ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
WhatsApp LLC v. Tawfeek Alhadad
Case No. D2025-2902

1. The Parties

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

The Respondent is Tawfeek Alhadad, Yemen.

2. The Domain Names and Registrar

The disputed domain names <downloadwhats.app>, <gbwhatspro.download>, <ogwhats.app>, <ogwhats.com> and <plusgbwhats.app> 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 July 22, 2025. On July 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On July 23, 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 Complainant on July 24, 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 July 29, 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 July 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 19, 2025. The Response was filed with the Center on August 11, 2025.

The Center appointed Dilek Zeybel as the sole panelist in this matter on August 28, 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, WhatsApp LLC, is the owner and provider of the "WhatsApp" mobile messaging application, one of the most widely used communication services in the world. Founded in 2009 and acquired by Meta Platforms, Inc. (formerly Facebook, Inc.) in 2014, the Complainant's application enables users worldwide to exchange messages, voice notes, images, videos, and to conduct voice and video calls over the Internet. It has become one of the most popular mobile applications in the world, with over 1 billion monthly active users worldwide in 2018.

The Complainant is the owner of several trademark registrations worldwide, including but not limited to the following:

- United States trademark, WHATSAPP no. 3939463 registered on April 5, 2011;

- European Union trademark, WHATSAPP no. 009986514 registered on October 25, 2011;

- International Trademark, figurative mark (green telephone logo, hereinafter the "WhatsApp Logo") no. 1109890 registered on January 10, 2012; and

- European Union trademark, WHATS no. 017923676 registered on March 8, 2019.

The Complainant operates its official website at "www.whatsapp.com", which provides information about the service and allows users to download the application. The Complainant's trademark WHATSAPP has been recognized as a well-known trademark in prior UDRP decisions.

The disputed domain names were registered by the Respondent between May and October 2022, as follows:

<ogwhats.app> registered on May 6, 2022, resolves to a website mostly in the Arabic language offering an application denominated "OGWhatsApp" for download. The page features multiple visuals in which the WhatsApp Logo commonly associated with the Complainant's application appears alongside the WHATSAPP mark.

<downloadwhats.app> registered on May 9, 2022, resolves to a website in the English language offering APK downloads of third-party applications denominated "GB WhatsApp", "WhatsApp Plus", and "OG WhatsApp". The website features multiple visuals incorporating variations of the WhatsApp Logo commonly associated with the Complainant's application, together with the WHATSAPP mark.

<plusgbwhats.app> registered on July 5, 2022, resolves to a website in the Arabic language offering APK downloads of a third-party application denominated "GBWhatsApp Pro". The page displays a very similar variation of the WhatsApp Logo together with the WHATSAPP mark.

<ogwhats.com> registered on September 1, 2022, resolves to a website in the English language offering APK downloads of a third-party application denominated "OG WhatsApp". The site refers to this application as a modified version of the Complainant's WHATSAPP messaging app and makes prominent use of the WHATSAPP mark, including in its headings. The WhatsApp Logo commonly associated with the Complainant's application also appears on the website in a grey version.

<gbwhatspro.download> registered on October 4, 2022, is inactive and does not currently resolve to any website. The Complainant has provided evidence showing that this domain name had previously resolved to a website in the English and Arabic languages offering APK downloads of a third-party application denominated "GBWhatsApp Pro". The webpage featured a very similar variation of the WhatsApp Logo together with the WHATSAPP mark.

The various applications offered on the websites associated with the disputed domain names comprise third-party standalone software promoted as offering the features of the Complainant's WHATSAPP application, together with additional add-ons.

The Respondent is identified as Tawfeek Alhadad.

There is no evidence of any relationship between the Complainant and the Respondent.

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.

It argues that the disputed domain names wholly incorporate its WHATSAPP or WHATS trademarks, together with additional letters or terms such as "download", "pro", "og", "gb", or "plus". According to the Complainant, these additions do not prevent a finding of confusing similarity with the Complainant's mark. Further, the Complainant contends that the disputed domain names are confusingly similar to its earlier well-known and famous trademarks WHATSAPP and WHATS.

The Complainant also argues that the disputed domain names are used to suggest an affiliation with the Complainant, misleadingly and to take unfair advantage of the reputation of its marks by offering downloads of unauthorized third-party APK versions of the Complainant's application.

The Complainant contends that the Respondent is unauthorized, has no rights or legitimate interests in the disputed domain names, is unknown to the Complainant, and has no business relationship or authorization to use the Complainant's trademarks.

Additionally, the Complainant cites earlier UDRP decisions in which the WHATSAPP trademark has been confirmed to be well recognized and distinctive, enjoying a high reputation.

According to the Complainant, each of the Respondent's websites refers to "AlexMods" and uses a modified and confusing version of the Complainant's WhatsApp Logo.

The Complainant submits that the interlinking between several of the Respondent's websites evidences a pattern of abusive domain name registrations.

According to the Complainant, such conduct evidences the Respondent's intent to target the Complainant's mark and cannot constitute a bona fide offering of goods or services under the Policy.

B. Respondent

In his Response, the Respondent stated that he voluntarily agreed to transfer or cancel the disputed domain names <downloadwhats.app>, <ogwhats.com>, and <gbwhatspro.download>, while requesting that the Complaint be denied in relation to <ogwhats.app> and <plusgbwhats.app>. The Respondent further claims to operate the latter websites independently for informational purposes, invoking fair use and freedom of expression.

The Respondent submits, in particular, that these disputed domain names are used in good faith for independent, informational, and noncommercial websites providing commentary, reviews, and technical information concerning widely used communication software. According to the Respondent, the websites do not host or directly link to the Complainant's official software, include disclaimers of affiliation, and do not use the Complainant's proprietary logos, graphics, or branding.

The Respondent argues that he has legitimate interests in the disputed domain names <ogwhats.app> and <plusgbwhats.app> by virtue of operating such informational sites, and that this use constitutes fair use and freedom of expression. He further asserts that the term "whats" is widely used in the context of communication and messaging services and should be considered descriptive.

The Respondent denies having registered or used the disputed domain names <ogwhats.app> and <plusgbwhats.app> in bad faith. He maintains that he has not attempted to impersonate the Complainant or mislead users into believing that his websites are affiliated with the Complainant. He also states that the current content policy for his websites prohibits hosting or linking to original WhatsApp software, and that external resources are reviewed for compliance with applicable laws and fair use principles.

The Respondent voluntarily agrees to transfer or cancel the disputed domain names <downloadwhats.app>, <ogwhats.com>, and <gbwhatspro.download>. He emphasizes that this voluntary action is not an admission of wrongdoing but is intended solely to focus the proceeding on the two domain names that he claims serve a legitimate purpose.

6. Discussion and Findings

Paragraph 15(a) of the Rules directs the Panel as to the principles to be applied in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable".

The Policy provides, at paragraph 4(a), that each of the three elements must be made for a complaint to prevail:

(i) the disputed domain name is 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 in respect of the disputed domain name;

(iii) the disputed domain name has been registered and is being used in bad faith.

Pursuant to paragraph 14(b) of the Rules, where a party does not comply with any provision of the Rules, the Panel may draw such inferences as it considers appropriate.

Considering the Parties' submissions, the Policy, the Rules, the Supplemental Rules, and applicable law, the Panel's findings with respect to each of the above elements are set out below.

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 Complainant's WHATS trademark is reproduced 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.

As a general rule, the generic Top-Level Domain ("gTLD") (here ".app", "download" and "com") is disregarded when assessing confusing similarity, being a standard registration requirement. WIPO Overview 3.0, section 1.11.1.

In the present case, however, as regards, the disputed domain names <downloadwhats.app>, <ogwhats.app> and <plusgbwhats.app>, the combination of the second-level element "whats" with the gTLD ".app" contains the Complainant's WHATSAPP trademark. Panels have found that in such cases, the domain name may be considered in its entirety for purposes of confusing similarity. WIPO Overview 3.0, section 1.11.3.

The Panel finds that the addition of the terms "download", "pro", "plus" and the letters "gb" and "og" does not prevent a finding of confusing similarity under the first element 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.

While the Respondent has consented to the transfer of <downloadwhats.app>, <ogwhats.com>, and <gbwhatspro.download>, the Panel considers it appropriate to address all disputed domain names under the three elements of paragraph 4(a) of the Policy, given the close similarity of the facts and the Complainant's request for transfer of all five domain names. In the Panel's view, a substantive analysis serves the interest of completeness and consistency.

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.

The Panel notes the Respondent's assertion that his websites contain a content policy prohibiting hosting or linking to the Complainant's official software. The Panel also takes note of the Respondent's argument, and was further able to independently verify, that the Terms of Use on the website at the domain name <ogwhats.app> indicated that the application offered for download is not the official Complainant's application, but its modified version. However, the presence of such a disclaimer (which was not on the website's main page) does not in itself cure bad faith under the Policy, where the overall use of the disputed domain names targets the Complainant's well-known trademark. In this regard, the Panel notes that the

".app" gTLD in the domain names <downloadwhats.app>, <ogwhats.app> and <plusgbwhats.app> reinforces the misleading impression of an association with the Complainant, as the Complainant's famous trademark itself relates to a mobile application and incorporates the term "app" as part of the WHATSAPP mark.

The Panel is not in a position to analyze the technical content or possible results associated with downloading the Respondent's software or unofficial APKs. In any event, the use of the variations of the Complainant's WhatsApp Logo and trademark in connection with such unauthorized offerings of the modified versions of the Complainant's application, and the use of the Complainant's marks in the composition of the disputed domain names themselves, cannot confer rights or legitimate interests, nor constitute a bona fide offering under the Policy.

The Panel is not persuaded by the Respondent's contention that the term "whats" is merely descriptive in the context of communication services. Rather, the Panel considers that the disputed domain names, through their composition and use, target the Complainant's well-known WHATSAPP trademark which is widely recognized in the field of messaging applications.

The Panel therefore concludes that none of the circumstances described in paragraph 4(c) of the Policy are present in this case.

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 non-exhaustive list of circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may also be relevant in assessing whether a respondent's conduct constitutes bad faith. WIPO Overview 3.0, section 3.2.1.

In the present case, the Respondent registered five domain names incorporating the Complainant's well-known trademarks at different dates over several months. This sequential registration of multiple trademark-abusive domain names targeting the same Complainant supports a finding of a pattern of bad faith conduct under the Policy. WIPO Overview 3.0, section 3.1.2. The Panel shares this view.

Even if the Respondent has expressed a willingness to transfer some of the disputed domain names, he has not provided sufficient explanations or evidence that his activities are legitimate. On the contrary, it is evident that the Complainant's trademarks, such as the WhatsApp Logo and the well-known WHATSAPP and WHATS trademarks, are used in modified variations or with additional terms in the disputed domain names and on the websites to which the disputed domain names resolve, in connection with third-party modified versions of the Complainant's application. Such use cannot be considered a good-faith activity under the Policy and supports the Panel's finding of bad faith.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the concept of passive holding. This applies currently in the present case to the disputed domain name <gbwhatspro.download>. WIPO Overview 3.0, section 3.3.

Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademarks, the composition and prior use of the disputed domain name, and finds that in the circumstances of this case, the current passive holding of <gbwhatspro.download> does not prevent a finding of bad faith under the Policy.

Panels have found that evidence supporting a finding of bad faith may include, inter alia: (i) actual confusion; (ii) seeking to cause confusion (including by technical means beyond the domain name itself) for the respondent's commercial benefit, even if unsuccessful; (iii) the lack of a respondent's own rights to or legitimate interests in a domain name; (iv) redirecting the domain name to a different respondent-owned website, even where such website contains a disclaimer; (v) redirecting the domain name to the complainant's (or a competitor's) website; and (vi) absence of any conceivable good faith use. Panels have further 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. WIPO Overview 3.0, section 3.1.4. The Panel shares this view.

The disputed domain names entirely reproduce the Complainant's well-known trademarks WHATSAPP and/or WHATS. The Panel finds that it is implausible that the Respondent chose the disputed domain names in combination with additional letters or terms such as "download", "pro", "og", "gb", or "plus" by coincidence. This indicates that the Respondent either knew or should have known the Complainant's trademark and deliberately targeted it.

Finally, the Panel notes that using the disputed domain names for websites offering unauthorized versions of the Complainant's application, used by billions of users worldwide, carries a risk of data misuse or malware distribution.

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 <downloadwhats.app>, <gbwhatspro.download>, <ogwhats.app>, <ogwhats.com>, and <plusgbwhats.app> be transferred to the Complainant.

/Dilek Zeybel/
Dilek Zeybel
Sole Panelist
Date: September 11, 2025