ARBITRATION
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MEDIATION CENTER

WIPO
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ORGANIZATION

# ADMINISTRATIVE PANEL DECISION
WhatsApp LLC v. Ahtasham Ulhaq, Ziddidil
Case No. D2025-3974

## 1. The Parties

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

The Respondent is Ahtasham Ulhaq, Ziddidil, Pakistan.

## 2. The Domain Name and Registrar

The disputed domain name <whatsappgbdownload.net> 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 30, 2025. On September 30, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 7, 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 amended Complaint on October 10, 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 Respondent of the Complaint, and the proceedings commenced on October 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 11, 2025.

The Center appointed Zoltán Takács as the sole panelist in this matter on November 19, 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

Founded in 2009 and acquired by Meta Platforms, Inc. (formerly known as Facebook, Inc.) in 2014 the Complainant is the provider of one of the world's most popular mobile messaging applications WhatsApp with well over 2.8 billion monthly active users worldwide as of January 2024.

The Complainant is among others owner of the:

- United States Trademark Registration No. 3939463 for the word mark WHATSAPP registered on April 5, 2011, and

- International Trademark Registration No. 1109890 for a figurative mark consisting of a green speech bubble outlined in white with a telephone in the center ("the logo") registered on January 10, 2012.

The Complainant also owns numerous domain names comprising its WHATSAPP mark under various generic Top-Level Domains ("gTLDs"), as well as under many country code Top-Level Domains ("ccTLDs").

The Complainant's main website is available at "www.whatsapp.com" with the corresponding domain name being registered since September 4, 2008.

The disputed domain name was registered on October 7, 2023, and used to resolve to an English language website titled "Whatsapp Gb Download". The website prominently referenced the Complainant's mark and a close variation of its logo as well as a color scheme and favicon similar to those the Complainant used for its WhatsApp app and purportedly offered for download an unauthorized APK version of the WhatsApp app named GB WhatsApp. The website also featured: "We are not affiliated, associated, authorized, endorsed bx, or in any way officially connected with WhatsApp Inc. or any of its subsidiaries or affiliates".

On September 8, 2025, the Complainant's lawyers sent a cease-and-desist letter to the Respondent by email, and on September 12, 2025, via the Registrar's registrant contact form. The Respondent did not reply to these communications.

Currently the disputed domain name appears to be inactive.

## 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 among others contends that:

- the disputed domain name which comprises its WHATSAPP mark followed by the terms "gb" and "download" is confusingly similar to the mark;

- the Respondent has no rights or legitimate interests in respect of the disputed domain name since it is unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy;

- the global renown of the Complainant's mark and the nature of the Respondent's website demonstrate actual knowledge of the Complainant and its marks at the time of registration of the disputed domain name; and

- the Respondent's use of the disputed domain name to offer unauthorized version of the Complainant's messaging app and the nature of the Respondent website is evidence of bad faith registration and use of the disputed domain name pursuant to paragraph 4(b)(iv) of the Policy.

The Complainant requests that the disputed domain name be transferred from the Respondent to the Complainant.

**B. Respondent**

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

**6. Discussion and Findings**

A complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed with the complaint, namely that:

(i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;

(ii) the respondent has no rights or legitimate interests in respect of the 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 by relatively straightforward comparison between the Complainant's mark 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 services mark for the purposes of the Policy WIPO Overview 3.0, section 1.2.1.

The Complainant's WHATSAPP mark is reproduced and is recognizable 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 the addition of other terms, here "gb" and "download" may bear assessment of the second and third elements, the Panel finds that the addition of these terms 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 that 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.

The Respondent is not a licensee of the Complainant. The Respondent is not affiliated with the Complainant in any way, nor has ever been authorized by the Complainant to make any use of its WHATSAPP mark, in a domain name or otherwise.

As mentioned above, the Respondent used the disputed domain name for a website that prominently featured the Complainant's WHATSAPP mark and a close variation of its signature logo, as well as color scheme and favicon similar to those the Complainant used for its WhatsApp app and apparently promoted a third-party unauthorized modified version of the Complainant's WhatsApp application. Such use could have created an impression of association or affiliation with the Complainant and does not constitute a legitimate noncommercial or fair use of the disputed domain name. WIPO Overview 3.0, section 2.5.1. In addition, the disclaimer employed by the Respondent was not prominently visible and accessible hence the "nominative use" justification for a domain name reflecting the Complainants' mark does not apply in this case. WIPO Overview 3.0, section 2.8.1; *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903.

The Panel finds that 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.

In the present case the Panel notes that due to global reach and popularity of the Complainant's WhatsApp app the WHATSAPP mark has become well-known long before the registration of the disputed domain name (see e.g. *WhatsApp Inc. v. Francisco Costa*, WIPO Case No. D2015-0909 and *WhatsApp Inc. v. Sudheer Kumar*, WIPO Case No. D2019- 1632).

UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. WIPO Overview 3.0, section 3.1.4.

The Respondent replicated the well-known WHATSAPP mark in the disputed domain name and the website at the disputed domain name prominently featured the Complainant's mark and close variation of its signature logo as well as color scheme and favicon similar to those the Complainant used for its WhatsApp app. This in view of the Panel demonstrates that the Respondent had actual knowledge of the Complainant and its mark at the time of registration and has registered the disputed domain name in order to target the Complainant and its well-known mark.

The website at the disputed domain name offered for download unauthorized third-party version of the Complainant's messaging app, which in the totality of these facts and circumstances is evidence of the Respondent's intent to attempt to attract, for commercial 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 such website, or of a product or service on such website. Paragraph 4(b)(iv) of the Policy.

The fact that the disputed domain name is currently inactive does not prevent a finding of bad faith under the doctrine of passive holding. WIPO Overview 3.0, section 3.3. In this context the panel notes the global reputation of the Complainant's mark; the previous use of the disputed domain name and also that that the Respondent failed to respond to multiple communications of the Complainant's lawyers as well as to submit a response to the Complaint. In these circumstances the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel finds that 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 <whatsappgbdownload.net> be transferred to the Complainant.

*/Zoltán Takács/*
**Zoltán Takács**
Sole Panelist
Date: November 26, 2025