

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Malika BZDRR

Case No. D2025-1299

1. The Parties

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

The Respondent is Malika BZDRR, Pakistan.

2. The Domain Name and Registrar

The Disputed Domain Name <saveinstaa.net> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 31, 2025. On March 31, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 1, 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 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 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 29, 2025.

The Center appointed Gonalo M. C. Da Cunha Ferreira as the sole panelist in this matter on May 5, 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 (commonly known as “Insta”), is a world-wide online photo and video sharing social-networking application. The Complainant was launched in 2010 and was acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012. Today Instagram is one of the leading video sharing and editing software and online social network, with more than 2.4 billion monthly active accounts worldwide.

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

- United States Trademark Registration No. 5,061,916, INSTA, registered on 18 October 2016;
- European Union Trade Mark No. 014810535, INSTA, registered on 23 May 2018;

also holds figurative trade mark registrations for its Instagram logo, including:

- European Union Trade Mark No. 015442502, registered on 21 September 2016;
- United States Trademark Registration No. 5,299,116, registered on 3 October 2017.

The Complainant holds several domain names, among them <instagram.com> which hosts its main website and made substantial investments to develop a strong presence online by being active on various social-media platforms, including Facebook, Twitter and LinkedIn.

The Disputed Domain Name was registered on July, 9 2024.

According to the evidence submitted with the Complaint, the Disputed Domain Name redirects to a website titled “StorySaver.PK” that purports to offer a tool for downloading Instagram content, including videos, photos, Reels, Stories and IGTV, by prompting Instagram users to enter an Instagram URL into the box featured on the website.

The Respondent’s website features a pink/purple colour scheme that is similar to the gradient colour scheme featured on the Complainant’s Instagram platform. The Respondent’s website makes prominent reference to the Complainant’s INSTAGRAM mark and features a modified version of the Complainant’s Instagram logo and figurative trade mark, including as a favicon.

The Respondent’s website mention directly the Complainant trade mark: “Download Story IG without logging in or creating an account: You can download the Instagram content without logging in or creating the account and it’s the most amazing feature. It’s a favorite and a great choice for people who want to save content quickly.”

On March 10, 2024, the Complainant’s lawyers sent a cease-and-desist letter to the Respondent via email and submitted a notice to the Respondent via the Registrar’s registrant contact form. No response was received.

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:

1. owns numerous trade mark registrations for INSTA in various jurisdictions.
2. has established trade mark rights in INSTA for the purposes of paragraph 4(a)(i) of the Policy.
3. the Disputed Domain Name comprises the Complainant's INSTA trade mark, preceded by the term "save" and followed by the letter "a" under the generic Top-Level Domain ".net".
4. the addition of the term "save" and the letter "a" to its INSTA trade mark does not prevent a finding of confusing similarity between its trade mark and the Disputed Domain Name.
5. the Respondent has no rights or legitimate interests in the Disputed Domain Name.
6. the Respondent is unable to invoke any of the circumstances set out in paragraph 4(c) of the Policy, in order to demonstrate rights or legitimate interests in the Disputed Domain Name.
7. the Respondent is not a licensee of the Complainant.
8. the Respondent is not affiliated with the Complainant in any way.
9. the Complainant has not granted any authorization for the Respondent to make use of its INSTA trade mark, in a domain name or otherwise.
10. the website to which the Disputed Domain Name redirects purports to offer a tool to download content from the Complainant's Instagram platform, including videos, photos, Reels, Stories and IGTV.
11. the Complainant submits that 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. Rather, the Respondent is making unauthorized use of the Complainant's INSTA trade mark to market its own ancillary services, namely providing a tool that enables Internet users to download content from Instagram.
12. even if one is to apply the Oki Data criteria as detailed above, the Complainant submits that the Respondent does not satisfy the first and third criteria.
13. there is no evidence to suggest that the Respondent is commonly known by the Disputed Domain Name.
14. there is no evidence of the Respondent having acquired or applied for any trade mark registrations for "insta", "saveinstaa", or any variation thereof, as reflected in the Disputed Domain Name.
15. the Respondent is not making any legitimate noncommercial or fair use of the Disputed Domain Name.
16. the nature of the Disputed Domain Name and the Respondent's use of it, in particular the repeated use of the Complainant's INSTAGRAM trade mark and the use of a modified version of the Complainant's logo and figurative trade mark, including as a favicon, as well as a pink/purple colour scheme that is very similar to the Complainant's gradient colour scheme, the Complainant submits that the Respondent is using the Disputed Domain Name to exploit the goodwill and reputation associated with the Complainant's trade marks by creating a false impression of association with the Complainant. In this way, the Respondent is misleadingly diverting Internet users to its website.
17. the Respondent could not credibly argue that it did not have knowledge of Instagram or its INSTAGRAM or INSTA trade marks when registering the Disputed Domain Name in July 2024.
18. the Respondent's intent to target the Complainant when registering the Disputed Domain Name is clear from the content of the Respondent's website, which makes explicit reference to the Complainant's INSTAGRAM and INSTA trade marks.
19. the Respondent's website does not feature any disclaimer-style wording to the lack of relationship between the Respondent and the Complainant.
20. the Disputed Domain Name was registered and is being used 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.

The entirety of the INSTA mark is reproduced 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 the term "save" and the letter "a" 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.

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 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.

The Disputed Domain Name incorporates the entirety of the Complainant's distinctive trademark, with the addition of "save" and "a". It is clear for the Panel that the Respondent was aware of the Complainant and its established INSTA trademark at the time of registration. The term "INSTA", besides being commonly recognized as the shorthand for the INSTAGRAM brand, is also registered as a trademark, further indicating the Respondent's knowledge of the Complainant's intellectual property.

The irrefutable evidence that the Respondent knew of the Complainant's trademark is found in the content of the website linked to the Disputed Domain Name, which explicitly states: "Download Story IG without logging in or creating an account: You can download the Instagram content without logging in or creating an account, and it's the most amazing feature. It's a favorite and a great choice for people who want to save content quickly."

Furthermore, the Respondent's lack of rights or legitimate interests in the Disputed Domain Name, along with the failure to provide a satisfactory explanation for its choice, reinforces the conclusion of bad faith registration. The Panel is convinced that the Respondent aimed to attract Internet users for commercial gain by creating confusion regarding the source, sponsorship, or endorsement of its website and services in relation to the Complainant's mark. The use of a color scheme similar to the Complainant's brand served as an additional tactic to mislead users into believing there was an affiliation with the Complainant. The Panel finds that these actions indicate bad faith.

Additionally, to illustrate the Respondent's pattern of behavior, it is pertinent to mention that the same Respondent previously attempted to register the domain name <saveinstaa.com>. In the case *Instagram, LLC v. Malika BZDRR*, WIPO Case No. [D2024-3568](#), the Panel ruled in favor of the Complainant, ordering the transfer of the domain name, which further substantiates the assertion that the Respondent has engaged in bad faith.

Having reviewed the record, the Panel acknowledges the distinctiveness and reputation of the Complainant's INSTA trademark, the composition of the disputed domain name, and the implausibility of any legitimate use.

Therefore, the Panel concludes that the registration and use of the disputed domain name were conducted in bad faith.

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 <saveinstaa.net> be transferred to the Complainant.

/Gonçalo M. C. Da Cunha Ferreira/

Gonçalo M. C. Da Cunha Ferreira

Sole Panelist

Date: May 19, 2025