

ADMINISTRATIVE PANEL DECISION

WhatsApp, LLC v. Husnain Ali

Case No. D2025-3454

1. The Parties

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

The Respondent is Husnain Ali, United States.

2. The Domain Name and Registrar

The disputed domain name <gbwhatsapppro.net> is registered with Gransy, s.r.o. d/b/a subreg.cz (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 26, 2025. On August 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 10, 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), WhoisSecure) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 10, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Respondent sent an informal email communication to the Center on September 10, 2025. The Complainant filed an amendment to the Complaint on September 15, 2025.

The Center verified that the Complaint together with the amendment to 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”).

The Respondent sent an informal email communication on September 10, 2025. In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 16, 2025. In accordance with the Rules, paragraph 5, the due date

for Response was October 6, 2025. The Respondent did not submit a formal Response. Accordingly, the Center notified the Respondent's default on October 17, 2025.

The Center appointed William F. Hamilton as the sole panelist in this matter on October 24, 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 operates the WhatsApp messaging and voice-over-IP service and mobile application. The Complainant is a leading global provider of messaging services for mobile devices, with over two billion people in more than 180 countries now using the platform. WhatsApp enables its users to send text and voice messages, make voice and video calls, and share images, documents, user locations, and other content. The Complainant also offers the WhatsApp Business app for small businesses, which helps them interact with customers through tools that automate, organize, and respond to messages quickly.

The Complainant's principal website is reached through the domain name <whatsapp.com>.

The Complainant holds United States Registration No. 3939463 for the trademark WHATSAPP (the "Mark"), registered on April 5, 2011. The Complainant also owns numerous other national registrations for the Mark.

The disputed domain name was registered on December 3, 2024. It directed to a website offering a "free" download of an "Official Modified Whatsapp" app called "gbwhatsapppro" and claims the app offers performance superior to WhatsApp. The disputed domain name now resolves to warning page that states: "Advanced Security blocked access to <gbwhatsapppro.net>. The site might have compromised your device or contain high-risk content. To avoid these risks, we recommend avoiding this site."

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 argues that the disputed domain name is confusingly similar to its Mark. The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name, and there is no evidence indicating that the Respondent is commonly known by that name. Additionally, the Complainant states that the Respondent is neither a licensee nor affiliated with the Complainant in any way. Furthermore, the Complainant claims it has not authorized the Respondent to use the Mark. Moreover, the Complainant argues that the disputed domain name was registered and is being used in bad faith for commercial gain, misleading Internet users into believing that the disputed domain name resolves to a website that the Complainant endorses, is connected to, or sponsors, which offers an enhanced application.

B. Respondent

The Respondent did not formally respond to the Complainant's contentions. However, on September 10, 2025, the Respondent sent an email communication to the Center asserting that the disputed domain name was used "solely for educational purposes," that the website does not offer services or products that compete with the Complainant's WhatsApp, that the Respondent's domain name and website were not intended to confuse or mislead consumers, and that the Respondent's website is not engaged in phishing or other malicious activities. The Respondent asserted that its website is "100% safe."

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements that a complainant must satisfy to succeed. The Complainant must demonstrate that:

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

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 to the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name incorporates the Mark in its entirety with the addition of the letters "gb" as a prefix and "pro" as a suffix. The Mark remains recognizable within the disputed domain name. The addition of these elements does not prevent a finding of confusing similarity under the first element.

The applicable generic Top-Level Domain ("gTLD"), in this case ".net", may be disregarded for the purposes of assessment under the first element, as it is viewed as a standard registration requirement. See [WIPO Overview 3.0](#) at section 1.11.1.

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 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.

Panels have consistently held that using a domain name that poses security risks to Internet users can never establish rights or legitimate interests for a respondent. The Respondent has configured the disputed domain name to direct to website with content that targets the Complainant explicitly by claiming to offer unauthorized modified versions of the Complainant's application while prominently displaying the Mark.

Furthermore, the Respondent's website content and favicon feature a logo that is highly similar to the Complainant's WhatsApp design mark, copying the trade dress—particularly the official green color—and even utilizing the same white elements from the original design, achieving a similar appearance and feel, with the only difference being the shade of green, and refer to its modified app as "official". [WIPO Overview 3.0](#), section 2.13.1. Lastly, the website previously exhibited at the disputed domain name contained a disclaimer page stating that it was not affiliated with the Complainant. The Panel finds that the presence of the disclaimer (which was not on the site's home page) does not render the Respondent's activities bona fide under the Policy, having regard to the overall circumstances of this case.

The Respondent's informal email assertions do not establish any rights or legitimate interests and do not rebut the evidence of bad faith registration and use.

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:

- (i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or
- (ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, you have intentionally attempted 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.

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 this case, the Panel observes that the Respondent uses a confusingly similar disputed domain name to attract unsuspecting Internet users to its website. The site prominently features the Mark and misleads visitors into believing that the Respondent's website offers a free, enhanced "official" version of WhatsApp. Additionally, the Respondent's modified application (and the website) presents a risk of downloading potential malware, as flagged by security software. In short, the Respondent's actions demonstrate bad faith registration and use by attempting to attract Internet users for potential commercial gain and creating a likelihood of confusion with the Complainant's Mark regarding source, sponsorship, affiliation, or endorsement.

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

7. Decision

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

/William F. Hamilton/
William F. Hamilton
Sole Panelist
Date: November 6, 2025