

ADMINISTRATIVE PANEL DECISION

WhatsApp, LLC v. Muhammad Ramzan
Case No. D2025-3620

1. The Parties

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

The Respondent is Muhammad Ramzan, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <aerowhatsapp.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint as regards the domain name <aerolnsta.com> was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 6, 2025. On September 11, 2025, the Complainant submitted a first amended Complaint in which the Complainant requested addition of the disputed domain name into the proceeding. On September 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 19, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 23, 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 a second amended Complaint on September 25, 2025. The Complainant and the registrant of the domain name <aerolnsta.com> reached settlement, and domain name <aerolnsta.com> was dismissed on November 4, 2025. On November 7, 2025, the Complainant submitted a third amended Complaint.

The Center verified that the Complaint together with the amended Complaints 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 November 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 19, 2025.

The Center appointed Aaron Newell as the sole panelist in this matter on December 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 well-known WhatsApp messaging and voice-over-IP service and mobile application which provides its services in over 60 languages, and enjoys over two billion users in over 180 countries around the world. The Complainant's services by reference to the WhatsApp name are offered by way of a downloadable mobile application that is consistently assessed by industry media as being one of the most frequently-downloaded software applications in the world. The Complainant has been owned by Meta Platforms, Inc (formerly Facebook Inc.) since 2014.

The Complainant has protected its WhatsApp name with multiple trademark registrations around the world, including the following:

- i) United States trademark registration No. 3939463 WHATSAPP in class 42 (registered on April 5, 2011); and
- ii) European Union trademark registration No. 009986514 WHATSAPP in classes 9, 38 and 42 (registered on October 25, 2011).

The disputed domain name was created on June 1, 2025. The case file shows that at the time that the Complaint was filed the disputed domain name resolved to a website offering a downloadable software application and related services all by reference to the name "Aero WhatsApp". The application and services are expressly marketed in a way to make it clear that they compete with those of the Complainant. By way of example, the landing page for the website positions the "Aero WhatsApp" application and services as follows:

"Aero WhatsApp is a modern and feature-rich modified version that gives you many times more options than the original WhatsApp. It is specially designed for users who prefer privacy, customization, and user control. Where the official WhatsApp provides limited options, Aero WhatsApp offers themes, font styles, high-level privacy settings, and more."

This text remains at the time of writing this decision. In reviewing the website, the Panel also notes that the favicon used in respect of the Respondent's website at the disputed domain name appears to be highly similar to that used as the Complainant's home screen icon for its downloadable application, and which is itself a registered trademark owned by the Complainant.

Prior to filing the Complaint, the Complainant in July 2025 wrote to the Respondent seeking that the Respondent cease use of the disputed domain name. The Complainant asserts that the Respondent did not reply.

There is no indication in the case file of any other correspondence between the parties. Nor is there any indication that the Respondent has engaged with the Center in respect of these proceedings.

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:

- i) the disputed domain name is confusingly similar to its registered trademark WHATSAPP because the disputed domain name wholly incorporates the Complainant's well-known WHATSAPP trademark, and while the disputed domain name also contains the term "aero" this is insufficient to prevent a finding of confusing similarity;
- ii) the Respondent does not have rights or legitimate interests in the disputed domain name because there is no evidence that the Respondent is commonly known by the disputed domain name, there is no evidence that the Respondent has acquired any trademark rights in the term "Aero WhatsApp" or a variation thereof, the Respondent is not affiliated with the Complainant and is not a licensee of or otherwise authorized by the Complainant in respect of any use of the Complainant's WHATSAPP trademark, whilst the Respondent is a developer of software for integration with the Complainant's WhatsApp platform, that arrangement expressly prohibits unauthorized use of the Complainant's trademarks (including in domain names) and therefore cannot give rise to rights or a legitimate interest in the disputed domain name, and the Respondent is using the disputed domain name illegitimately for the purposes of impersonating or otherwise misrepresenting some kind of relationship with the Complainant that does not in fact exist;
- iii) the disputed domain name was registered and is being used in bad faith because the Respondent has at all material times been aware of the Complainant's use of its well-known WHATSAPP trademark, the Respondent has targeted the Complainant with other domain names that include the Complainant's WHATSAPP trademark in the past, many of these being subject of successful UDRP Complaints brought by the Complainant against the Respondent, the disputed domain name is being used intentionally by the Respondent to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's WHATSAPP trademark, the disputed domain name has been flagged by a cybersecurity service as being connected with malware, the lack of response to the Complainant's July 2025 correspondence is indicative of bad faith, and the Respondent's use of a proxy service by which it obscured its identity as registrant of the disputed domain name is also indicative of bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

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

The Respondent's default does not automatically result in a decision in favor of the Complainant.

Paragraph 5(f) of the Rules does however provide that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a Response as it considers appropriate.

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 mark is reproduced 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 it could in theory bear on assessment of the second and third elements, the Panel finds the addition of term "aero" 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.

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.

In particular, the Panel notes that the disputed domain name is being used by the Respondent to market and promote a downloadable software application named "Aero WhatsApp", and that this software application is expressly described as a "version" of the Complainant's WhatsApp software application, but is marketed as having additional features and, therefore, is an alternative or competing product.

In addition to using the name "Aero WhatsApp" for this product, the Respondent is also marketing the product by reference to other trademarks that belong to the Complainant, including a logo that is similar to the Complainant's home screen icon, which itself is a registered trademark. The Respondent is therefore using the Complainant's well-known trademarks without the Complainant's authorization, and doing so in

respect of a product that directly competes with the Complainant's product, providing identical services to those of the Complainant, including in the disputed domain name.

In the Panel's view this situation gives rise to a high likelihood that Internet users will confuse the Respondent and the Complainant, or confuse their respective products, or otherwise consider that the parties and/or their products are somehow commercially connected or affiliated when they are not. The Respondent has not engaged with these proceedings, and has therefore not made any assertions that could lead to an alternative conclusion.

Panels have held that the use of a domain name for activity such as passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

These circumstances include those set out at paragraph 4(b)(iv) of the Policy, specifically:

"(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."

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. The Respondent has used the disputed domain name, and therefore exploited the Complainant's trademark, to promote its own competing product, including by creating a situation where Internet users are likely to be misled or deceived as to the relationship between the Respondent and the Complainant and their respective products.

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

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 <aerowhatsapp.com> be transferred to the Complainant.

/Aaron Newell/

Aaron Newell

Sole Panelist

Date: January 7, 2026