

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Ahtasham Ulhaq, Ziddidil
Case No. D2025-3949

1. The Parties

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

The Respondent is Ahtasham Ulhaq, Ziddidil., Pakistan.

2. The Domain Name and Registrar

The disputed domain name <instagrampro.sbs> (“Disputed Domain Name”) is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 27, 2025. On September 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On October 4, 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) in the Complaint. The Center sent an email communication to the Complainant on October 6, 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 October 9, 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(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on October 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 31, 2025.

The Center appointed Douglas Clark as the sole panelist in this matter on November 7, 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 photo-and video-sharing social-networking service and mobile application launched in 2010 and acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012. It operates <instagram.com> and maintains an online presence across major platforms.

The Complainant owns national and regional trademark registrations for:

(i) INSTAGRAM, in the United States of America registered on May 22, 2012 in Class 9 (Registration No. 4146057) with a first use date on October 6, 2010, in the European Union registered on March 15, 2012 in Class 9 and 42 (Registration No. 1129314), and in Pakistan registered on April 23, 2018 in Class 9 (Registration No. 398684); and

(ii) its logo featuring a white outline of a camera inside a rounded square with a vibrant gradient background blending pink, purple, red, orange and yellow tones in many jurisdictions (“Gradient Logo”), such as in the United States of America registered on October 3, 2017 in Class 42 (Registration No. 5299119) and in the European Union registered on September 21, 2016 in Class 9, 25, 35 38, 41, 42 and 45 (Registration No. 015442502)

(collectively, the “Complainant’s Trademarks”).

The Disputed Domain Name was registered on January 12, 2025, with the Registrar. The Disputed Domain Name resolves to a website promoting “Instagram Pro”, described as a “modified” or “advanced” version of the Complainant’s official app providing additional features such as downloading posts and stories, ad-free browsing, custom themes, anonymous story viewing, full-size profile pictures and enhanced privacy options. The website repeatedly references INSTAGRAM, the Complainant’s Trademarks, adopts the Complainant’s Gradient Logo and instructs users to download an Android Package Kit from non-official sources while warning that the app is not official.

In January 2025, the Complainant’s agents submitted Domain Name System (“DNS”) abuse reports and notifications through the domain owner contact webform provided by the Registrar, demanding that the Respondent cease all unauthorized use of the Complainant’s Trademarks and transfer the Disputed Domain Name to the Complainant. The Respondent did not provide any substantive response to these notices or engage in correspondence with the Complainant.

The Respondent is an individual apparently based in Pakistan.

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.

Identical or confusingly similar

The Complainant contends that the Disputed Domain Name is identical or confusingly similar to the Complainant's Trademarks, namely INSTAGRAM, because it reproduces the mark in its entirety and merely adds the non-distinctive term "pro" which is not sufficient to dispel the similarity between the Complainant's Trademarks and the Disputed Domain Name. The Complainant cites the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (the "[WIPO Overview 3.0](#)") at 1.7 and 1.8, where the Complainant notes that when a trademark is recognizable within a domain name, the inclusion of other terms, whether descriptive, geographical, or otherwise, does not prevent a finding of confusing similarity.

The Complainant cited *Instagram, LLC v. Aina Jannat Aina Jannat*, WIPO Case No. [D2024-1424](#), *Instagram, LLC Meta Platforms, Inc. v. pinoy tvshows*, WIPO Case No. [D2023-3723](#) and *Instagram LLC v. Muhammad ASIF, Muhammad Tahir and pinoy tvshows*, WIPO Case No. [D2024-4981](#), to emphasize that panels have consistently reached this conclusion in prior cases involving similar domain names, such as <instagramproapk.org>, <instagrampro.app>, and <instagrampro.cam>.

Further, the addition of the generic Top-Level Domain, ".sbs", is a standard registration requirement and does not affect the assessment of similarity, referring to 1.11.1 of the [WIPO Overview 3.0](#).

Accordingly, the Complainant asserts that the first element of paragraph 4(a)(i) of the Policy is satisfied.

Rights or Legitimate Interests

The Complainant contends that the Respondent has no rights or legitimate interests in the Disputed Domain Name under paragraph 4(c) of the Policy. The Respondent is neither authorized nor affiliated and is not commonly known by the Disputed Domain Name. The Complainant has not licensed or otherwise permitted the Respondent to use INSTAGRAM in any manner.

The Respondent uses the Disputed Domain Name to operate a website that promotes an unauthorized "modified version" of the Complainant's official application, branded as "Instagram Pro". This website makes prominent use of the Complainant's Trademarks, namely INSTAGRAM, including its Gradient Logo, thereby creating a misleading impression of sponsorship or endorsement. According to the [WIPO Overview 3.0](#) at 2.5.1, prior panels have consistently held that such conduct cannot constitute fair use where a respondent impersonates or suggests sponsorship, endorsement or affiliation with the trademark owner. The composition of the Disputed Domain Name, combining INSTAGRAM with the term "pro", further exacerbates the risk of implied affiliation.

The Complainant also refers to *Okidata Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#) and the [WIPO Overview 3.0](#) at 2.8, which determines whether a respondent has a legitimate interest. The Complainant cites *Instagram, LLC v. Van Nam Tran, University*, WIPO Case No. [D2024-1555](#) to emphasize that *Okidata* test does not apply where any prior agreement, express or otherwise, prohibits the registration or use of the domain names incorporating a complainant's trademark. The Complainant submits that the criteria under this case do not apply where the Respondent's conduct violates explicit prohibitions in the Complainant's Terms of Use, Meta Developer Policies, and Brand Asset Guidelines. These policies expressly prohibit the Respondent from using the Complainant's Trademarks in the Disputed Domain Name.

Further, assuming that the *Okidata* test could apply, the Complainant contends the Respondent would fail multiple prongs, namely, (i) the respondent must be offering the goods or services at issue and (ii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder. The Complainant contends due to the fact that the website does not limit itself to genuine, authorized goods or services, and it does not accurately and prominently disclose the lack of relationship with the Complainant, it fails the *Okidata* test. Such conduct creates a strong risk of implied affiliation and cannot constitute fair use under the Policy.

On this basis, the Complainant asserts that the Respondent cannot demonstrate any of the circumstances set out in paragraph 4(c) of the Policy and therefore lacks rights or legitimate interests in the Disputed Domain Name.

Registered and Used in Bad Faith

The Complainant contends that the Respondent registered and is using the Disputed Domain Name in bad faith.

The Complainant's INSTAGRAM Trademarks are associated with the Complainant. The Respondent registered the Disputed Domain Name on January 12, 2025, years after the Complainant's mark was registered and gained online presence. The Complaint states that it is inconceivable for the Respondent to argue that they were not aware of the Complainant's Trademarks prior to their registration of the Disputed Domain Name, and that the Respondent engaged in opportunistic targeting of the Complainant's invented mark, referring to the [WIPO Overview 3.0](#) at 3.1.4.

The Complainant contends the Respondent's conduct falls squarely under paragraph 4(b)(iv) of the Policy. By using the Disputed Domain Name to attract Internet users to its website, the Respondent creates a likelihood of confusion as to source, sponsorship, affiliation or endorsement, with the intent to derive commercial gain. The website prominently displays the Complainant's Trademarks, INSTAGRAM and its Gradient Logo, and offers derivative services branded as "Instagram Pro", which are neither authorized nor endorsed by the Complainant. In support, the Complainant cites *Instagram, LLC v. Niyaz Khan, Ergonomic solutions*, WIPO Case No. [D2024-3290](#) and *Instagram, LLC v. Nerijus Abrutis, Nerijus Abrutis*, WIPO Case No. [D2021-2047](#) to portray that the conduct by the respondent in those cases were made in bad faith through attempting to profit from the goodwill of the Complainant's Trademarks to misleadingly attract Internet users.

The Complainant alleges that the application distributed under the Disputed Domain Name may be used to spread malware and produces evidence that the Disputed Domain Name and the Respondent's services has been flagged by cybersecurity vendors as malicious according to an Iris Investigate Report. The Complainant cites the [WIPO Overview 3.0](#) at 3.4, noting that the Respondent's activities may involve illegitimate or illegal practices, such as malware distribution, scraping of private data and phishing for user credentials. The Complainant emphasizes that panels have found that such conduct amounts to bad faith use, referring to *Instagram, LLC v. Yashavantha Yashu, indiangovtjob*, WIPO Case No. [D2023-1327](#) and *Instagram, LLC v. Sergiy Dotsenko*, WIPO Case No. [D2024-3906](#).

The Complainant cites that additional factors reinforce the inference of bad faith. The Respondent failed to respond to cease-and-desist notices and DNS abuse reports sent by the Complainant in January 2025, a circumstance panels have recognized as indicative of bad faith as in *America Online, Inc. v. Antonio R. Diaz*, WIPO Case No. [D2000-1460](#) and *Instagram, LLC v. Abhishek Singh, Abhishek singh et al.*, WIPO Case No. [D2024-3956](#). Lastly, the Respondent initially relied on a proxy service to conceal its identity which supports an inference in bad faith under the [WIPO Overview 3.0](#) at 3.6 and *Fifth Third Bancorp v. Secure Whois Information Service*, WIPO Case No. [D2006-0696](#).

In light of these factors, the Complainant requests transfer of the Disputed Domain Name.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. Referring to the [WIPO Overview 3.0](#) at 1.7, the standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's Trademarks and the Disputed Domain Name.

The Complainant has shown rights in respect of a trademark via multiple national and regional trademark registrations, such as INSTAGRAM and its Gradient Logo, for the purposes of the Policy and the [WIPO Overview 3.0](#) at 1.2.1.

The entirety of the Complainant's INSTAGRAM Trademark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the Complainant's Trademarks for the purposes of the Policy and referring to the [WIPO Overview 3.0](#) at 1.7.

Although the addition of the term "pro" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the Disputed Domain Name and the INSTAGRAM mark for the purposes of the Policy and the [WIPO Overview 3.0](#) at 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, according to the [WIPO Overview 3.0](#) at 2.1.

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 Complainant has shown that the Respondent is not authorized, is not commonly known by the Disputed Domain Name and uses the Disputed Domain Name to promote an unauthorized modified app which, by design and presentation, effectively impersonates or suggests affiliation with the Complainant, including through the use of the Complainant's Trademarks, namely INSTAGRAM, and its Gradient Logo. Such uses do not constitute fair use where they create or capitalize on a risk of implied affiliation, as per the [WIPO Overview 3.0](#) at 2.5.1.

Further, the Respondent's conduct does not satisfy the first and third factors of the *Okie Data* test as the website is not limited to genuine, Complainant- approved goods or services, and there is no accurate and prominent disclosure of the registrant's relationship with the trademark holder.

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, as per the [WIPO Overview 3.0](#) at 3.2.1.

INSTAGRAM is an invented word and associated with the Complainant, the Disputed Domain Name was registered in January 2025, long after the Complainant's platform gained online presence, and the website's content expressly positions "Instagram Pro" as a modified version of the official app with unauthorized features while replicating branding elements, such as the Gradient Logo. These facts strongly indicate targeting of Complainant's trademark rights, as per the [WIPO Overview 3.0](#) at 3.1.4.

Further, the Respondent's composition and presentation of the website with the INSTAGRAM mark and the Gradient Logo are designed to mislead users about the source or endorsement of the app and services, thereby diverting traffic for commercial gain.

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 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 be transferred to the Complainant.

/Douglas Clark/

Douglas Clark

Sole Panelist

Date: November 25, 2025