

ADMINISTRATIVE PANEL DECISION

WhatsApp LLC v. Hussain Ali and Muhammad Atif
Case No. D2025-3950

1. The Parties

The Complainant is WhatsApp LLC, United States of America (“United States”), represented by Hogan Lovells (Paris) LLP, France.

The Respondents are Hussain Ali, Pakistan, and Muhammad Atif, Pakistan.

2. The Domain Names and Registrar

The disputed domain names <nawatsapp.com> and <nawatsapp.com> are 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 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 names. On October 1, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Not Disclosed) and contact information in the Complaint.

The Center sent an email communication to the Complainant on October 6, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file a separate complaint for the disputed domain name associated with a different underlying registrant or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on October 9, 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 Respondents of the Complaint, and the proceedings commenced on October 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 3, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on November 4, 2025.

The Center appointed Peter Burgstaller as the sole panelist in this matter on November 11, 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 provider of one of the world's most popular mobile messaging applications which allows users to exchange messages via smartphones (Annexes 7 and 8 to the Complaint).

The Complainant owns several trademark registrations containing the mark WHATSAPP, *inter alia*:

- United States Trademark (word), Registration No. 3939463, registered on April 5, 2011;
- European Union Trade Mark (word), No. 009986514, registered on October 25, 2011; and
- International Registration (word), Registration No. 1396913, registered on December 21, 2017, designating numerous jurisdictions around the world.

Moreover, the Complainant holds figurative trademark registrations for its logo  under International Registration No. 1109890, registered on January 10, 2012, designating multiple jurisdictions around the world (Annex 11 to the Complaint).

The Complainant also owns numerous domain names comprising the WHATSAPP mark, especially the domain name <whatsapp.com>, registered on September 4, 2008, under which its main website is available (Annex 9 to the Complaint).

Further, the Complainant has a strong presence online by being active on various social-media platforms (Annex 10 to the Complaint).

The disputed domain name <nawatsapp.com> was registered on June 29, 2024, and the disputed domain name <nawatsapp.com> on August 17, 2024 (Annex 2 to the Complaint).

At the time of filing of the Complaint the disputed domain name <nawatsapp.com> referred to a website offering an unauthorized modified version of the Complainant's application under the logos  and  and featuring the mark WHATSAPP; a disclaimer featuring "No Affiliation with WhatsApp Inc." was presented at the website on a separate tab of the website (Annex 3 to the Complaint).

Previously, the disputed domain name <nawatsapp.com> also resolved to a website offering an unauthorized modified version of the Complainant's application under the above-mentioned logos and featuring the mark WHATSAPP (Annex 4 to the Complaint). However, at the time of filing of the Complaint the disputed domain name <nawatsapp.com> resolved to a website with no material content but with the warning "Suspected Phishing – this website has been reported for potential phishing" (Annex 12 to the Complaint).

A cease-and-desist letter was sent to the Respondents on July 1, 2025; the Respondents did not reply (Annex 13 to the Complaint).

5. Parties' Contentions

A. Complainant

The Complainant asks for consolidating disputes against different disputed domain names' registrants in a single proceeding since there is a set of indicators that suggest that the disputed domain names were registered by the same entity.

Further, the Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Complainant contends that the WHATSAPP trademark is famous and well known; it notes that the disputed domain names entirely incorporate such trademark; they only add the prefix "na" under the generic Top-Level Domain ("gTLD") ".com", which does not prevent a finding of confusing similarity. Regarding the disputed domain name <nawatsapp.com> the Complainant contends that the omission of the letter "h" is an obvious misspelling of the Complainant's trademark WHATSAPP, which does not prevent a finding of confusing similarity.

Further, the Complainant alleges that there is no relationship between the Complainant and the Respondents, and the Respondents are not using the disputed domain names in connection with a bona fide offering of goods or services. Rather, the Respondents purported to offer for download unauthorized APK versions of the Complainant's WhatsApp application using the Complainant's WHATSAPP trademark. Moreover, the Respondents violate the Complainant's WhatsApp Brand Assets and Guidelines.

The website at the disputed domain name <nawatsapp.com> features a disclaimer-like wording as to the lack of relationship with the Complainant; however, the disclaimer is on a separate tab and is not prominently visible from the homepage. The website previously associated with the disputed domain name <nawatsapp.com> did not feature any disclaimer.

The Complainant alleges that by making numerous references to the Complainant, as well as featuring modified versions of the Complainant's logo and figurative trademark, the Respondents' websites suggest(ed) that they are affiliated with the Complainant, which is not the case.

Finally, the Respondents are not commonly known by the disputed domain names.

Because of the fame of the Complainant and its trademarks, the Complainant submits that the Respondents must have been aware of it when registering the disputed domain names. Moreover, the disputed domain names resolved previously to websites with offered for download unauthorized APK versions of the Complainant's WhatsApp application under very similar logos to the one of the Complainant and by using the Complainant's mark WHATSAPP. In doing so, the Respondents used the disputed domain names to prominently display and reproduce – without authorization – the Complainant's various intellectual property, including the Complainant's WHATSAPP marks and mislead Internet users into believing that the Respondents' websites are somehow affiliated with or otherwise endorsed by the Complainant, which they are not.

B. Respondents

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

6. Discussion and Findings

6.1. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the disputed domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards same identity or common control, the Panel notes that:

- the disputed domain names were registered by using the same Registrar;
- the registrant details contain several commonalities in the physical addresses and the registrant phone number for both disputed domain names is the same; and the registrant email addresses for both disputed domain names are similar, both comprising the element "nawhatsapp" under the "gmail.com" email domain;
- the disputed domain names have a very similar naming pattern: the prefix "na" and identical gTLD ".com";
- the disputed domain names resolved (originally) to very similar websites, purporting to offer for download unauthorized modified APK versions of the Complainant's WhatsApp application called, inter alia, "NA1 WhatsApp" or "NA WhatsApp" together with very similar logos to the one of the Complainant; and
- the Respondents did not react in any way – the Respondents neither submitted comments on the consolidation request nor filed any Response.

Because of these commonalities, this Panel is convinced that the disputed domain names were registered by the same domain name holder or they are at least under common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

6.2. Substantive Issues

According to paragraph 4(a) of the Policy, the Complainant must prove that:

- (i) the disputed domain names are 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 with respect to the disputed domain names; and
- (iii) the disputed domain names have been registered and are 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 3.0](#), section 1.7.

The Complainant submitted evidence which incontestably and conclusively establishes rights in the mark WHATSAPP.

In the present case the disputed domain names are confusingly similar to the WHATSAPP mark in which the Complainant has rights since that mark remains recognizable within the disputed domain names. While both domain names add the letters "na" to the WHATSAPP mark, it has long been established under UDRP decisions that adding terms to a trademark, here, the mere addition of the prefix "na" and, with regard to the disputed domain name <nawatsapp.com>, the omission of the letter "h", which is an obvious misspelling, does not prevent a finding of confusing similarity under the first element of the Policy, if the relevant trademark remains recognizable within the disputed domain name ([WIPO Overview 3.0](#), section 1.8).

Finally, it has also long been held that gTLDs are generally disregarded when evaluating the confusing similarity between a disputed domain name and a trademark. [WIPO Overview 3.0](#), section 1.11.

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.

While 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 often impossible 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. 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 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, since it has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to register or use the WHATSAPP trademark in any manner. The Respondent did not reply and hence has not rebutted the Complainant's contentions.

Further, the Complainant focuses on the fact that its trademark is famous and well known around the world and registered in a variety of jurisdictions around the world. The Complainant provided suitable evidence of its reputation, adding that it is inconceivable that the Respondent would not have been aware of this when registering the disputed domain names.

Moreover, the composition of the disputed domain names, coupled with the use of the disputed domain names to (at least previously) resolve to websites that purported to offer for download unauthorized modified APK versions of the Complainant's WhatsApp application, while displaying very similar logos to the one of the Complainant, affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain names and the Complainant as to the origin or affiliation of the websites at the disputed domain names.

Finally, the evidence in the Complaint revealed a disclaimer at the website accessible through the disputed domain name <nawatsapp.com> that disclosed the lack of the Respondent's relationship with the Complainant. However, this disclaimer in the circumstances of this case cannot cure the Respondent's bad

faith such as to amount to a legitimate use of a trademark as a reseller, distributor, or service provider under the Oki Data test. [WIPO Overview 3.0](#), section 2.8; *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#). Rather, it appears the Respondent has purposely attempted to take unfair advantage of the Complainant's mark.

Based on the available record, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

As stated in many decisions rendered under the Policy (e.g. *Robert Ellenbogen v. Mike Pearson*, WIPO Case No. [D2000-0001](#)) both conditions, registration and use in bad faith, must be demonstrated; consequently, the Complainant must show that:

- the disputed domain names were registered by the Respondent in bad faith, and
- the disputed domain names are being used by the Respondent in bad faith.

(i) In the present case, the Complainant provided evidence which demonstrates that it has rights and is the owner of the famous and well-known registered trademark WHATSAPP, registered and used in many jurisdictions around the world long before the disputed domains were registered.

Further, the Complainant registered and is using various domain names containing the mark WHATSAPP e.g., <whatsapp.com> among others, for many years; the Complainant has also a strong Internet presence on various social media platforms.

It is therefore inconceivable for this Panel that the Respondent registered and used the disputed domains name without knowledge of the Complainant's rights, which leads to the necessary inference of bad faith. [WIPO Overview 3.0](#), section 3.2.2.

This finding is supported by the fact that the disputed domain names incorporate the Complainant's trademark WHATSAPP (or a misspelling thereof) entirely and merely add the prefix "na" and, notably, the use to which the disputed domain names have been put.

Therefore, the Panel is convinced that the disputed domain names were registered in bad faith by the Respondent.

(ii) The Complainant has put forward evidence that the disputed domain names were previously used by the Respondent to resolve to websites showing the Complainant's mark WHATSAPP and purported to offer for download unauthorized modified APK versions of the Complainant's WhatsApp application, while displaying very similar logos to the one of the Complainant.

This clearly disrupts the Complainant's business and shows that the Respondent intentionally attempts to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark, which constitutes bad faith use.

Although, at the time of filing of the Complaint the disputed domain name <nawatsapp.com> did not resolve to a website with material content, panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

The evidence and documents produced and put forward by the Complainant together with the fact that the Respondent did not reply to a cease-and-desist letter from the Complainant before filing of this Complaint and the Respondent has failed to file a Response and therefore failed to present any evidence of any good faith registration and use with regard to the disputed domain names further prove that the disputed domain names were registered and are used by the Respondent in bad faith under paragraph 4(a)(iii) of the Policy.

Based on the available record, 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 names <nawatsapp.com> and <nawatsapp.com> be transferred to the Complainant.

/Peter Burgstaller/

Peter Burgstaller

Sole Panelist

Date: November 25,2025