

ADMINISTRATIVE PANEL DECISION

Meta Platforms, Inc. v. Nguyen Thanh Dien
Case No. D2025-3099

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 Nguyen Thanh Dien, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <muaviafb.com> is registered with P.A. Viet Nam Company Limited (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on August 4, 2025. On August 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 7, 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.

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 in Vietnamese and English of the Complaint, and the proceedings commenced on August 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 4, 2025. The Respondent sent email communications to the Center on August 18, 2025. On August 21, 2025, the Center informed the Parties that if they would like to explore settlement options, the Complainant should submit a request for suspension. The Complainant instructed the Center to proceed with the case. The Center informed the Parties about the Commencement of Panel Appointment Process on September 11, 2025.

The Center appointed Anita Gerewal as the sole panelist in this matter on September 18, 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, formerly known as Facebook, Inc., is an American social technology company that operates platforms such as Facebook, Instagram, Meta Quest (formerly Oculus), and WhatsApp. The Complainant's Facebook platform, commonly referred to as "FB", enables Internet users to stay connected via its website at "www.facebook.com".

The Complainant aims to make the metaverse a reality by helping people connect, build communities, and grow their businesses. The metaverse blends elements of current online social platforms with immersive 3D experiences and real-world integration. It enables users to engage in shared, interactive experiences — even when physically apart — and participate in activities that would not be possible in the real world.

The Complainant also has a subscription service known as "Meta Verified", which allows verified users to add a blue check mark to their Facebook or Instagram accounts for a monthly fee, and offers benefits such as increased visibility, improved protection against impersonation attacks and direct access to customer support.

The Complainant is the owner of numerous FB and FACEBOOK trademark registrations internationally, including the following:

- United Kingdom Trademark Registration No. UK00003441474 for FB, in International classes 9, 35, 36, 38, 41, 42, and 45 registered on March 20, 2020;
- European Union Trademark Registration No. 18146501 for FB, in International classes 9, 35, 36, 38, 41, 42, and 45, registered on November 7, 2020;
- Vietnamese Trademark Registration No. 128158 for FACEBOOK, in International classes 9, 35, 38, 41, 42, and 45, registered on June 26, 2009;
- European Union Trademark Registration No. 9151192 for FACEBOOK, in International classes 9, 35, 36, 38, 41, 42, and 45, registered on December 17, 2010; and
- United States Trademark Registration No. 4,339,122, for FACEBOOK, in International class 9, registered on May 21, 2013.

The Complainant also holds figurative trademark registration for its logo  including the United States Trademark Registration No. 4,978,379, in International classes 9, 35, 36, 38, 41, 42, and 45, registered on June 14, 2016.

The Complainant is also the registrant of numerous domain names consisting of or including the FACEBOOK and FB trademarks under a wide range of generic Top-Level Domains ("gTLDs") and country code Top-Level Domains ("ccTLDs").

The disputed domain name was registered on May 7, 2024 and currently resolves to a page allegedly offering for sale cloned or fake Facebook accounts in various countries. The website also purports to offer free blue Meta Verified check marks on the Complainant's Facebook platform.

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 Complainant has established trademark rights in FB. The Complainant submits that the presence of its FB trademark in the disputed domain name is sufficient to establish confusing similarity between the disputed domain name and the Complainant's trademark. The disputed domain name comprises the FB trademark, preceded by the Vietnamese term "mua", meaning "buy" in English, and the acronym "via", which the Complainant infers is likely to be an acronym for "Verified Information Accounts", under the gTLD ".com". The Complainant submits that the addition of these terms before its FB trademark does not prevent a finding of confusing similarity with its trademark, which remains recognizable in the disputed domain name.

The Complainant also submits that the use of a graphic that is very similar to the Complainant's logo and figurative trademark, as well as the prominent use of the Complainant's FACEBOOK trademark on the Respondent's website, clearly shows the Respondent's intention to target the Complainant and its Facebook platform. The Complainant submits that the disputed domain name is confusingly similar to the Complainant's FB trademark.

The Complainant contends that the Respondent is not a licensee of the Complainant. The Respondent is not affiliated with the Complainant in any way. The Complainant has not granted any authorization for the Respondent to make use of its FB trademark, in a domain name or otherwise.

The Complainant submits that the disputed domain name resolves to a website that purports to offer for sale cloned or fake Facebook accounts in various countries, for prices varying between VND 38,800 and VND 281,100, as well as free blue Meta Verified check marks on the Complainant's Facebook platform. The Complainant further submits that the Respondent's offering of the Meta Verified blue check mark for free, circumventing the Meta Verified authentication process undermines the purpose of Meta Verified, which is designed to be a mark of authenticity and to build credibility with audiences. Such offering does not constitute a bona fide offering of goods and services. Thus, the Respondent cannot be viewed as a bona fide service provider as it does not provide sales or repairs in relation to a product provided by the Complainant. Rather, the Respondent is making unauthorized use of the Complainant's FB trademark to market its own ancillary services in relation to the Complainant's Facebook platform.

The Complainant contends that there is no evidence to suggest that the Respondent is commonly known by the disputed domain name. The Respondent is identified in the Whois record as "Nguyen Thanh Dien", whose name bears no resemblance to the dispute domain name whatsoever.

The Complainant infers from the use of the disputed domain name that the Respondent intends to exploit the goodwill and reputation attached to the Complainant's FB trademark for commercial gain by attracting Internet users to its website and offering them unauthorized services that are likely to impact the safety and accountability of the Facebook platform, as well as by creating a false impression of association with the Complainant. The Respondent's intention to create a false impression of association with the Complainant is shown by the Respondent's use of a graphic that is very similar to the Complainant's logo and figurative trademark on its website.

The Complainant contends that in light of the composition of the disputed domain name and the content of the Respondent's website, which features a graphic that is very similar to the Complainant's logo and figurative trademark, the Respondent could not reasonably argue that it did not have the Complainant's FB trademark in mind at the time of registration of the disputed domain name.

The Complainant also submits that the Respondent's failure to respond to the Complainant's lawyers' cease and desist letter constitutes further evidence of bad faith.

The Complainant submits that the Respondent is using the disputed domain name to exploit the goodwill and reputation attached to the Complainant's trademark for commercial gain by attracting Internet users to its website and offering them unauthorized services that impact the safety and accountability of the Facebook platform and undermine the purpose of the Meta Verified subscription system to show authenticity, as well as by creating a false impression of association with the Complainant.

The Complainant asserts that the disputed domain name was registered and is being used in bad faith.

B. Respondent

The Respondent sent email communications on August 18, 2025 in Vietnamese stating that he would not use the disputed domain name and would cancel the disputed domain name, and he would like to suspend the proceedings to explore the settlement discussion. The Respondent did not formally reply to the Complainant's contentions.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, the Complainant must establish each of the following elements:

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

Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Vietnamese. 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 language of the proceeding be English for the following several reasons: (i) the disputed domain name incorporates the English language acronym "via" in addition to the Vietnamese term "mua"; (ii) although the Respondent's website is in Vietnamese, it also offers English as the first additional language option; and (iii) translating the Complaint in Vietnamese would result in additional expenses and unnecessary delay of the proceeding.

While the Respondent sent two email communications in Vietnamese, he did not specifically comment on 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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[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.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the FB trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the FB mark is recognizable 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.

Although the addition of other terms here, "mua" which means "buy" in the Vietnamese language and "via" which is likely to be an acronym for "Verified Information Accounts", 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 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.

The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is neither affiliated with nor authorized by the Complainant to use its FB trademark and other trademarks, and there is no evidence that the Respondent is commonly known by the disputed domain name. The disputed domain name resolves to a website purportedly offering fake or cloned Facebook accounts and services such as free Meta Verified check marks, thereby circumventing Meta's verification process and undermining its integrity. The Complainant argues that such activities do not constitute a bona fide offering of goods or services but instead reflect an intent to exploit the goodwill of the FB trademark for commercial gain and to mislead users into believing there is an association with the Complainant, further evidenced by the use of a logo similar to the Complainant's figurative trademark on the website at the disputed domain name.

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 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.

In the present case, the Panel observes that the Complainant has prior rights in the FB trademark through its earlier registrations and extensive use. The disputed domain name incorporates the Complainant's FB trademark along with descriptive terms, and the associated website prominently displays the Complainant's trademark FACEBOOK and a logo that is virtually identical to the Complainant's figurative trademark F while purportedly offering fake or cloned Facebook accounts and other services, such as free Meta Verified check marks. In the Panel's view, the Respondent has clearly intended to attract Internet users to his website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website and the services offered, for commercial gain, in accordance with paragraph 4(b)(iv) of the Policy. Accordingly, the Panel finds that 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 <muaviafb.com> be transferred to the Complainant.

/Anita Gerewal/

Anita Gerewal

Sole Panelist

Date: October 2, 2025