

ADMINISTRATIVE PANEL DECISION

WhatsApp LLC v. Tawfeek Alhadad

Case No. D2025-4217

1. The Parties

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

The Respondent is Tawfeek Alhadad, Yemen.

2. The Domain Names and Registrar

The disputed domain names <aeroowhats.app>, <alnajmwhats.app>, <baixarwhats.app>, <tanzilwhats.app>, and <whatsdahabi.app> are registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 14, 2025. On October 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On October 16, 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 (DATA REDACTED) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 20, 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 24, 2025. The Respondent sent an email communication to the Center on October 24, 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 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 16, 2025. However, the Respondent did not file any formal response. Accordingly, the Center notified the commencement of panel appointment process on November 18, 2025.

The Center appointed Rodrigo Azevedo as the sole panelist in this matter on November 24, 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 WhatsApp LLC, a provider of one of the world's most widely used mobile messaging applications. Founded in 2009 and acquired by Meta Platforms, Inc. (formerly Facebook, Inc.) in 2014, the Complainant's WhatsApp application enables global users to exchange messages via smartphones and has achieved significant international recognition and popularity.

The Complainant owns numerous trademark registrations for WHATSAPP and WHATS in various jurisdictions, including, inter alia, United States Trademark Registration No. 3,939,463 for WHATSAPP (registered on April 5, 2011), European Union Trademark No. 9986514 for WHATSAPP (registered on October 25, 2011), International Registration No. 1085539 for WHATSAPP (registered on May 24, 2011), and European Union Trademark No. 17923676 for WHATS (registered on March 8, 2019).

The Complainant also owns and operates the domain name <whatsapp.com>, which was registered on September 4, 2008, and offers access to its platform and services.

The disputed domain names were registered between May and September 2023, as follows:

- <aeroowhats.app> – registered on September 25, 2023;
- <alnajmwhats.app> – registered on June 19, 2023;
- <baixarwhats.app> – registered on May 7, 2023;
- <tanzilwhats.app> – registered on May 3, 2023; and
- <whatsdahabi.app> – registered on August 21, 2023.

The disputed domain names <aeroowhats.app>, <alnajmwhats.app>, and <baixarwhats.app> do not currently resolve to any active website. However, the disputed domain names <tanzilwhats.app>, and <whatsdahabi.app> resolve to websites that purport to offer versions of the Complainant's WhatsApp application. The Complainant brought evidence that the other three disputed domain names were also recently linked to similar websites, some of which using the Complainant's figurative trademark and telephone logo. The websites linked to the disputed domain names are primarily in Arabic or Portuguese and feature no disclaimers as to the lack of association with the Complainant. In some instances, they included advertising banners and offer links to additional modified versions of the Complainant's application.

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.

Notably, the Complainant contends that:

(i) The disputed domain names are identical or confusingly similar to the Complainant's trademark. The Complainant asserts that each of the disputed domain names incorporates either its WHATSAPP or WHATS trademarks in their entirety, and that these marks are readily recognizable within the disputed domain names. The addition of generic or descriptive terms, such as "aeroo", "alnajm", "baixar", "tanzil", and "dahabi", does not prevent a finding of confusing similarity. The presence of the generic Top-Level Domain (".app") is irrelevant in the assessment of confusing similarity under the Policy. The WHATSAPP trademark

has been recognized in prior UDRP decisions as being well-known and widely associated with the Complainant's mobile messaging services.

(ii) The Respondent has no rights or legitimate interests in the disputed domain names. The Complainant affirms that it has never licensed or otherwise authorized the Respondent to use its trademarks, and that the Respondent is not affiliated with or endorsed by the Complainant in any way. There is no evidence that the Respondent is commonly known by the disputed domain names, nor that it is making a legitimate noncommercial or fair use of them. The Respondent is not using the disputed domain names in connection with a bona fide offering of goods or services. Rather, the websites to which the disputed domain names resolve are used to promote unauthorized and modified versions of the Complainant's mobile messaging application, known as "APK" versions. These versions incorporate the Complainant's marks and its figurative logo, and are distributed without authorization, posing risks to users and tarnishing the Complainant's reputation. Furthermore, some of the websites contain advertising content, indicating a commercial intent.

(iii) The disputed domain names were registered and are being used in bad faith. The Complainant maintains that its WHATSAPP mark is highly distinctive and widely known, and that the Respondent must have been aware of the Complainant and its rights at the time of registering the disputed domain names. The Respondent's choice to register the disputed domain names incorporating the WHATSAPP or WHATS trademarks, coupled with the use of the marks and logo on the associated websites, is evidence of targeting. The Respondent has intentionally attempted to attract Internet users to its websites by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the websites. This includes distributing unauthorized versions of the WhatsApp application, some of which may pose security risks, and exploiting the Complainant's brand for commercial gain without authorization. In support, the Complainant references prior UDRP decisions in which similar conduct involving unauthorized APK distributions and use of the WHATSAPP trademark was found to constitute bad faith.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. In the email dated October 24, 2025, the Respondent clarified an address transliteration issue for administrative purposes, but provided no substantive contentions regarding the merits of the dispute.

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to be entitled to a transfer of the disputed domain name, a complainant shall prove the following three elements:

- (i) the disputed domain name is 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 in respect of the disputed domain name; and
- (iii) the disputed 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.

Annex 9 to the Complaint shows numerous registrations for WHATSAPP trademark obtained by the Complainant. Based on the available record, the Panel finds 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.

The trademark WHATSAPP is wholly encompassed within the disputed domain names (including the generic Top Level-Domain (“gTLD”) extension “.app”), with the addition of the terms “aeroo”, “alnajm”, “baixar”, “tanzil”, and “dahabi”.

The Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7, and 1.11.3.

Although the addition of other terms (here, “aeroo”, “alnajm”, “baixar”, “tanzil”, and “dahabi”), 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 mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Based on the available record, 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.

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Complainant has not licensed nor authorized the use of its trademark to the Respondent, and the Panel finds no indication that the Respondent is commonly known by the disputed domain names.

Furthermore, the Complainant has shown that the disputed domain names were used by the Respondent to offer unauthorized versions of the Complainant’s WhatsApp application and even unauthorizedly reproducing the Complainant’s trademark and logo, together with commercial advertisement, which certainly cannot be considered legitimate interest.

Based on the available record, 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. [WIPO Overview 3.0](#), section 3.2.1.

The Panel concludes that it is not feasible that the Respondent was not aware of the Complainant's trademark and that the registration of the disputed domain names was a mere coincidence.

When the disputed domain names were registered (in 2023) the WHATSAPP trademark was already well-known worldwide and directly connected with the Complainant's messaging services.

The disputed domain names include the distinctive trademark WHATSAPP in its entirety, formed with the ".app" gTLD extension. According to the [WIPO Overview 3.0](#), section 3.1.4, 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.

The Respondent's websites fail to accurately and prominently disclose the Respondent's relationship, or lack thereof, with the Complainant given that they feature no disclaimer-like wording as to the lack of relationship with the Complainant.

Some of the Respondent's webpages at the disputed domain names also include commercial advertising banners.

Therefore, the Panel concludes that the Respondent is using the disputed domain names to intentionally attempt to attract for commercial gain Internet users to its websites by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of the Respondent's websites and the services offered therein, in bad faith.

Panels have found that the current non-use of some of the disputed domain names (i.e., <aeroowhats.app>, <alnajmwhats.app>, and <baixarwhats.app>) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, and the prior use of these disputed domain names, and finds that in the circumstances of this case the passive holding of these disputed domain names does not prevent a finding of bad faith under the Policy.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitute bad faith under 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 <aeroowhats.app>, <alnajmwhats.app>, <baixarwhats.app>, <tanzilwhats.app>, and <whatsdahabi.app> be transferred to the Complainant.

/Rodrigo Azevedo/

Rodrigo Azevedo

Sole Panelist

Date: December 11, 2025.