not provide access to private Instagram content.

Furthermore, the composition of both disputed domain names, incorporating the Complainant’s INSTA mark with the addition of the terms “blogs” in the disputed domain name <instablogs.net>, respectively “views”, in the disputed domain name <instaviews.net>, might lead to confusion for Internet users in relation to both disputed domain names and as such, carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

All the above does not amount to a bona fide offering of goods or services, or to a legitimate noncommercial or fair use of the disputed domain names.

Based on the available record, the Panel finds that 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 names in bad faith.

In the present case, the Panel notes that the Complainant’s rights in the INSTA and INSTAGRAM marks predate the registration date of both disputed domain names.

In light of the above as well as of the distinctive and well known character of the INSTAGRAM and INSTA marks, the Panel finds that it is not conceivable that the Respondent registered both disputed domain names without knowledge of the Complainant’s INSTA, respectively INSTAGRAM marks, which supports a finding of bad faith registration. [WIPO Overview 3.0](#), section 3.2.2.

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 present case, the Panel notes that, the disputed domain names resolved to websites that purport to offer an Instagram viewer/downloader tool, which in fact, appears to be intended to lure Internet users to carry out various steps, including a “human verification” stage and completing a commercial offer by signing up to a trial of a third-party service and disclosing personal identifying information, aspect which could lead to a possible risk of a fraudulent activity. Even if the tool would have granted this kind of access, such use of the disputed domain names takes unfair advantage of the Complainant’s trademarks for the Respondent’s own benefit. In addition, both disputed domain names incorporate in their entirety the Complainant’s distinctive INSTA mark with the addition of the terms “blogs” in the disputed domain name <instablogs.net>, respectively “views”, in the disputed domain name <instaviews.net>, both terms being descriptive for the Complainant’s activity, which together with the lack of accurate and prominent disclaimers on the Respondent’s websites corresponding to both disputed domain names, in order to clarify the Respondent’s lack of relationship with the Complainant, leads to confusion and also into misleading Internet users including into believing that the disputed domain names might be related to the Complainant or to an affiliate of the Complainant in any way whatsoever.

In addition, a cease and desist letter was sent out to the Respondent in relation to both disputed domain names to which no response was received. However, there was a change in pointing of the disputed domain names after the Complainant's cease and desist letter.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitute bad faith under the Policy and 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 names <instablogs.net> and <instaviews.net> be transferred to the Complainant.

*/Delia-Mihaela Belciu/*

**Delia-Mihaela Belciu**

Sole Panelist

Date: May 27, 2025