

ADMINISTRATIVE PANEL DECISION

WhatsApp, LLC v. Daniel Rios, Daniel Rios
Case No. D2025-3060

1. The Parties

The Complainant is WhatsApp, LLC, United States of America (“United States” or “U.S.”), represented by Greenberg Traurig, LLP, United States.

The Respondent is Daniel Rios, Daniel Rios, Colombia.

2. The Domain Name and Registrar

The disputed domain name <whatsappi.net> (the “Domain Name”) is registered with Nominalia Internet S.L. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 31, 2025. On August 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On August 6, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

On August 11, 2025, the Center informed the parties in Spanish and English, that the language of the registration agreement for the Domain Name is Spanish. On the same day, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

The Respondent sent email communications to the Center on August 12 and 14, 2025, from a different email address to the one revealed in the registrar verification.

The Center verified that 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 August 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 9, 2025.

The Center appointed Ana María Pacón as the sole panelist in this matter on September 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.

4. Factual Background

The Complainant is an instant messaging service that was originally founded by WhatsApp Inc. and has been owned by Meta Platforms (formerly Facebook Inc.) since 2014. It operates the globally renowned WhatsApp messaging application, which has over two billion users worldwide.

The Complainant owns several trademark registrations containing the expression WHATSAPP, including:

- United States Trademark Registration No. 3939463 for WHATSAPP, registered on April 5, 2011, covering services in class 42.
- European Union Trademark Registration No. 009986514 for WHATSAPP, registered on October 25, 2011, covering goods and services in classes 9, 38, and 42.
- International Registration No. 1,396,913 for WHATSAPP, registered on December 21, 2017, covering goods and services in classes 9, 35, 38, 42, and 45.

The Complainant is also the registrant of the domain name <whatsapp.com> registered since September 4, 2008.

The Domain Name was registered on November 8, 2024. According to the evidence submitted, at the time of filing the Complaint the Domain Name resolved to a website displaying the Complainant's WHATSAPP trademark and imitating the Complainant's branding, offering purported services in English and quoting prices in U.S. dollars. At the time of this Decision, the Domain Name does not resolve to any active content.

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 Domain Name.

Notably, the Complainant contends that the Domain Name is confusingly similar to its WHATSAPP trademark. The Complainant emphasizes that the addition of the letter "i" at the end of the mark does not prevent a finding of confusing similarity. The Complainant cites previous UDRP decisions holding that the mere addition of a single letter or character does not avoid a finding of confusing similarity.

The Complainant further argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant states that it has not licensed or otherwise authorized the Respondent to use its WHATSAPP trademark, nor is the Respondent commonly known by the Domain Name. The Complainant further notes that the Respondent has chosen to conceal his identity behind a privacy service ("Redacted for Privacy"), only later revealed by the Registrar. According to the Complainant, this is further evidence that the Respondent lacks any bona fide interest in the Domain Name and instead has acted to conceal his involvement.

With respect to bad faith, the Complainant argues that the Respondent deliberately registered a typosquatted version of its famous WHATSAPP mark to attract Internet users for commercial gain by creating a likelihood of confusion. The use of the Domain Name for impersonation, coupled with concealment of identity and the absence of any legitimate explanation, demonstrates bad faith registration and use.

The Complainant also requested that the language of the proceeding be English, notwithstanding that the Registration Agreement is in Spanish. The Complainant argued that the Domain Name and the WHATSAPP trademark are in English, that the associated website displayed content predominantly in English and in U.S. dollars, and that the Respondent uses an email address and a postal address in the United States.

The Complainant therefore requests the transfer of the Domain Name.

B. Respondent

The Respondent did not submit a formal Response to the Complaint. However, in two email communications to the Center, dated August 12 and 14, 2025, the Respondent stated that he had already released the Domain Name and that he had no interest in continuing with the case.

In both communications, the Respondent wrote in English.

6. Discussion and Findings

A. Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the Domain Name is Spanish. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the proceeding be conducted in English. It argued, in particular, that the Domain Name and the Complainant's WHATSAPP trademarks are expressed in English and ASCII characters; that the website to which the Domain Name resolved displayed content predominantly in English and used U.S. dollars as currency; that other domain names associated with the Respondent are also in English; and that the Respondent's contact details include an email address in English and a physical address in the United States. The Complainant further submitted that requiring it to translate the Complaint and supporting documentation into Spanish would impose unnecessary burden, cost, and delay.

The Respondent did not object to the Complainant's request. On the contrary, the Respondent communicated with the Center in English.

In these circumstances, the Panel is satisfied that the Respondent is able to communicate in English and that no prejudice would result from adopting English as the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see [WIPO Overview 3.0](#), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

B. 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 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 Panel finds the trademark recognizable within the Domain Name. Accordingly, the 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 other terms such as the letter "i" may bear on the assessment of the second and third elements, the Panel finds that such addition does not prevent a finding of confusing similarity between the Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Then there is the addition of the generic Top-Level Domain ("gTLD"), here ".net". As is generally accepted, the addition of a gTLD such as ".net" is merely a technical registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds the first element of the Policy has been established.

C. 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 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 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 Domain Name such as those enumerated in the Policy or otherwise.

The Panel considers the following points based on the case record:

- The Complainant has not licensed or otherwise authorized the Respondent to use its WHATSAPP trademark.
- There is no evidence that the Respondent (as an individual, business, or other organization) has been commonly known by the Domain Name. See paragraph 4(c)(ii) of the Policy; [WIPO Overview 3.0](#), section 2.3.
- The Domain Name reproduces the Complainant's WHATSAPP mark with the mere addition of the letter "i". Such minor misspellings are a classic form of typosquatting which, by their nature, cannot

establish rights or legitimate interests. See *Yahoo! Inc. v. Syrynx and Hugh Hamilton*, WIPO Case No. [D2000-1675](#).

- The Respondent is not making a legitimate noncommercial or fair use of the Domain Name without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's mark. See paragraph 4(c)(iii) of the Policy; [WIPO Overview 3.0](#), section 2.4.
- The record shows that the Domain Name has been used for impersonation of the Complainant by displaying its trademark and attempting to pass off as the Complainant. Panels have consistently held that impersonation or passing off can never confer rights or legitimate interests. See [WIPO Overview 3.0](#), section 2.13.1; *Insured Aircraft Title Service, LLC v. Brain Jason, Felix Coker, Marcia Van, Mickey Stateler, Denise Baustert*, WIPO Case No. [D2023-1567](#).
- The Respondent's emails to the Center indicated that he had "released" the Domain Name and did not wish to continue with the case. Far from demonstrating rights or legitimate interests, this statement underscores the absence of any bona fide reason for the registration.
- Accordingly, the Panel finds the second element of the Policy has been established.

D. 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 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 acknowledges that the Complainant has demonstrated that its trademark WHATSAPP, which is registered and widely recognized, enjoys global public awareness.

Several UDRP panels have concluded that registering a domain name with knowledge of another company's rights and with the intention to divert traffic can indicate bad faith registration (see *Digital Spy Limited v. Moniker Privacy Services and Express Corporation*, WIPO Case No. [D2007-0160](#); *PepsiCo, Inc. v. "null", aka Alexander Zhavoronkov*, WIPO Case No. [D2002-0562](#); and *The Gap, Inc. v. Deng Youqian*, WIPO Case No. [D2009-0113](#)). This Panel finds it implausible that the Domain Name was registered in good faith, particularly since the Complainant owns and uses the nearly identical domain name <whatsapp.com>, differing only by the addition of the single letter "i". Typosquatting is by its nature intended to take advantage of the goodwill of a complainant's trademark and to mislead Internet users. [WIPO Overview 3.0](#), section 3.1.4 and 3.2.1.

In addition, the Respondent has been engaged in an abusive pattern of domain name registration to prevent trademark owners, including the Complainants, from reflecting their trademarks in corresponding domain names (as evidenced by some of the domain names included in the Reverse Whois provided by the Complainant). See [WIPO Overview 3.0](#), section 3.1.2.

Furthermore, it is well accepted that impersonation is clear evidence of bad faith registration and use (see *Ares Management LLC v. Omelchenko Aleksei*, WIPO Case No. [D2023-0836](#); *FLRish IP, LLC v. prince zvomuya*, WIPO Case No. [D2019-0868](#)). The intention of the Respondent to impersonate the Complainant is evident from the use of the Complainant's unique logo and trademark on the Domain Name's website.

Moreover, the Respondent's conduct during the proceeding reinforces this conclusion. Rather than providing any justification for his registration, the Respondent indicated that he had "released" the Domain Name and that he did not wish to continue. This admission underscores that the Respondent had no good-

faith purpose for the registration. Panels have repeatedly held that such conduct confirms bad faith (see e.g., *Facebook, Inc. and WhatsApp Inc. v. Registration Private, Domains By Proxy, LLC / Nanci Nette*, WIPO Case No. [D2019-2223](#)).

The fact that the Domain Name does not currently resolve to an active website does not prevent a finding of bad faith.

Having reviewed the record, the Panel finds the Respondent's registration and use of the 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 Domain Name <whatsappi.net> be transferred to the Complainant.

/Ana María Pacón/

Ana María Pacón

Sole Panelist

Date: October 1, 2025