

ADMINISTRATIVE PANEL DECISION

Meta Platforms, Inc. v. Khánh Bảo Khánh Bảo
Case No. D2025-1931

1. The Parties

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

The Respondent is Khánh Bảo Khánh Bảo, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <fbads.pro> is registered with Porkbun LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 14, 2025. On May 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 15, 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 (Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 15, 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 May 20, 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 May 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 11, 2025.

The Center appointed Estela Mariel de Luca as the sole panelist in this matter on June 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.

The Panel has not received any requests from the Complainant or the Respondent regarding further submissions, waivers or extensions of deadlines, and the Panel has not found it necessary to request any further information from the Parties.

4. Factual Background

The Complainant is a United States technology company which operates, inter alia, Facebook, Instagram, Meta Quest (formerly Oculus), Portal, and WhatsApp.

The Complainant provides an online social media platform and social-networking services under the Facebook platform, also known as “FB”.

The term “FB” commonly refers to Facebook as has been referenced by the online dictionaries - and by several press articles (Annex 8 to the Complaint).

The Complainant owns multiple trademarks for FB worldwide, including the following:

- FB, European Union Trade Mark No. 008981383, registered on August 23, 2011, in class 45;
- FB, United States Trademark Registration No. 4659777, registered on December 23, 2014, in class 35; and
- FB, European Union Trade Mark No. 018146501, registered on November 7, 2020, in classes 9, 35, 36, 38, 41, 42, and 45.

The Complainant also operates on various social-media platforms.

The disputed domain name was registered on June 23, 2023. It resolves to a website that purports to offer for Facebook accounts, including verified accounts, in various countries, as well as “likes” on Facebook, and Instagram, TikTok, and Twitter accounts. It displays “FBads.pro” and features multiple references to the Complainant's FB and FACEBOOK trademarks.

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 argues that the disputed domain name wholly incorporates its trademark FB, and that the addition of the term “ads” does not prevent a finding of confusing similarity with the FB trademark.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name, noting that the Respondent is not a licensee of the Complainant, nor has the Respondent been otherwise authorized or affiliated with the Complainant in any manner.

The Complainant further contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, the domain name resolves to a website that offers fake Facebook accounts for sale, including advertising and phone-verified accounts (“PVAs”) in multiple jurisdictions. The

website also offers fake “likes” and accounts for other platforms such as Instagram, TikTok, and Twitter. Finally, the website displays the Complainant’s FB and FACEBOOK trademarks and uses a blue and white colour scheme similar to that of the official Facebook platform.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name;
- (iii) that the disputed domain name has been registered and is being used in bad faith.

The Respondent’s default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent’s failure to submit a response as it considers appropriate.

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 mark FB 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.

The addition of the other term “pro” 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 Complainant has clearly stated that the Respondent has no connection with them and has not been granted any authorization or license to use the FB trademark or to register domain names containing it. Additionally, there is no indication that the Respondent has any association with the FB mark, nor any evidence suggesting that the Respondent has ever been commonly known by the disputed domain name. (see [WIPO Overview 3.0](#), section 2.3).

The offer for sale of allegedly cloned or fake accounts related to the Complainant's Facebook platform indicates the Respondent's intention to target the Complainant. The Respondent's use of the Complainant's FACEBOOK and FB marks on the Complainant's website reinforces such conclusion. Such use is clearly commercial and does not constitute a legitimate noncommercial or fair use under paragraph 4(c)(iii) of the Policy.

Accordingly, the Complainant has provided evidence supporting its prima facie case that the Respondent lacks any 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.

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 evidence demonstrates that the Complainant holds rights to the FB trademark, which predate the Respondent's registration of the disputed domain name. In addition, the Panel notes that the Respondent was aware of the Complainant's trademark registrations and rights to the FB trademarks when it registered the disputed domain name, which is shown by the Respondent's use of the FB and FACEBOOK trademarks on its website and a purported offer of Facebook accounts for sale.

The mere registration of a domain name that is confusingly similar to a well-known trademark by an unaffiliated party can, in itself, create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

Additionally, the content of the Respondent's website, which made explicit reference to the Complainant's Facebook platform while offering allegedly fake or cloned Facebook accounts for sale, is a clear inference that the Respondent intended to target the Complainant when registering the disputed domain name, and this also constitutes registration and use of a domain name in 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 <fbads.pro> be transferred to the Complainant.

/Estela Mariel de Luca/

Estela Mariel de Luca

Sole Panelist

Date: July 1, 2025