

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Sabir Gurmani
Case No. D2025-3339

1. The Parties

The Complainant is Instagram, LLC, United States of America ("United States"), represented by Perkins Coie, LLP, United States.

The Respondent is Sabir Gurmani, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <myinstadownload.com> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 19, 2025. On August 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 22, 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 (REDACTED FOR PRIVACY (DT)) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 22, 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 August 28, 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 August 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 17, 2025. The Respondent submitted a Response on August 29, 2025.

The Center appointed Anton Polikarpov as the sole panelist in this matter on September 23, 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 a United States-based technology company and a subsidiary of Meta Platforms, Inc. Since its launch in 2010, the Complainant has grown into one of the world's leading social media service, enabling users to share photos, videos, and live content across mobile and web applications. With more than two billion monthly active users, the Complainant has achieved a global reputation and recognition as a central tool for communication, marketing, and online community building.

In addition to its commercial operations, the Complainant has built and maintains an extensive trademark portfolio protecting its core INSTAGRAM and INSTA brands. Among these are, inter alia:

- United States Trademark No. 4146057 for INSTAGRAM, registered on May 22, 2012, covering goods in Class 9;
- International Trademark No. 1129314 for INSTAGRAM, registered on March 15, 2012, covering goods and services in Classes: 9, 42;
- Pakistan Trademark No. 398684 for INSTAGRAM, registered on April 23, 2018, covering goods in Class 9;
- United States Trademark No. 5299119 for , registered on October 3, 2017, covering services in Class 42;
- United States Trademark No. 5424418 for , registered on March 13, 2018, covering services in Class 42;
- United States Trademark No. 5748067 for , registered on May 14, 2019, covering services in Class 35;
- European Union Trademark No. 018359602 for INSTA, registered on February 9, 2023, covering goods services in Classes: 9, 35, 38, 41, 42 and 45.

The trademarks are used consistently across all of the Complainant's commercial activities, including its mobile application, website, and associated promotional services.

Furthermore, the Complainant holds numerous domain names reflecting its brand, such as <instagram.com>, <instafans.net>, <instarise.net>, <instaplayer.org>, <instareels.co.uk>, which serve as the main portals for its services worldwide.

The disputed domain name was registered on December 11, 2024. At the time of filing of the Complaint, it resolved to an active website, offering users the ability to download photos, videos, and stories from Instagram. The website displayed a logo and gradient design closely resembling those used by the Complainant and also contained advertising links.

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 disputed domain name is identical or confusingly similar to the trademarks in which the Complainant has established rights;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name;
- the disputed domain name was registered and is being used in bad faith.

B. Respondent

The Respondent denies the Complainant's allegations and submits that it has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

The Respondent requests the Panel to dismiss the Complaint in its entirety, as the disputed domain name was legitimately registered, is used in good faith, and serves an informational purpose in a widely accepted utility sector.

The Response does not contain any evidence to support the Respondent's allegations.

6. Discussion and Findings

In order for the Complainant to prevail and have the disputed domain name transferred, it must prove the following elements (Policy, paragraph 4(a)):

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

As for the Respondent, it is expected to give a comprehensive reply to the claims made in the Complaint, addressing each allegation and presenting all evidence in favor of its right to retain the registration and use of the disputed domain name.

Considering these circumstances, the Panel rules as follows.

A. Identical or Confusingly Similar

The Complainant has demonstrated registered rights in the INSTAGRAM and INSTA marks in multiple jurisdictions worldwide. The trademarks are distinctive and well known, enjoying broad recognition as identifiers of the Complainant's social media platform and related services. This means that it prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case (see the [WIPO Overview 3.0](#), section 1.2.1).

Here, the disputed domain name fully incorporates the INSTA mark and is therefore considered confusingly similar to that mark for purposes of UDRP standing (see the [WIPO Overview 3.0](#), section 1.7.).

The additional words "my" and "download" do not avoid a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.8.

Given the global nature of the Internet, the jurisdiction in which the trademark is valid is not considered relevant to the first element of the Policy (see the [WIPO Overview 3.0](#), section 1.1.2).

The Panel finds that the Complainant's INSTA mark remains recognizable, and that its presence in the disputed domain name creates confusing similarity.

The inclusion of a generic Top-Level Domain (".com") is a standard registration requirement and is generally disregarded when comparing a domain name with a trademark (see [WIPO Overview 3.0](#), section 1.11.1).

Accordingly, the first element of paragraph 4(a) of the Policy is deemed to be satisfied.

B. Rights or Legitimate Interests

For the purposes of paragraph 4(a)(ii) of the Policy, the Complainant asserts the following:

- the Respondent is not commonly known by the disputed domain name;
- the Respondent is not a licensee of the Complainant, nor is it affiliated with Complainant in any way;
- the Respondent has configured the disputed domain name to resolve to the website that specifically targets the Complainant by offering tools to download content from the Complainant's platforms, whilst making prominent use of the Complainant's trademarks;
- the Complainant's Terms of Use apply to all services integrated with or related to the Complainant's platforms and expressly prohibit the Respondent from using the Complainant's trademarks in the disputed domain name. So the Oki Data test does not apply;
- assuming, arguendo, that the Oki Data test could apply, the Respondent is not providing bona fide services as understood within the Oki Data test under the first and third factors;
- the Respondent's website content has consistently featured heavy service of pay-per-click advertisements in an attempt to trade off the goodwill of the Complainant, which cannot constitute any bona fide offering of goods or services.

Paragraph 4(c) of the Policy sets out a non-exhaustive list of circumstances under which a respondent may demonstrate rights or legitimate interests in a disputed domain name. However, the Respondent failed to describe any reason and provide credible evidence supporting its side.

The Complainant has made out a strong prima facie case that the Respondent does not have any rights or legitimate interests in the disputed domain name. In the Response, the Respondent made no attempt to justify its registering the disputed domain name comprising the Complainant's famous mark, save only to point out that the Respondent provides informational and utility-based services related to social media content downloading, which is a widely recognized online service category. The Respondent asserted that the website associated with the disputed domain name does not claim any affiliation with the Complainant and includes a disclaimer to that effect. However, the Panel finds that both the composition of the domain name and the manner in which it is used create an implied association with the Complainant. The Respondent failed to provide evidence of the alleged disclaimer, and the Panel was unable to locate such a notice on the website. In any event, the Panel concludes that even if a disclaimer were present, it would not be sufficient to eliminate the resulting confusion.

The Respondent does not appear to be commonly known by the disputed domain name. Similarly, the Respondent's use of the Complainant's marks and a similar gradient design on the website, together with monetizing elements such as pay-per-click links, weighs strongly against a finding of a bona fide offering of services, and therefore does not constitute noncommercial or fair use of the disputed domain name.

The Respondent has done nothing to dispel the strong prima facie case raised by the Complainant and cannot benefit from the Oki Data framework (see e.g., *Instagram, LLC v. Van Nam Tran, University*, WIPO Case No. [D2024-1555](#); *Canva Pty Ltd. v. William Hurrell, Hurrell Capital Limited*, WIPO Case No. [D2024-3521](#)).

In view of these findings, the Panel concludes that the Respondent has not established any rights or legitimate interests in respect of the disputed domain name. The Complainant has therefore fulfilled its burden under the second element of paragraph 4(a) of the Policy.

C. Registered and Used in Bad Faith

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 INSTAGRAM and INSTA marks are widely known and enjoy global fame. Some of the Complainant's trademark rights date back to 2012, and the Complainant has operated its principal website through the domain name <instagram.com> since 2004.

The well-known character of the trademarks was also confirmed by multiple panel decisions for years (see e.g., *Instagram, LLC v. Gamal Eldin Mohamed Reda, Mobile9*, WIPO Case No. [DCO2025-0019](#); *Instagram, LLC v. Adila Ayaz, Freelance*, WIPO Case No. [D2025-0950](#)).

The disputed domain name was registered in December 2024, long after the Complainant had established its strong reputation and registered numerous trademarks. It is inconceivable that the Respondent was unaware of the Complainant's rights at the time of registration. Indeed, the incorporation of the INSTA mark into the disputed domain name offering Instagram-related services evidences clear knowledge and targeting.

It is well-established in prior panel decisions that where a respondent knew or should have known of a trademark prior to registering a domain name, such conduct may be, in certain circumstances, evidence of bad faith registration (see *Weetabix Limited v. Mr. J. Clarke*, WIPO Case No. [D2001-0775](#)).

Given this, the Panel believes that the disputed domain name has been registered in bad faith.

As to use, the evidence shows that the disputed domain name resolves to the website, offering tools to download content from the Complainant's platforms, and using a color gradient and glyph similar to the Complainant's trade dress. The website also contained advertising links, generating commercial revenue from users attracted by the Complainant's reputation.

The Respondent's offering of a downloader exposes users to potential security and privacy risks. Evidence submitted shows that the disputed domain name was flagged by an independent cybersecurity vendor as potentially malicious.

The Panel finds such activity, where a domain name is used to facilitate unauthorized access to or misuse of the Complainant's platform, is incompatible with good faith (see *Instagram, LLC v. Domains By Proxy, LLC / Ahmed Hemaïd*, WIPO Case No. [D2021-1439](#)).

The Respondent's failure to answer multiple cease-and-desist demands is also an indicium of bad faith (see *Eurodrive Services and Distribution N.V. v. Roshan T*, WIPO Case No. [D2018-1586](#)).

It is no doubt that, by using the disputed domain name, the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and putative services marketed therein.

Given all the arguments presented, the Panel considers that the third and final element of paragraph 4(a) of the Policy is met.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and paragraph 15 of the Rules, the Panel orders that the disputed domain name, <myinstadownload.com>, be transferred to the Complainant.

/Anton Polikarpov /

Anton Polikarpov

Sole Panelist

Date: October 6, 2025