

## **ADMINISTRATIVE PANEL DECISION**

Instagram, LLC v. Reena Gour  
Case No. D2025-4125

### **1. The Parties**

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

The Respondent is Reena Gour, India.

### **2. The Domain Name and Registrar**

The disputed domain name <instavideodownload.online> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 9, 2025. On October 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 10, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 October 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 1, 2025.

The Center appointed Anita Gerewal as the sole panelist in this matter on December 4, 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 globally recognized social networking platform and mobile application for sharing photos and videos. Since its introduction in 2010, Instagram has quickly built substantial goodwill and international recognition. After being acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012, Instagram has grown to more than three billion monthly active users worldwide.

The Complainant is the owner of numerous trademark registrations internationally, including the following:

- United States of America Trademark Registration No. 4146057 for the mark INSTAGRAM in international class 9, registered on May 22, 2012.
- International Trademark Registration No. 1129314 for the mark INSTAGRAM in international classes 9, and 42, registered on March 15, 2012 and designating Australia, European Union, Israel, Japan, Norway, Republic of Korea, Singapore, Switzerland, and Türkiye.
- European Union Registration No. 18359602 for the mark INSTA in international classes 9, 35, 38, 41, 42, and 45 and registered on February 9, 2023.
- Indian Trademark Registration No. 4789526 for INSTA, in international classes 9, 35, 38, 41, 42 and 45 and registered on December 21, 2020.

The Complainant is also the registrant of numerous domain names consisting of or including the INSTAGRAM or INSTA Trademarks under a wide range of generic Top-Level Domains (gTLDs) and country code Top-Level Domains (ccTLDs).

The Respondent appears to be an individual with an address in India. The disputed domain name was registered on February 11, 2025, and resolves to a page offering Instagram video download service.

#### 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 the Complainant owns numerous registered INSTAGRAM and INSTA trademarks, which establish its standing under the UDRP. The disputed domain name incorporates the dominant and recognizable element "insta," which is widely associated with the Complainant's Instagram platform, together with the terms "video" and "download." Under established WIPO views and consistent panel decisions, the incorporation of a trademark or its dominant feature in a domain name is sufficient to find confusing similarity, and the addition of descriptive terms does not dispel—and may even increase—such confusion where they relate to the Complainant's services. The applicable gTLD ".online" should be disregarded for this analysis.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name, owns any corresponding trademark rights, or has any independent entitlement to use the Complainant's well-known INSTAGRAM or INSTA trademarks. The Respondent is not affiliated with, licensed by, or authorized by the Complainant in any way, and has deliberately incorporated the INSTA mark with descriptive terms to target the Complainant's platform, creating a clear risk of implied affiliation. Prior UDRP decisions consistently hold that such impersonation or suggestion of sponsorship cannot constitute fair or legitimate use.

The Complainant further contends that the disputed domain name resolves to a website offering an "Instagram Video Downloader" that prominently uses the Complainant's trademarks and targets Instagram users, likely misleading them into believing the service is authorized or endorsed by the Complainant. Even if Oki Data test is applicable in the case, the Respondent's use does not qualify as a bona fide offering of goods or services, nor does it meet the Oki Data criteria (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case

No. [D2001-0903](#)), as the service is unauthorized, potentially unlawful, promotes ancillary services for other platforms, and fails to clearly and prominently disclose the lack of affiliation. Any minimal disclaimer is insufficient to cure the resulting confusion. Accordingly, the Complainant submits that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Complainant also contends that the disputed domain name was registered and is being used in bad faith, as the Respondent clearly knew of the Complainant's famous and highly distinctive INSTAGRAM and INSTA trademarks at the time of registration and deliberately targeted them. Given the global renown of the marks, their exclusive association with the Complainant, and the disputed domain name's composition and website content promoting an unauthorized "Instagram Video Downloader," the Respondent intentionally created a likelihood of confusion as to source, sponsorship, or endorsement to attract Internet users for commercial gain. The use of the disputed domain name to promote potentially unlawful and malicious activities, including unauthorized content downloading and cybersecurity risks, further evidences bad faith, as does the Respondent's failure to respond to cease-and-desist notices and use of proxy services to conceal its identity. Taken together, these circumstances establish bad faith registration and use.

## **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, the 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 interest in respect of the disputed 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 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 the INSTAGRAM or INSTA trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the INSTA 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 the addition of other terms here, "video" and "download" may bear on assessment of the second and third elements, the Panel finds the addition of such 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.

### **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 commonly known by the domain name, holds no relevant trademark rights, and has no authorization or affiliation with the Complainant. By incorporating the Complainant’s well-known INSTA mark with descriptive terms, the Respondent intentionally targets the Complainant’s platform and creates a misleading impression of affiliation, which prior UDRP decisions have consistently found not to constitute fair or legitimate use. The disputed domain name resolves to a website offering an “Instagram Video Downloader” that prominently uses the Complainant’s trademarks and is likely to mislead users into believing the service is authorized or endorsed. Such use is not a bona fide offering of goods or services as the service is unauthorized, potentially unlawful, and lacks a clear and prominent disclaimer of non-affiliation. Accordingly, the Panel concludes that the Respondent lacks rights or legitimate interests in the disputed domain name.

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.

In the present case, the Panel notes that the disputed domain name resolves to a page offering an unauthorized “Instagram Video Downloader” tool.

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.

The Panel finds that the disputed domain name was registered and is being used in bad faith. Given the global fame and distinctiveness of the Complainant’s INSTAGRAM and INSTA trademarks, the Respondent clearly had knowledge of the Complainant and deliberately targeted its marks when registering the disputed domain name. By using the domain to promote an unauthorized “Instagram Video Downloader,” the Respondent intentionally sought to attract Internet users for commercial gain by creating a likelihood of confusion as to source, sponsorship, or endorsement. Taken together, these circumstances demonstrate bad faith registration and use 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 <instavideodownload.online> be transferred to the Complainant.

*/Anita Gerewal/*

**Anita Gerewal**

Sole Panelist

Date: December 18, 2025