

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Ayse Sema Gundogdu
Case No. D2025-4690

1. The Parties

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

The Respondent is Ayse Sema Gundogdu, Türkiye.

2. The Domain Name and Registrar

The disputed domain name <instagramtakipcisatinal.com> 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 November 12, 2025. On November 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 13, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on November 14, 2025, providing the registrant and contact information disclosed by the Registrar.

The Center verified that 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 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 9, 2025.

The Center appointed Xu Lin as the sole panelist in this matter on December 16, 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 a photo and video sharing social networking service provider and its mobile application was launched in 2010 and was acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012. It operates “www.instagram.com” and maintains an online presence across major platforms.

The Complainant owns numerous INSTAGRAM trademark registrations around the world, including the following:

- International Trademark No. 1129314 for INSTAGRAM, registered on March 15, 2012, in Classes 9 and 42;
- Turkish Trademark No. 2012/85440 for INSTAGRAM, registered on April 28, 2015, in Classes 9 and 42; and
- United States Trademark No. 4146057 for INSTAGRAM, registered on May 22, 2012, in Class 9.

The Complainant’s official website is at “www.instagram.com”, promoting its services.

The Respondent is reportedly based in Türkiye.

The disputed domain name <instagramtakipcisatinal.com> was registered on November 13, 2013. As the historic Whois records for the disputed domain name show that the registrant appears to have changed hands multiple times since its initial registration, and that the Respondent’s details first appeared on the historic Whois records on October 17, 2024, the Complainant infers that the Respondent likely acquired the disputed domain name in 2024. The disputed domain name redirects to “www.bepopi.com”, a website in Turkish that purports to offer for sale Instagram followers, likes, comments and views, as well as similar services to other social networks and online platforms.

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:

Firstly, the disputed domain name is identical or confusingly similar to the INSTAGRAM marks.

- The presence of the Complainant’s trademark in the disputed domain name is sufficient to establish confusing similarity between the disputed domain name and the Complainant’s trademark;
- The addition of the terms “takipci” (which means “follower” in Turkish), “satin”, and “al” (“satin al” means “buy” in Turkish), does not prevent a finding of confusing similarity with the Complainant’s trademark, which remains clearly recognizable in the disputed domain name.

Secondly, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

- The Respondent is not using the domain name in connection with any bona fide offering of goods or services. The Respondent is neither affiliated with the Complainant in any way nor has it been authorized by the Complainant to use its trademark in a domain name or otherwise. It is not a licensee of the Complainant either. The Respondent cannot be viewed as a bona fide service provider as it does not provide sales or repairs in relation to a product provided by the Complainant. Rather, it is making unauthorized use of the Complainant’s INSTAGRAM trademark to market its own ancillary services in relation to the Complainant’s Instagram platform. The Complainant contends that the Respondent fails to fulfil the first, second, and third criteria even if one is to apply the *Oki Data* criteria. (see *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case

No. [D2001-0903](#) (“*Oki Data*”). In addition, the services provided by the Respondent may involve creating false accounts or hacking into existing accounts, fraud or other illegitimate conduct, which may place the privacy and security of Instagram users at risk.

- There is no evidence to suggest that the Respondent is commonly known by the disputed domain name. The disputed domain name is registered in the name of Ayse Sema Gundogdu, which bears no resemblance to the disputed domain name whatsoever. To the best of the Complainant’s knowledge, there is no evidence of the Respondent having acquired or applied for any trademark registrations for the term “instagram”, “instagramtakipcisatinal”, or any variation thereof, as reflected in the disputed domain name either.
- The Respondent is not making any legitimate noncommercial or fair use of the disputed domain name. The Respondent’s website purports to offer for sale Instagram followers, likes, comments and views as well as similar services to other social networks and online platforms. The Respondent obtains financial gain from such activity, with intention to exploit the goodwill and reputation attached to the Complainant’s trademark for commercial gain by attracting Internet users to its website and offering them illegitimate services that damage the functionality and intended operation of the Instagram platform. Furthermore, the composition of the domain name is such that it carries a risk of implied affiliation with the Complainant.

Finally, the disputed domain name was registered and is being used in bad faith.

- It is implausible that the Respondent was unaware of the Complainant when it registered the disputed domain name, considering that: (1) the Complainant’s INSTAGRAM trademark is inherently distinctive and well-known throughout the world; (2) the Complainant’s INSTAGRAM trademark registrations predate the registration date of the disputed domain name, and the term “instagram” is highly distinctive and exclusively associated with the Complainant. A simple search demonstrates the association between the term “instagram” and the Complainant; (3) the content of the website to which the disputed domain name redirects makes explicit reference to Instagram and features the Complainant’s logo; and (4) the Respondent has created a website that makes unauthorized use of the Complainant’s INSTAGRAM trademark, offering for sale Instagram followers, likes, comments and views, eroding the authenticity of the Instagram user experience and violating platform’s terms and standards.
- The Respondent also uses the disputed domain name in bad faith: (1) the disputed domain name resolves to a website that purports to offer for sale Instagram followers, likes, comments and views as well as similar services to other social networks and online platforms. Such use likely indicates the Respondent has attempted to attract Internet users to its website, for commercial gain, by creating a likelihood of confusion with the Complainant’s INSTAGRAM trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent’s website and the services offered therein, in bad faith; (2) the Respondent’s activities likely involve the creation of fake Instagram accounts, or hacking into existing accounts; and (3) the lack of disclaimer or any other indication on the Respondent’s website clarifying the Respondent’s relationship with the Complainant further adds to the confusion caused by 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.

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 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.

The Panel finds the addition of other terms here, “takipci”, “satin”, and “al” 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.

In what concerns the addition of the generic Top-Level Domain “.com” in relation to the disputed domain name, such is viewed as a standard registration requirement, and is disregarded under the first element confusing similarity test. [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.

The Panel considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1. The Complainant has not granted any license or right to the Respondent to use its trademark, and there is no evidence that the Respondent has been commonly known by the disputed domain name, or has used the disputed domain name in connection with a bona fide offering of goods or services. The evidence submitted by the Complainant indicates that the disputed domain name redirected to a website that offers for sale Instagram followers, likes, comments and views for commercial gain, as well as similar services to other social networks and online platforms. Given the confusing similarity of the disputed domain name to the Complainant’s trademark and the absence of any relationship between the Respondent and the Complainant, such a use of the disputed domain name is neither a bona fide use nor a legitimate noncommercial or fair use of the disputed domain name. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

The Respondent’s use of the disputed domain name which is confusingly similar to the Complainant’s INSTAGRAM trademark in this manner is likely to cause confusion among consumers and cannot confer any rights or legitimate interests onto the Respondent 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.

In the present case, given the wide use, distinctiveness, and strong reputation of the INSTAGRAM trademark, the Panel finds it highly unlikely that the Respondent registered the disputed domain name without prior knowledge of the Complainant's mark.

The Respondent has provided no explanation for its choice of the disputed domain name, nor is there any apparent legitimate reason for the Respondent to have incorporated the famous INSTAGRAM mark into the disputed domain name other than to exploit the value and reputation of the INSTAGRAM mark.

According to the evidence submitted by the Complainant, the disputed domain name redirected to a website that purported to offer for sale Instagram followers, likes, comments and views, as well as similar services to other social networks and online platforms. As such, the Respondent has used the disputed domain name to attract, for commercial gain, Internet users to a website by creating confusion in the minds of the public as to an association between the website and the Complainant.

Having reviewed the record, the Panel considers the Respondent registration and use of the disputed domain name constitutes bad faith under paragraph 4(b)(iv) of 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 name <instagramtakipcisatinal.com> be transferred to the Complainant.

/Xu Lin/

Xu Lin

Sole Panelist

Date: December 30, 2025