

ADMINISTRATIVE PANEL DECISION

Meta Platforms, Inc., and Instagram, LLC v. Liao Qin Tan
Case No. D2025-2207

1. The Parties

The Complainants are Meta Platforms, Inc., and Instagram, LLC, United States of America (“United States”), represented by Hogan Lovells (Paris) LLP, France.

The Respondent is Liao Qin Tan, China.

2. The Domain Names and Registrar

The disputed domain names <fbtasker.com> and <instagrise.com> are registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 5, 2025. On June 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 6, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainants on June 10, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on June 12, 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 June 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 7, 2025.

The Center appointed Knud Wallberg as the sole panelist in this matter on July 14, 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 Complainants in this administrative proceeding are Meta Platforms, Inc. (Meta), together with its subsidiary Instagram, LLC (Instagram), both of which have their principal place of business in California, United States (collectively referred to throughout as the “Complainant”).

Founded in 2004, the Complainant’s Facebook platform, commonly also referred to as “FB”, is amongst the leading providers of online social-media and social-networking services. The Complainant, Instagram, was acquired by Meta in 2012, and is today one of 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 Complainant Meta owns registrations for the trademarks FB and FACEBOOK, inter alia, the European Union Trademark No. 008981383 for FB, registered on August 23, 2011, and the United States Trademark Registration No. 3,122,052 for FACEBOOK, registered on July 25, 2006. The Complainant also holds several domain names comprising its FACEBOOK trademark, including the domain name <facebook.com>.

The Complainant Meta owns several registrations for the trademark INSTA, inter alia the United States Trademark Registration No. 5,061,916, for INSTA, registered on October 18, 2016, and European Union Trademark No. 014810535, for INSTA, registered on May 23, 2018, and also owns several registrations for the INSTAGRAM trademark, inter alia, International Registration No. 1129314, for INSTAGRAM, registered on March 15, 2012, and the United States Trademark Registration No. 4146057, for INSTAGRAM, registered on May 22, 2012. The Complainant also holds several domain names comprising its INSTAGRAM trademark, including the domain name and <instagram.com>.

The disputed domain name <fbtasker.com> resolves to a website, which purports to offer for download paid software products which purportedly allow data scraping from the Complainant’s Facebook platforms and with reference to the Complainant’s FACEBOOK and INSTAGRAM trademarks.

The disputed domain name <instagrise.com> resolves to a website, which purports to provide a tool to download videos from the Complainant’s Instagram platform and makes prominent reference to the Complainant’s FACEBOOK and INSTAGRAM 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 names.

Notably, the Complainant contends that the disputed domain name <instagrise.com> consists of a misspelling of the Complainant’s INSTAGRAM trademark by replacing the letters “am” by “ise”. Prior UDRP panels have held that such a misspelling is insufficient to distinguish a domain name from the complainant’s trade mark. The disputed domain name <instagrise.com> also incorporates the Complainant’s INSTA trademark as the leading element with the addition of the letter “g” and the descriptive term “rise” under the generic Top-Level Domain (“gTLD”) “.com”. The disputed domain name <fbtasker.com> comprises the Complainant’s FB trademark in its entirety as the leading element, followed by the descriptive term “tasker”, under the gTLD, “.com”.

The Complainant further submits that the Respondent has no rights or legitimate interests in the disputed domain names. The Respondent is not a licensee of the Complainant, nor has the Respondent been authorized by the Complainant to make any use of its FB, FACEBOOK, INSTA or INSTAGRAM trademarks, in a domain name or otherwise. The Respondent's websites purport to offer different software products for sale, which purportedly allow data scraping from the Complainant's Facebook and Instagram platforms, as well as from the third-party platform X, and since the Respondent's websites do not meet the so-called *Ok! Data* criteria, the Respondent is unable to be viewed as a bona fide service provider. Furthermore, there is no evidence to suggest that the Respondent is commonly known by the disputed domain names, as contemplated by paragraph 4(c)(ii) of the Policy. The Respondent's name, Liao Qin Tan, does thus not bear any resemblance to the disputed domain names, and the Respondent's use of the disputed domain names does not support any reasonable claim of being commonly known by the disputed domain names, nor does it give rise to any reputation in the disputed domain names themselves, independent of the Complainant's trademark rights. Lastly the Complainant contends that the Respondent is currently not making legitimate noncommercial or fair use of the disputed domain names, since the Respondent's use of the disputed domain names to offer for download paid software products which purportedly allow data scraping from the Complainant's Facebook and Instagram platforms and also from X is clearly commercial in nature.

The Complainant finally submits that the disputed domain names were registered and are being used in bad faith. The Complainant's trademarks were well-known throughout the world in connection with its main social networks at the time of registration of the disputed domain names main social networks so the Respondent could not credibly argue that it did not have prior knowledge of the Complainant's trademarks at the time of registration of the disputed domain names. The Complainant submits that by using the disputed domain names as described above the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites, within the meaning of paragraph 4(b)(iv) of the Policy.

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 the trademarks FB, INSTAGRAM and INSTA and the Panel finds the marks are recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, "tasker", "rise", and the letter "g", 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.

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 that 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.

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.

In the present case, the Panel finds that the Respondent without doubt had prior knowledge of the Complainant’s trademarks at the time of registration of the disputed domain names. This is supported by the composition of the disputed domain names which incorporate wholly or partly the Complainant’s FB, INSTA, and INSTAGRAM trademarks, and the use of the disputed domain names to resolve to websites which offer different software products for sale, purportedly allowing data scraping from the Complainant’s Facebook and Instagram platforms, which suggests that the Respondent “intentionally attempt[ed] to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location” according to paragraph 4(b)(iv)“ of 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 names <fbtasker.com> and <instagrise.com> be transferred to the Complainant.

/Knud Wallberg/

Knud Wallberg

Sole Panelist

Date: August 4, 2025