

ADMINISTRATIVE PANEL DECISION

WhatsApp LLC v. Moh Nurdin
Case No. D2025-4128

1. The Parties

The Complainant is WhatsApp LLC, United States of America ("United States"), represented by Perkins Coie, LLP, United States.

The Respondent is Moh Nurdin, Japan.

2. The Domain Names and Registrar

The disputed domain names <fouadwhatsappapk.net>, <jtwhatsappmodapk.com> and <yowhatsappapk.net> are registered with GoDaddy.com, LLC (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 names. On October 10, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 14, 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 17, 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 October 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 14, 2025.

The Center appointed Andrew F. Christie as the sole panelist in this matter on November 21, 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 WhatsApp, LLC (“WhatsApp”) operates the WhatsApp messaging and voice-over-IP service and mobile application. WhatsApp is a global leader in messaging services for mobile devices, with over two billion people in over 180 countries using WhatsApp to stay in touch with friends and family via free messages and calling. WhatsApp enables its users to send text messages and voice messages, make voice and video calls, and share images, documents, user locations, and other content with one another. The Complainant also offers business users “The WhatsApp Business” app, which allows small businesses to interact with customers using tools to automate, sort, and quickly respond to messages. The Complainant also offers business users the “WhatsApp Business Platform”, to enable larger businesses to chat with customers at scale through programmatic access to WhatsApp.

The Complainant owns trademark registrations for the word trademark WHATSAPP (“WHATSAPP trademark”), including United States Trademark Registration No. 3939463 (registered on April 5, 2011), European Union Trademark Registration No. 009986514 (registered on October 25, 2011), and International Trademark No. 1396913 (registered on December 21, 2017). The Complainant also owns trademark registrations for the image trademark of the outline in white of telephone handset on a green background in a speech bubble (“WhatsApp logo trademark”), including United States Trademark Registration No. 4359872 (registered on July 2, 2013), European Union Trademark Registration No. 010496602 (registered on May 18, 2012), and International Trademark No. 1109890 (registered on January 10, 2012).

The Complainant’s has registered the domain name <whatsapp.com>, which it uses for its website. It has also registered and uses numerous other domain names containing the WHATSAPP word trademark, in various generic Top-Level Domains (“gTLDs”) and country code Top-Level Domains (“ccTLDs”).

The disputed domain names were registered on June 10, 2025. The Complainant has provided screenshots dated August 29, 2025, showing the website at “www.gbapks.io”, which it says is the website to which the disputed domain names then redirected. This website is headed with a logo very similar to the WhatsApp logo trademark and the text “GB WhatsApp”, and purports to offer modified mobile applications referred to as “GB WhatsApp” and “GB WhatsApp PRO”.

As at the date of this decision, the disputed domain names <fouadwhatsappapk.net> and <yowhatsappapk.net> do not resolve to an active location, while the disputed domain name <jtwhatsappmodapk.com> resolves to a parking page of the Registrar indicating that the domain name is registered but may still be available.

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 names.

The Complainant contends that the disputed domain names are confusingly similar to a trademark in which it has rights on the following grounds, among others. The disputed domain names wholly incorporate the Complainant’s identical well-known WHATSAPP trademark. Adding one of the prefixes “fouad”, “jt” or “yo”, together with one or both of the descriptive suffixes “mod” and “apk”, is insufficient to dispel the ensuing confusing similarity with the Complainant’s WHATSAPP trademark. The addition of the terms “mod” and

“apk” adds to the confusing similarity as these terms directly relate to software modifications and Android Package Kits, respectively, which are commonly associated with mobile applications such as the Complainant's WhatsApp application.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names on the following grounds, among others. There is no evidence to suggest that the Respondent is commonly known by the disputed domain names or has any rights in the disputed domain names independent of the Complainant's well-established trademark rights. To the best of the Complainant's knowledge, the Respondent has neither acquired nor applied for a trademark registration in any jurisdiction for “FOUAD WHATSAPP APK”, “JT WHATSAPP MOD APK”, “YO WHATSAPP APK”, “GB WHATSAPP” or any variation thereof as reflected in the disputed domain names. The Respondent is not a licensee of the Complainant, nor is it affiliated with the Complainant in any way. The Complainant has not authorized the Respondent to make any use of its WHATSAPP trademark or its WhatsApp logo trademark, whether in a domain name or mobile app, in logos on its website, or otherwise. The Respondent configured the disputed domain names to redirect to a website using the domain name <gbapks.io>, whose content specifically targets the Complainant by offering unauthorized modified versions of the Complainant's WhatsApp application, whilst making prominent use of the Complainant's trademarks. This is likely to mislead users into believing that both the disputed domain names and the promoted applications are operated by, approved of, sponsored by, or affiliated with the Complainant. This implied affiliation or sponsorship cannot constitute legitimate or noncommercial fair use under the Policy.

The principle that service providers using a domain name containing the complainant's trademark to undertake sales or repairs related to the complainant's goods or services may be making a bona fide offering of goods or services, and thus have a legitimate interest in such a domain name, as recognized in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#) (“*Oki Data*”), does not apply in this case. The Complainant's Terms of Use apply to all users of the Complainant's platforms, including software developers like the Respondent with applications or services integrated with the Complainant's platforms, and expressly prohibit the Respondent from using the Complainant's trademarks in the disputed domain names or in derivatively named services. It is therefore impossible for the Respondent to provide any bona fide services as understood within *Oki Data*, while the Respondent uses the Complainant's famous trademarks in violation of the prohibitions expressly set out in the Complainant's Terms of Use. Even if the *Oki Data* principle did apply, the Respondent is not providing bona fide services as understood within the *Oki Data* under the first, third, and fourth factors.

The Complainant contends that the Respondent has registered and is using the disputed domain names in bad faith on the following grounds, among others. The Respondent knew of the Complainant's rights to the WHATSAPP trademark when it registered the disputed domain names. The Complainant's WHATSAPP trademark is inherently distinctive and well-known throughout the world and has been continuously and extensively used by the Complainant since 2009. It is therefore inconceivable for the Respondent to argue that they were not aware of the Complainant's WHATSAPP trademark when it registered the disputed domain names on June 10, 2025. Moreover, the disputed domain names and the content of the website to which the Respondent configured the disputed domain names to redirect are so obviously connected with the Complainant and its WHATSAPP trademark and services that such use by the Respondent, who has no connection to the Complainant, suggests opportunistic bad faith. Given the composition of the disputed domain names, and noting the nature of the website to which the Respondent redirected the disputed domain names, Internet users are likely to believe that the website promoted by the Respondent, along with the modified unauthorized “GB WhatsApp” and “GB WhatsApp PRO” applications offered therein, are affiliated with or somehow endorsed by the Complainant. By using the disputed domain names in this fashion, the Respondent has intentionally attempted to attract Internet users to its website by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and putative services marketed therein, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

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. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain names. 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. It is the owner of a number of trademark registrations for the word trademark WHATSAPP.

The entirety of the Complainant's word trademark is reproduced within each of the disputed domain names, with the addition of one of the prefixes "fouad", "jt" or "yo", together with one or both of the suffixes "mod" and "apk". The Panel finds the Complainant's trademark is recognizable within the disputed domain names, and that the addition of the prefixes and suffixes does not prevent a finding of confusing similarity between the disputed domain names and the trademark for the purposes of the Policy. Accordingly, each of the disputed domain names is confusingly similar to the Complainant's trademark for the purposes of the Policy.

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 is not a licensee of the Complainant, is not otherwise affiliated with the Complainant, and has not been authorized by the Complainant to use its WHATSAPP trademark. The Respondent has not provided any evidence that it has been commonly known by, or has made a bona fide use of, the disputed domain names, or that it has, for any other reason, rights or legitimate interests in the disputed domain names. The composition of the disputed domain names carries a risk of implied affiliation with the Complainant. The Complainant asserted, and the Respondent did not refute, that the disputed domain names resolved to a website that reproduced the Complainant's WHATSAPP trademark and WhatsApp logo trademark and which purported to offer modified mobile applications referred to as "GB WhatsApp" and "GB WhatsApp PRO". The Respondent's use of the disputed domain names in this way unfairly took advantage of the Complainant's trademark for the Respondent's benefit and falsely suggested a connection or affiliation with the Complainant to purportedly offer unauthorized services or functionality for the WhatsApp application. Such use of the disputed domain names is not a bona fide offering of goods or services, and is not a legitimate noncommercial or fair use. Accordingly, such use does not confer on the Respondent rights or legitimate interests in the disputed domain names.

The Complainant has put forward a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names, and the Respondent has not rebutted this. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain names.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

In the present case, the Panel notes that: (i) the Respondent registered the disputed domain names many years after the Complainant first registered its WHATSAPP trademark; (ii) the disputed domain names incorporate the Complainant's trademark in its entirety, and add suffixes that allude to a modified mobile application of the product that the Complainant provides under its trademark; and (iii) the Respondent has used the disputed domain names to resolve to a web location at which the Complainant's trademark is used. It is clear the Respondent registered the disputed domain names with knowledge of the Complainant's trademark.

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 evidence shows that the Respondent has used the disputed domain names in an intentional attempt to attract, for commercial gain, Internet users to a website by creating a likelihood of confusion with the Complainant's trademark. Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain names constitute 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 names <fouadwhatsappapk.net>, <jtwhatsappmodapk.com> and <yowhatsappapk.net> be transferred to the Complainant.

/Andrew F. Christie/

Andrew F. Christie

Sole Panelist

Date: December 5, 2025