

## **ADMINISTRATIVE PANEL DECISION**

Instagram, LLC v. Landon Case  
Case No. D2025-4334

### **1. The Parties**

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

The Respondent is Landon Case, United States.

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

The disputed domain name <downloadvideooninstagram.com> (the “Disputed Domain Name”) is 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 22, 2025. On October 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On October 23, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 27, 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 28, 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 31, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 20, 2025. The Respondent sent an email communication to the Center on November 18, 2025. On November 21, 2025, the Center informed the Parties that it would proceed to panel appointment.

The Center appointed Lynda M. Braun as the sole panelist in this matter on December 1, 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, a United States limited liability corporation, is a well-known online photo-and video-sharing social networking service and mobile application. Since its launch in 2010, the Complainant has rapidly acquired and developed considerable goodwill and renown worldwide. In addition to its strong online presence, the Complainant has registered numerous trademarks, including, but not limited to the following marks that are registered through the United States Patent and Trademark Office: INSTAGRAM, United States Registration No. 4,146,057, registered on May 22, 2012, in International Class 9; INSTAGRAM, United States Registration No. 4,795,634, registered on August 18, 2015, in International Classes 9, 38, 41, 42 and 45;  (design mark), United States Registration No. 5,299,119, registered on October 3, 2017, in International Class 42; and  (design mark), United States Registration No. 5,424,416, registered on March 13, 2018, in International Class 9. The Complainant also owns other registered trademarks in many jurisdictions worldwide.

The foregoing trademarks will hereinafter collectively be referred to as the “INSTAGRAM Mark”.

The Complainant is also the registrant of numerous domain names consisting of or incorporating the INSTAGRAM Mark in a wide range of generic Top-Level Domains (“gTLD”) and country-code Top-Level Domains (“ccTLD”).

In May 2025, the Complainant’s counsel submitted a webform provided by the Registrar, demanding that the Respondent cease all unauthorized use of its INSTAGRAM trademarks and transfer the Disputed Domain Name to the Complainant, but received no response.

The Disputed Domain Name was registered on May 5, 2025 and initially resolved to a website entitled the “Instagram Video Downloader” that prominently displayed the INSTAGRAM Mark, providing tools to download content from the Complainant’s platforms<sup>1</sup>. As one example, the Respondent’s website stated: “With Instagram Video Downloader you can download any type of content from Instagram. Our service has an IG video downloader, Reels, IGTV, photo or carousel.” The Complainant submitted screenshots from the Respondent’s website as an Annex to the Complaint.

#### **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 the Complainant’s INSTAGRAM Mark because the Disputed Domain Name contains the INSTAGRAM Mark in its entirety, preceded by the terms “download video on”, and then followed by the gTLD “.com”, which does not prevent a finding of confusing similarity;
- the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, among other things, the Complainant has not authorized the Respondent to register a domain name containing the INSTAGRAM Mark, and the Respondent has never been commonly known by the Disputed Domain Name; and

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<sup>1</sup>As of the date of this Decision, however, the Disputed Domain Name resolves to an error landing page with no substantive content.

- the Disputed Domain Name was registered and is used in bad faith because, among other things, the Respondent used the Disputed Domain Name to impersonate the Complainant or to suggest sponsorship or endorsement by the Complainant for the purpose of deceiving unsuspecting consumers, and the Respondent must have been aware of the INSTAGRAM Mark when it registered the Disputed Domain Name.

The Complainant seeks the transfer of the Disputed Domain Name in accordance with paragraph 4(i) of the Policy.

## **B. Respondent**

On November 18, 2025, the Respondent sent an email communication to the Center, stating that it would transfer the domain name to the Complainant, but did not submit a formal response

## **6. Discussion and Findings**

In order for the Complainant to prevail and have the Disputed Domain Name transferred to the Complainant, the Complainant must prove the following (Policy, paragraph 4(a)):

- (i) the Disputed 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 Disputed Domain Name; and
- (iii) the Disputed Domain Name was registered and is being used in bad faith.

### **A. Identical or Confusingly Similar**

Paragraph 4(a)(i) of the Policy requires a two-fold inquiry: a threshold investigation into whether a complainant has rights in a trademark, followed by an assessment of whether the disputed domain name is identical or confusingly similar to that trademark. The Panel concludes that in the present case, the Disputed Domain Name is confusingly similar to the INSTAGRAM Mark as explained below.

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

It is uncontroverted that the Complainant has established rights in the INSTAGRAM Mark based on its years of use as well as its registered trademarks for the INSTAGRAM Mark in the United States and jurisdictions worldwide. The consensus view of panels is that "[w]here the complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case". See [WIPO Overview 3.0](#), section 1.2.1. Therefore, the Panel finds that the Complainant has rights in the INSTAGRAM Mark.

The Disputed Domain Name consists of the INSTAGRAM Mark in its entirety preceded by the terms "download", "video" and "on" then followed by the gTLD ".com". The test for confusing similarity involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name. Here, the INSTAGRAM Mark is recognizable within the Disputed Domain Name. As stated in section 1.8 of [WIPO Overview 3.0](#), "where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element". Thus, the addition of the terms "download", "video" and "on" to the Complainant's INSTAGRAM Mark in the Disputed Domain Name does not prevent a finding of confusing

similarity. See e.g., *Allianz Global Investors of America, L.P. and Pacific Investment Management Company (PIMCO) v. Bingo-Bongo*, WIPO Case No. [D2011-0795](#); and *Hoffmann-La Roche Inc. v. Wei-Chun Hsia*, WIPO Case No. [D2008-0923](#).

Finally, the addition of a gTLD such as “.com” in a domain name is a technical requirement. As such, it is well established that a gTLD may typically be disregarded when assessing whether a disputed domain name is identical or confusingly similar to a trademark. See *Proactiva Medio Ambiente, S.A. v. Proactiva*, WIPO Case No. [D2012-0182](#) and [WIPO Overview 3.0](#), section 1.11.1. Thus, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant’s INSTAGRAM Mark.

Based on the available record, 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 that 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.

In this case, given the facts as set out above, the Panel finds that the Complainant has made out a prima facie case. The Respondent has not submitted any arguments or evidence to rebut the Complainant’s prima facie case. Furthermore, and based on the available record, the Complainant has not authorized, licensed, or otherwise permitted the Respondent to use its INSTAGRAM Mark. Nor does the Complainant have any type of business relationship with the Respondent. There is also no evidence that the Respondent is commonly known by the Disputed Domain Name or by any similar name, nor any evidence that the Respondent was using or making demonstrable preparations to use the Disputed Domain Name in connection with a bona fide offering of goods or services. See Policy, paragraph 4(c).

The Respondent created the Disputed Domain Name by combining the Complainant’s INSTAGRAM Mark with the terms “download video on,” intending to target the Complainant’s platforms and services. The Respondent’s website content does not constitute legitimate or noncommercial fair use under the Policy.

The principal objective of the Respondent’s website was to offer tools to users to download content from the Complainant’s Instagram platform. The Panel thus determines that the Respondent was not making a bona fide offering of goods nor a legitimate noncommercial or fair use of the Disputed Domain Name but rather was using the Disputed Domain Name likely for commercial gain. In this case, the Respondent’s website had a similar coloration to that of the Complainant, plus the Respondent, without authorization, prominently displayed the INSTAGRAM Mark and logos on the website, thus demonstrating that the Respondent lacked rights or legitimate interests in respect of the Disputed Domain Name.

In its Complaint, the Complainant addressed the requirements established by the “Oki Data” test; the Panel agrees that those requirements were not met in this case. Even if the Respondent was to be a reseller of the Complainant’s services, the Panel considers that the website associated with the Disputed Domain Name did not disclose the (lack of) relationship with the Complainant. See *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), and [WIPO Overview 3.0](#), section 2.8.

In sum, the Panel finds that the Complainant has established an un rebutted prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name.

Based on the available record, 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.

The Panel finds that based on the record, the Complainant has demonstrated the existence of the Respondent's bad faith registration and use of the Disputed Domain Name pursuant to paragraph 4(a)(iii) of the Policy. 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.

Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

The Disputed Domain Name incorporated the INSTAGRAM Mark in its entirety, resolving to the Respondent's website that displayed the Complainant's INSTAGRAM trademarks throughout. Therefore, it strains credulity to believe that the Respondent had not known of the Complainant or its INSTAGRAM Mark when registering the Disputed Domain Name. See *Myer Stores Limited v. Mr. David John*, WIPO Case No. [D2001-0763](#) ("a finding of bad faith may be made where the respondent 'knew or should have known' of the registration and/or use of the trademark prior to registering the domain name"). In this regard, the fact that the Respondent featured the INSTAGRAM Mark on its website also indicates that the Respondent was aware of the Complainant and its services. In sum, the Panel finds that the Respondent had the Complainant's INSTAGRAM Mark in mind when registering the Disputed Domain Name, another indication of bad faith.

Moreover, the use of a domain name to intentionally attempt to attract Internet users to a respondent's website or online location by creating a likelihood of confusion with a complainant's mark as to the source, sponsorship, affiliation or endorsement of the registrant's website or online location for commercial gain demonstrates registration and use in bad faith. Here, the Respondent's registration and use of the Disputed Domain Name indicates that such registration and use had been done for the specific purpose of trading upon and targeting the reputation, name, mark, and goodwill of the Complainant. See *Madonna Ciccone, p/k/a Madonna v. Dan Parisi and "Madonna.com"*, WIPO Case No. [D2000-0847](#) ("[t]he only plausible explanation for Respondent's actions appears to be an intentional effort to trade upon the fame of Complainant's name and mark for commercial gain").

Finally, the Panel concludes that the Respondent's registration of the Disputed Domain Name was an attempt to disrupt the Complainant's business. The Respondent's use of the Disputed Domain Name was also likely to confuse Internet users into incorrectly believing that the Respondent was authorized by or affiliated with the Complainant.

Based on the available record, 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 <downloadvideooninstagram.com> be transferred to the Complainant.

*/Lynda M. Braun/*

**Lynda M. Braun**

Sole Panelist

Date: December 15, 2025