

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Aheed Sajid

Case No. D2025-4454

1. The Parties

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

The Respondent is Aheed Sajid, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <instafollowers.shop> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 28, 2025. On October 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 30, 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 (Domain Admin Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 31, 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 November 3, 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 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 26, 2025.

On November 6, 2025, the Respondent sent an email communication to the Center, saying “Send me 30k usd and give the domain”.

The same day, the Center informed the Complainant of the Respondent’s communication and notified both Parties that if they wish to explore settlement options, the Complainant should submit a request for suspension by November 11, 2025.

On November 10, 2025, the Complainant declined to pursue a possible settlement.

On November 11, 2025, the Center acknowledged receipt of the Complainant’s communication.

On November 27, 2025, the Center notified the Parties that the Respondent did not produce any Response other than his email communication of November 6, 2025.

The Center appointed Fabrice Bircker as the sole panelist in this matter on December 12, 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, which is also commonly referred to by the shortened form Insta.

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 counts 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,
- INSTA, European Union trademark registration No. 18359602 filed on December 21, 2020, registered on February 9, 2023, and designating products and services of classes 9, 35, 38, 41, 42 and 45,
- INSTA, Indian Trademark Registration No. 4789526 registered on December 21, 2020, and designating products and services of classes 9, 35, 38, 41, 42 and 45.

The disputed domain name <instafollowers.shop> was registered on February 25, 2025.

At the time of filing the Complaint, it resolved to a website:

- purporting to offer for sale “packages” of Instagram followers,
- entitled “InstagramFollowers.shop”,
- reproducing the Complainant’s logo consisting of a stylized camera,
- featuring a graphical charter with the Complainant’s colour gradient,
- indicating at the very bottom of the homepage “We are not affiliated with Instagram or Meta Platforms Inc.”

At the time of drafting this decision, the disputed domain name directs to a page indicating that it is for sale, and notably displaying the message “make an offer – serious inquiries only”.

Before initiating this procedure, the Complainant tried to contact the Respondent, notably through the privacy service, 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 and INSTA trademarks, because it reproduces the latter, and the added elements does 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 the 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 reflecting 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 trademarks,
- 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 expressly 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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[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,
- UDRP panels have recognized that offers to purportedly sell likes and followers to users of the Complainant's platform do not amount to a bona fide offering of goods or services, notably because such activities breach the rules of conduct established by the Complainant for users of its services, and
- 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 offering for sale followers or like notably entails abuse of the Complainant's platform and ii) the Respondent does not prominently disclose his 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,

- the INSTA trademark is a well-known diminutive of the INSTAGRAM brand,
- all search results obtained by typing the term “instagram” and “insta” 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 trademarks,
- UDRP panels have uniformly considered that services consisting in offering likes and followers on the Complainant’s platform constitute bad faith registration and use with intent to profit from the notoriety of the Complainant’s trademarks,
- 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 the Respondent’s website and putative services marketed therein,
- the Respondent’s followers services may be used to spread malware, to harvest personal data or to steal users’ account credentials,
- the Respondent never replied to the correspondences from the Complainant requesting he cease using the disputed domain name,
- 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,
- the Respondent’s solicitation of offering for sale the disputed domain name for USD 30.000 constitutes an amount in excess of the costs related to said disputed domain name in the meaning of paragraph 4(b)(i) of the Policy.

B. Respondent

The Respondent did not reply to the Complainant’s contentions, except by indicating “Send me 30k usd and give the domain”.

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 3.0](#), section 1.7.

Based on the available record (Annex 8 to 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 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.

Indeed, although the addition of another term (here, “followers”) 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 because the INSTA trademark remains recognizable within the disputed domain name. [WIPO Overview 3.0](#), section 1.8.

Regarding the “.shop” 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 trademarks 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 as it identically associates its trademark under its well-known short form, with an element referring to a feature of the INSTAGRAM social network, as it is frequently referred to under the diminutive INSTA and as it is well-known for enabling its users to share contents to their “followers”.

In addition, the website that was under the disputed domain name at the time of filing the Complaint reproduced several of the Complainant’s intellectual property assets, not only its INSTAGRAM trademark, but also its logo and its colors gradient, and purported offering for sale “packages of followers” to users of the INSTAGRAM platform.

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 were operated by, approved of, or affiliated with the Complainant, whereas this was not the case. [WIPO Overview 3.0](#), sections 2.5.1 and 2.5.2.

The fact that the website under the disputed domain name displayed the “We are not affiliated with Instagram or Meta Platforms Inc.” disclaimer cannot change the above finding because of its clear lack of visibility as it was displayed at the very bottom of the homepage in tiny characters.

At last, in response to the Complaint, the Respondent proposed to the Complainant to sell the disputed domain name for USD 30,000. Besides at the time of drafting this decision, the disputed domain name redirects to a webpage indicating that it is offered for sale and inviting interested Internet users to only make serious enquiries.

Offering a domain name for sale is not a noncommercial use, but on the contrary a commercial use. Of course, selling domain names is not forbidden. However, for the purposes of the Policy such an activity must not infringe upon third parties' rights, in particular in enabling the Respondent to unduly capitalize or trade on the value of a prior trademark.

In the present case, it results from the documents supporting the Complaint that the INSTAGRAM and INSTA trademarks, are globally well known. Indeed, they designate one of the most visited online social network in the world, and the INSTAGRAM trademark was ranked 16th in the 2023 Interbrand report of the most valuable brands in the world.

As a consequence, the offering for sale of the disputed domain name, which is confusingly similar to the INSTA trademark, amounts to capitalizing on the value of the Complainant's trademark and, therefore, cannot be considered as a legitimate commercial use, and cannot give rise to 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.

Registration in bad faith

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

Indeed, the INSTA trademark is intrinsically distinctive and globally well-known (cf. paragraph 6.B above).

In addition, the initial conditions of use of the disputed domain name demonstrate by themselves the Respondent's knowledge of the Complainant's rights since the website that was under the disputed domain name at the time of filing the Complaint expressly referred to the Complainant's social network.

Moreover, the Respondent concealed its identity and contact details when registering the disputed domain name and did not reply to the Complainant when it contacted the Respondent 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

Initially, the disputed domain name resolved to a website not only purporting to offer for sale Instagram followers but also reproducing elements identical or similar to the intellectual property assets of the Complainant.

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.

As indicated in paragraph 6.B. above, because of its placement and size, the disclaimer that was displayed on the website under the disputed domain name was ineffective to dispel this finding (see also [WIPO Overview 3.0](#), section 3.7).

At last, the Respondent's offer to sale the disputed domain name, in particular for an amount of USD 30.000 and in response to the notification of the Complaint, constitutes further evidence of the Respondent's bad faith as this demonstrates a contempt for the Complainant's well-known rights and the Respondent's will to unduly capitalize on the Complainant.

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 <instafollowers.shop> be transferred to the Complainant.

/Fabrice Bircker/

Fabrice Bircker

Sole Panelist

Date: December 26, 2025