

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. maneesh mahajan
Case No. D2025-4315

1. The Parties

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

The Respondent is maneesh mahajan, India.

2. The Domain Name and Registrar

The disputed domain name <instagramphotovideosaver.com> is 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 October 21, 2025. On October 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 24, 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 (Not Disclosed Not Disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 24, 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 29, 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 November 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 24, 2025.

The Center appointed Fabrice Bircker as the sole panelist in this matter on December 3, 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 operates a photo-and-video-sharing social network named Instagram.

It was launched in 2010 and acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012.

This social network currently counts more than 3 billion monthly users and is notably available through a mobile application which is among the most downloaded in the world.

The Complainant's activities are notably protected through the following trademark registrations:

- INSTAGRAM, United States trademark registration No. 4146057 with first use on October 6, 2010, filed on September 19, 2011, registered on May 22, 2012, regularly renewed since then, and designating products of class 9;
- INSTAGRAM, International trademark No. 1129314, registered on March 15, 2012, regularly renewed since then, notably protected in Australia, Switzerland, European Union, and Japan, designating products and services of classes 9, and 42; and
- INSTAGRAM, Indian Trademark Registration No. 2645896 registered on December 19, 2013, regularly renewed since then, and protecting products of class 9.

The disputed domain name <instagramphotovideosaver.com> was registered on June 3, 2025.

It resolves to a website:

- purporting to offer services intended to “[d]ownload Instagram photos, videos, and reels in high quality with one click”,
- entitled InstaGrab Pro,
- reproducing the Complainant's logo consisting of a stylized camera, and
- displaying a header banner featuring a colour gradient similar to that used by the Complainant.

Before initiating this procedure, the Complainant tried to contact the Respondent, notably through the Registrar, but in vain.

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 disputed domain name is confusingly similar to its INSTAGRAM trademark, because it reproduces the latter, and the added elements do not prevent it from being recognizable.

Besides, the Complainant argues that the Respondent has no rights or legitimate interests in respect with the disputed domain name, in substance because:

- there is no evidence to suggest that Respondent is commonly known by the disputed domain name or has any rights in it;
- to the best of the Complainant's knowledge, the Respondent has neither acquired nor applied for a trademark registration for “Instagram photo video saver” or any variation thereof, as reflected in the disputed domain name;

- the Respondent is not a licensee of the Complainant, nor affiliated with the latter in any way. Besides, the Complainant has not authorized the Respondent to make any use of its INSTAGRAM trademark;
- the composition of the disputed domain name, coupled with the content of the website under said disputed domain name, entails a high risk of implied affiliation with the Complainant, and is even likely to confuse Internet users into believing that the disputed domain name and the related website are operated by, approved of, or affiliated with the Complainant;
- the Complainant's terms of use apply to all users of its platform, including software developers like the Respondent, and they notably prohibit the use of the Complainant's trademarks in a domain name. Consequently, assuming the Respondent would be considered as a service provider using the Complainant's trademark, the Oki Data test (see *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), and [WIPO Overview 3.0](#), section 2.8.1) would not be applicable because said test does not apply where any prior agreement, express or otherwise, between the parties expressly prohibits (or allows) the registration or use of domain names incorporating the complainant's trademark; and
- in any case, even assuming the Oki Data test would apply, the Respondent would fail said test because i) the Respondent is not providing legitimate sales or repairs in relation to a product provided by the Complainant as the disputed domain name has been flagged by at least one cybersecurity vendor as malicious, and ii) the website under the disputed domain name does not prominently disclose its (lack of) relationship with the Complainant.

At last, the Complainant contends that the disputed domain name has been registered and is being used in bad faith, notably because:

- the INSTAGRAM trademark is inherently distinctive, widely known throughout the world, and has been continuously and extensively used by the Complainant since 2010;
- all search results obtained by typing the term "Instagram" into the Google search engine available at "www.google.com" refer to the Complainant;
- the disputed domain name and the related website are obviously connected with the Complainant and its INSTAGRAM trademark;
- in choosing the disputed domain name that is so close to the Complainant's INSTAGRAM trademark to promote an unauthorized, derivative, third-party social media downloading service, the Respondent is taking advantage of the Complainant's rights for commercial gain;
- taken into account the conditions of use of the disputed domain name, 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 Respondent's website and putative services marketed therein;
- the disputed domain name has been flagged by at least one cybersecurity vendor as malicious, and therefore places the security of Instagram users at risk;
- the Respondent never replied to the correspondences from Complainant requesting he cease using the disputed domain name; and
- the Respondent's use of a proxy service or selection of a registrar with default proxy services strongly suggests an attempt to prevent or frustrate a UDRP proceeding and therefore constitutes additional evidence of bad faith at the time of registration of the disputed domain name.

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 name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

Based on the available record (Annex 8 of the Complaint), 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 entirety of the Complainant's INSTAGRAM 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.

Indeed, although the addition of other terms (here, "photo", "video", and "saver") 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 because the INSTAGRAM trademark remains recognizable within the disputed domain name. [WIPO Overview 3.0](#), section 1.8.

Regarding the ".com" generic Top-Level Domain ("gTLD") in the disputed domain name, it is well established that a gTLD is generally disregarded in the assessment of a domain name for the purpose of determining identity or confusingly similarity. [WIPO Overview 3.0](#), section 1.11.1.

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 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.

Indeed, the Complainant contends that it has not given its consent to the Respondent to use its INSTAGRAM trademark in a domain name registration or in any other manner.

In addition, there is nothing in the record of the case likely to indicate that the Respondent may be commonly known by the disputed domain name.

Besides, the Panel finds that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant's trademark as it identically associates the latter with the terms referring to features of the INSTAGRAM social network, which is well known for sharing pictures and videos.

In addition, the website under the disputed domain name reproduces several of the Complainant's intellectual property assets, not only its INSTAGRAM trademark, but also its logo and its colors gradient as header banner, and purports offering services intended to download photos, videos, and reels from the Instagram social network.

In these conditions, such use of the disputed domain name cannot be considered legitimate as it is likely to confuse Internet users into believing that said disputed domain name and the related website are operated by, approved of, or affiliated with the Complainant, whereas this is not the case ([WIPO Overview 3.0](#), sections 2.5.1, and 2.5.2).

At last, the Complainant has evidenced that at least one cybersecurity vendor has flagged that the disputed domain name may be used for disseminating malware.

This situation coupled with the confusing similarity of the disputed domain name with the Complainant's trademark, tarnishes the latter.

Moreover, Panels have held that the use of a domain name for illegitimate or illegal activity (here, claimed distributing malware) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

Registration in bad faith

The Panel finds that the Respondent was necessarily aware of the INSTAGRAM trademark when he registered the disputed domain name.

Indeed, the INSTAGRAM trademark is intrinsically distinctive and globally extremely well-known (the eponymous online social network counts among the most visited in the world and said trademark was ranked 16th in the 2023 Interbrand report of the most valuable brands in the world).

In addition, the conditions of use of the disputed domain name demonstrate by themselves the Respondent's knowledge of the INSTAGRAM trademark since the website under the disputed domain name expressly refers to the Complainant's trademark.

Moreover, the Respondent concealed his identity and contact details when registering the disputed domain name (the courier service was not able to deliver the Written Notice due to incomplete or faulty address), and did not reply to the Complainant when they contacted him before initiating this procedure, what is further evidence of bad faith registration.

As a consequence, the Panel finds that the disputed domain name was registered in bad faith.

Use in bad faith

The disputed domain name has been directing to a website not only purporting to offer services intended to "[d]ownload Instagram photos, videos, and reels in high quality with one click", but reproducing elements

identical or similar to the intellectual property assets of the Complainant (the website is entitled InstaGrab Pro, reproduces the Complainant's logo consisting of a stylized camera, and displays a header banner featuring a colour gradient similar to that used by the Complainant).

Besides, the disputed domain name has been flagged by at least one cybersecurity vendor as malicious.

The Panel finds that it necessarily results from this situation that the Respondent has used the disputed domain name 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 the Respondent's website or location or of a product or service on the respondent's website, in the meaning of paragraph 4(b)(iv) of the Policy.

Further, panels have held that the use of a domain name for illegitimate and/or illegal activity (here, claimed distributing malware) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

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 <instagramphotovideosaver.com> be transferred to the Complainant.

/Fabrice Bircker/

Fabrice Bircker

Sole Panelist

Date: December 17, 2025