

ADMINISTRATIVE PANEL DECISION

WhatsApp, LLC v. Shoaib Ahmed
Case No. D2025-1800

1. The Parties

The Complainant is WhatsApp, LLC, United States of America, represented by Greenberg Traurig, LLP, United States of America.

The Respondent is Shoaib Ahmed, Germany.

2. The Domain Name and Registrar

The disputed domain name <whatsappgbdownload.com> (the “Disputed Domain Name”) is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 6, 2025. On May 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On May 6, 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 (Whols Privacy Protection Foundation) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 7, 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 amendment to the Complaint on May 13, 2025.

The Center verified that the Complaint together with the amendment to 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 May 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 5, 2025.

The Center appointed Mariia Koval as the sole panelist in this matter on June 11, 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, founded in 2009 and acquired by Meta Platforms, Inc. in 2014, is a provider of one of the world's most popular mobile messaging applications "WhatsApp", which allows users across the globe to exchange messages for free via smartphones. Since its launch in 2009, WhatsApp has become one of the fastest growing and most popular mobile applications in the world, with well over 2.6 billion monthly active users worldwide in 2023. WhatsApp is available in sixty different languages. WhatsApp application has acquired considerable reputation and goodwill worldwide.

The Complainant owns numerous WHATSAPP trademark registrations (the "WHATSAPP Trademark"), among which are:

- United States Trademark Registration No. 3939463, registered on April 5, 2011, in respect of services in class 42;
- International Trademark Registration No. 1085539, registered on May 24, 2011, in respect of goods and services in classes 9 and 38;
- European Union Trademark Registration No. 009986514, registered on October 25, 2011, in respect of goods and services in classes 9, 38 and 42.

The Complainant has built up a considerable online presence and is operating, among others, domain names <whatsapp.com>, <whatsapp.net>, <whatsapp.org> and others. The Complainant has also made substantial investments to develop a strong presence online by being active on various social-media platforms, including Facebook, Instagram, X, YouTube and LinkedIn. For instance, WhatsApp's official Facebook page has over thirty-four million Facebook "likes", more than five million followers on X, and three million subscribers on YouTube.

The Disputed Domain Name was registered on October 7, 2023. As of the date of filing of the Complaint and of this Decision, the Disputed Domain Name resolves to a website in English titled "GB WhatsApp APK" that purports to offer for download a modified APK version of the WhatsApp application, created by third-party developers.

In November and December 2024, the Complainant's representatives sent to the Respondent (through the email point of contact provided through the Whois data for the Disputed Domain Name) and the Respondent's webhosts one or more notification letters demanding that the Respondent cease all unauthorized use of its WHATSAPP Trademark, disable all website content, and transfer the Disputed Domain Name to the Complainant. 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 the Disputed Domain Name is confusingly similar to the Complainant's WHATSAPP Trademark since the Disputed Domain Name comprises the Complainant's WHATSAPP Trademark in its entirety, followed by the letters "gb" and a word "download".

The Complainant further asserts that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name in view of the following:

- there is no evidence to suggest that the Respondent is commonly known by the Disputed Domain Name;
- the Respondent applied a proxy registration service to the Disputed Domain Name;
- the Respondent's use of the Disputed Domain Name to offer a modified version of the Complainant's WhatsApp mobile application does not suggest in any reasonable way that the Respondent is commonly known by the Disputed Domain Name, nor does it give rise to any reputation in the Disputed Domain Name itself, independent of the Complainant's well-established Trademark rights;
- the website content associated with the Disputed Domain Name makes prolific use of the Complainant's WHATSAPP Trademark as well as its figurative trademark, in order to offer a modified mobile application "GB WhatsApp". Furthermore, the website content and favicon display a logo that is confusingly similar to the Complainant's WhatsApp figurative trademark;
- to the best of the Complainant's knowledge, the Respondent has not acquired or applied for a trademark registration for "WhatsApp GB Download", or any variation thereof as reflected in the Disputed Domain Name;
- the Respondent is not a licensee of the Complainant, nor are they affiliated with the Complainant in any way;
- the Complainant has not authorized the Respondent to make any use of its WHATSAPP Trademark, in the Disputed Domain Name, in a mobile app, in the use of its logos on the website, or otherwise;
- the Respondent's registration of the Disputed Domain Name violates the WhatsApp Terms of Use;
- the Respondent does not prominently disclose their lack of relationship with the Complainant. In fact, the Respondent does not mention the Complainant at any point, except to refer to its own services as "GB WhatsApp" or "a popular modified version of WhatsApp", and at one point buried within its website the Respondent admits, "It's not an official product of WhatsApp Inc."

The Complainant further claims that the Respondent has registered and is using the Disputed Domain Name in bad faith. The Complainant's WHATSAPP Trademark is inherently distinctive and well-known throughout the world in connection with its messaging application, having been continuously and extensively used since the respective launching of its services in 2009, and having acquired considerable reputation and goodwill worldwide. Therefore, in view of the Respondent's website content (specifically targeting the Complainant and its WHATSAPP Trademark), the Respondent cannot credibly argue that they did not have prior knowledge of the Complainant's WHATSAPP Trademark at the time the Disputed Domain Name was registered in October 2023. Furthermore, in choosing the Disputed Domain Name that so closely resembles the Complainant's WHATSAPP Trademark to promote an unauthorized, derivative, competing service, the Respondent is taking advantage of the Complainant's WHATSAPP Trademark for commercial gain.

In addition, the modified WhatsApp application promoted via the Disputed Domain Name may be used to harvest data or to steal WhatsApp users' account credentials, for phishing or for other unauthorized or illegal activities. Such use places the security of WhatsApp users at risk and violates the Complainant's policies.

The Respondent never replied to any correspondence from the Complainant. Moreover, the Respondent's use of a proxy service strongly suggests an attempt to prevent or frustrate a UDRP proceeding and therefore constitutes additional evidence of bad faith at the time of registration of the Disputed Domain Name.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, a complainant to succeed must satisfy the panel that:

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

The Disputed Domain Name completely reproduces the Complainant's WHATSAPP Trademark in combination with the letters "gb", word "download" and the generic Top-Level Domain (gTLD) ".com". According to the [WIPO Overview 3.0](#), section 1.8, where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. The addition of the letters "gb" and word "download" to the WHATSAPP Trademark does not prevent a finding of confusing similarity in this case.

According to the [WIPO Overview 3.0](#), section 1.11.1, the applicable gTLD in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

Accordingly, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's WHATSAPP Trademark pursuant to paragraph 4(a)(i) of the Policy.

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 concludes that there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant's WHATSAPP Trademark. Moreover, there is no element from which the Panel could infer the Respondent's right over the Disputed Domain Name under the Policy, or that the Respondent might be commonly known by the Disputed Domain Name.

The Panel is of the opinion that there is no evidence that the Respondent is using the Disputed Domain Name to offer bona fide goods or services or making a legitimate noncommercial or fair use. On the contrary, as at the date of filing of the Complaint the Disputed Domain Name resolves to a website in English titled "GB WhatsApp APK" that purports to offer for download a modified APK version of the WhatsApp application, created by third-party developers. In addition, the Respondent's website incorporates the Complainant's WHATSAPP Trademark. At the same time the Respondent's website provides a disclaimer indicating that "It's not an official product of WhatsApp Inc." The Panel finds that its presence does not render the Respondent's activities bona fide under the Policy. A Respondent's use of the Complainant's mark to direct users to a website offering unauthorized modified version of the Complainant's product would not support a claim to rights or legitimate interests, [WIPO Overview 3.0](#), section 2.5.3.

Moreover, in accordance with the [WIPO Overview 3.0](#), section 2.5.1, where a domain name consists of a trademark plus an additional term (at the second or top-level), UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. The fact that the Respondent has incorporated the Complainant's WHATSAPP Trademark in its entirety in the Disputed Domain Name with the addition of the letters "gb" and the word "download" to the Complainant's WHATSAPP Trademark, is further evidence, that the Respondent was well aware of the Complainant's WHATSAPP Trademark and business at the time of registration of the Disputed Domain Name and has done so for the only purpose of creating an impression that the Disputed Domain Name is connected with the Complainant's WHATSAPP Trademark.

In light of the above, the Panel finds that the Respondent has no rights or legitimate interests in the Disputed Domain Name. Therefore, the second element of the paragraph 4(a) of the Policy has been met by the

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 registered and is using the Disputed Domain Name in bad faith in view of the following. The Complainant obtained the registration of the WHATSAPP Trademark at least 12 years earlier than the Respondent registered the Disputed Domain Name in 2023. Taking into account all circumstances of this case, the Panel finds that the Respondent was very well aware of the Complainant's business and its WHATSAPP Trademark when registering the confusingly similar Disputed Domain Name that completely incorporates the Complainant's WHATSAPP Trademark. The Panel considers it is bad faith that the Respondent deliberately chose the Disputed Domain Name to create a likelihood of confusion with the Complainant's WHATSAPP Trademark, so as to create a false association or affiliation with the Complainant.

Moreover, the Respondent's knowledge of the Complainant's WHATSAPP Trademark is also supported by the use of the Disputed Domain Name, where modified version of the WhatsApp application is offering to download. Moreover, the website under the Disputed Domain Name contains the Complainant's WHATSAPP Trademark. In view of the fact that the Disputed Domain Name resolves to the website displaying the Complainant's WHATSAPP Trademark, Internet users would most likely be misled into believing that the Disputed Domain Name is related to or authorized by the Complainant. The mere existence of the disclaimer at the Disputed Domain Name does not cure a finding of bad faith.

According to section 3.1.4 of the [WIPO Overview 3.0](#), UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. The Panel is of the opinion that it is clear that the Respondent, having registered and used the Disputed Domain Name, which is confusingly similar to the Complainant's widely-known WHATSAPP Trademark, intended to disrupt the Complainant's business and confuse Internet users seeking or expecting the Complainant's website. In view of the absence of any evidence to the contrary and the fact that the Respondent did not file any response to either the Complainant's contact attempt, or to these proceedings otherwise, the Panel concludes that the Respondent has registered and is using the Disputed Domain Name in bad faith.

The Panel also finds that the Respondent has engaged in a pattern of bad faith registration and use as evidenced by the following cases in which Respondent was found to have registered and used domain names in bad faith targeting Complainant and its affiliated platforms. See *WhatsApp LLC v. Shoaib Ahmed*, WIPO Case No. [D2024-3008](#) and *WhatsApp, LLC v. Shoaib Ahmed*, WIPO Case No. [D2025-0460](#).

In view of the foregoing, the Panel finds that the paragraph 4(a)(iii) of the Policy has been satisfied by the Complainant and accordingly, the Disputed Domain Name was registered and is being used in bad faith.

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 <whatsappgdownload.com> be transferred to the Complainant.

/Mariia Koval/

Mariia Koval

Sole Panelist

Date: June 25, 2025