

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Jing Xiang Qin
Case No. D2025-3682

1. The Parties

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

The Respondent is Jing Xiang Qin, China.

2. The Domain Name and Registrar

The disputed domain name <instagramdownloaders.com> is registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 11, 2025. On September 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 12, 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 (DATA REDACTED) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 15, 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 amendment to the Complaint on September 19, 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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 13, 2025.

The Center appointed Simone Huser as the sole panelist in this matter on October 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, Instagram, LLC, is a world-wide online photo and video sharing social-networking application. The Complainant was launched in 2010 and was acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012. Today, Instagram is one of the leading video sharing and editing software and online social network, with more than two billion monthly active accounts worldwide.

The Complainant owns numerous trademark registrations in several jurisdictions, including:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	INTERNATIONAL CLASS
INSTAGRAM	United States	4146057	May 22, 2012	9
INSTAGRAM	European Union	1129314	March 15, 2012	9, 42

The Complainant holds several domain names, among them <instagram.com> which hosts its main website.

Because the Respondent did not file a Response, not much is known about the Respondent.

The disputed domain name was registered on February 17, 2025. The disputed domain name resolves to a website purportedly offering tools to download content from the Complainant's platforms. However, the links on the website lead to inactive websites and to a third-party website offering video games for download; the latter website redirects users to a supposed advertisement on a supposed online trading 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 as follows:

The disputed domain name is confusingly similar to the INSTAGRAM trademark in which the Complainant has rights, because the disputed domain name incorporates the INSTAGRAM trademark in its entirety. The addition of the term "downloaders" is not sufficient to prevent a finding of confusing similarity.

The Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Respondent has not been authorized by the Complainant to use its trademark, is not commonly known by the disputed domain name, and there is no evidence of the Respondent's use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods and services. On the contrary, the Respondent's website purports to offer an unauthorized tool to download content from the Complainant's platforms, which does not amount to a bona fide offering of goods or services.

The disputed domain name was registered in bad faith because it is obvious that the Respondent had knowledge of both the Complainant and its well-known trademark INSTAGRAM at the time it registered the

disputed domain name. The Respondent is using the disputed domain name in bad faith, by intentionally attempting to attract for financial gain Internet users to its website, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. The Respondent does not prominently disclose their lack of relationship with the Complainant despite repeatedly making prominent use of the INSTAGRAM trademark. Furthermore, the Respondent failed to respond to the Complainant's lawyers contact form notice in relation to the disputed domain name.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a 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 interests in respect of the disputed domain name; and
- (iii) the disputed 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 of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the entirety of the INSTAGRAM mark is reproduced within the disputed domain name.

Although the addition of other terms such as here "downloaders" may bear on assessment of the second and third elements, the Panel finds that in the present case the addition of such term does not prevent a finding of confusing similarity between the disputed domain names and the Complainant's marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The addition of the generic Top-Level Domain ("gTLD") in the respective disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [WIPO Overview 3.0](#), 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.

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 notes that the Respondent's website purports to offer an unauthorized tool to download content from the Complainant's platforms. In this context, the Respondent's use of the Complainant's trademarks, on the website falsely suggests an association with the Complainant and does not amount to a bona fide offering of goods or services under the Policy. Furthermore, the Panel notes that the Respondent's website displays links to inactive websites and to a third-party website offering video games for download, which redirects users directly to a supposed online trading platform. These circumstances suggest that the Respondent derives a commercial gain from the use of the disputed domain name.

Based on the available record, the Panel thus 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 notes that the Complainant's INSTAGRAM trademark predates the registration of the disputed domain name and considering that the Complainant's trademark is well-known, and that the disputed domain name resolves to a website featuring the Complainant's trademark and references to its services, it is obvious that the Respondent targeted the Complainant when it registered the disputed domain name. In the circumstances of this case, this is evidence of registration in bad faith.

The Panel holds that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its websites in the sense of Policy, paragraph 4(b)(iv).

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy with regard to the disputed domain name.

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 <instagramdownloaders.com> be transferred to the Complainant.

/Simone Huser/

Simone Huser

Sole Panelist

Date: October 28, 2025