

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Isaiah Juarez

Case No. D2025-4694

1. The Parties

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

Respondent is Isaiah Juarez, United States.

2. The Domain Name and Registrar

The disputed domain name <fixmyinsta.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 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 Complainant on November 14, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on November 18, 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 Respondent of the Complaint, and the proceedings commenced on November 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 11, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on December 13, 2025.

The Center appointed Frederick M. Abbott as the sole panelist in this matter on December 18, 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

Complainant is a limited liability company (LLC) established in the United States in 2010. Complainant was acquired by what is now Meta Platforms, Inc., in 2012. Complainant is a well-known online photo- and video-sharing social networking service and mobile application. Instagram has more than three billion monthly active accounts worldwide. Complainant has consistently ranked among the top apps for mobile devices, including for the iOS and Android operating systems. Complainant has been the recipient of numerous awards, including “App of the Year” in 2011 from Apple Inc. Complainant’s app is among the most downloaded apps worldwide. Complainant operates its platform worldwide using various registered domain names, including <instagram.com>.

Complainant is the owner of registration for the word trademark INSTAGRAM on the Principal Register of the United States Patent and Trademark Office (“USPTO”), registration number 4146057, registration dated May 22, 2012, in international class (“IC”) 9, covering “downloadable computer software for modifying the appearance and enabling transmission of photographs”. Complainant is the owner of registration for the word INSTAGRAM as an International Trademark under the Madrid System, registration number 1129314, registration dated March 15, 2012, in ICs 9 and 42, covering downloadable computer software, and covering providing a website giving users the ability to upload photographs, each as further specified, and designating Australia, the European Union, Israel, Japan, Norway, Republic of Korea, Singapore, Switzerland and Türkiye. Complainant is the owner of registration for the word trademark INSTAGRAM on the Trade Marks Registry of Intellectual Property India, registration number 2645896, registration dated as of December 19, 2013, in IC 9, covering downloadable computer software, as further specified. Complainant also is the owner of registration on the Principal Register of the USPTO for the design service mark described on the certificate of registration as, “The mark consists of a rounded square wherein the bottom left corner is yellow, fading to orange and the bottom right corner is red and pink. The top of the square is blue and purple, fading to pink. There is another rounded square superimposed upon the larger square in white containing a white circle and another smaller white circle above and to the right of the larger circle”, registration number 5,299,119, registration dated October 3, 2017, in IC 42, covering, *inter alia*, “providing a website that gives users the ability to engage in social networking and manage their social networking content”.

Complainant is the owner of registration for the word trademark INSTA on the trademark register of the European Union Intellectual Property Office (“EUIPO”), registration number 018359602, registration dated February 9, 2023, in ICs 9, 35, 38, 41, 42, and 45, covering various goods and services relating to INSTAGRAM businesses.

The Panel takes administrative notice that INSTAGRAM is a well-known trademark worldwide.

According to the Registrar’s verification, Respondent is the registrant of the disputed domain name. According to the Whois report, the disputed domain name was registered on June 29, 2025.

Respondent has used the disputed domain name to direct Internet users to a website headed with “FIX DISABLED INSTAGRAM”, and including content prominently labeled “Instagram Recovery Help”, stating “Trusted by Influencers” and “7M+ Audience Managed”, with buttons to “Get Help Now via Instagram DM” and “Contact Me on LinkedIn”. The text of the accompanying webpages indicates that a client is expected to pay Respondent for services upfront in connection with restoring Instagram accounts, and indicating a “full refund will be issued” if an account is not restored. Website content further states “PRICING, I only work with serious clients ready to fix their assets. For basic accounts, the service starts at \$3,000. If your account has over 50,000 followers, the minimum is \$5,000.” Further content statements include “Why is it so expensive? — This is private escalation access not available to the public. It bypasses standard Meta

support"; "I do not work for Facebook or Meta"; "I previously sued them and now have direct access to a person inside Meta who can fix accounts for me"; and "I am allowing my access to be shared with others at a cost." Also posted on Respondent's website are various "testimonials" by alleged clients of Respondent's services, praising the rapid restoration of Instagram accounts, including those testifying to Respondent's credibility. There is no evidence in the case file of a disclaimer on Respondent's website of connection with Complainant, other than as noted above that Respondent states it is not employed by Complainant.

The website hosted by Respondent includes Complainant's distinctive INSTAGRAM logo, including on a list various accounts that Respondent claims to have built and to own.

Complainant transmitted a cease-and-desist demand to Respondent in August 2025, to which in a series of exchanges Respondent replied that it was not engaged in any illegal activity, and was using Meta's support channels to walk individuals through public processes, while being paid. In response to Complainant's assertions that Respondent was in violation of its terms of service, Respondent ultimately stated: "If Meta disagrees, then unfortunately you will need to pursue this matter in court. I cannot and will not agree to your demands to stop engaging in lawful activity."

There is no evidence on the record of this proceeding of any affiliation, commercial or otherwise, between Complainant and Respondent.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant contends that it is the owner of rights in the trademarks INSTAGRAM, INSTA and related design/device marks, and that the disputed domain name is confusingly similar to its trademarks.

Complainant argues that Respondent lacks rights or legitimate interests in the disputed domain name because: (1) there is no evidence that Respondent is commonly known by the disputed domain name, or that it holds any rights in the disputed domain name independent of Complainant's trademark; (2) Respondent has neither acquired or applied for trademark registration for "Fix My Insta" or any variation thereof; (3) Respondent is not licensed or otherwise authorized to use Complainant's trademarks in the disputed domain name or otherwise; (4) effectively impersonating or suggesting sponsorship or endorsement by the trademark owner cannot constitute fair use; (5) Respondent had Complainant's trademarks in mind when registering the disputed domain name in order to exploit those trademarks; (6) Respondent's website is making excessive use of Complainant's trademarks and stylized design elements; (7) Internet users are likely to be confused as to whether Complainant operates or approves of Respondent's services; (8) while service providers may undertake a bona fide offering of services relating to a trademark owner's goods or services, there are established criteria for establishing rights or legitimate interests that Respondent does not meet; (9) Complainant's terms of service apply to all users of its platforms and expressly prohibit Respondent from using Complainant's trademarks in the disputed domain name, including any derivatively named service such as "Fix My Insta"; (10) Complainant points to Respondent's statement "This is private escalation not available to the public. It bypasses standard Meta support...[I] have direct access to a person inside Meta who can fix accounts for me" as evidence of undermining Meta support systems, creating risk of reinstating legitimately disabled accounts and consequently creating security risks, and; (11) Respondent's website does not prominently disclaim lack of relationship with Complainant.

Complainant alleges that Respondent registered and is using the disputed domain name in bad faith because: (1) Respondent clearly knew of Complainant's trademarks when it registered and used the disputed domain name; (2) Cyber squatters frequently target Complainant and its trademark; (3) Respondent has attempted to promote an unauthorized, derivative and competing service to Complainant's;

(4) Internet users are likely to believe that Respondent's website is somehow affiliated with Complainant; (5) Respondent has for commercial gain attempted to create Internet confusion regarding Complainant as source, sponsor, affiliate or endorser of Respondent's website; (6) Respondent failed to cease its activities in response to Complainant's cease-and-desist demands; and (7) Respondent's use of a proxy registration service suggests an attempt to frustrate a UDRP proceeding and evidences bad faith.

Complainant requests the Panel to direct the Registrar to transfer the disputed domain name to Complainant.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

The Center formally notified the Complainant to Respondent at the email and physical addresses provided in its records of registration. Delivery of notice of the Complaint to the physical address provided in Respondent's records of registration was unsuccessful because of inaccurate or incomplete contact information provided by Respondent. It appears that email notice of the Complaint to the addresses provided in Respondent's records of registration may have been at least partly successful. The Center took those steps prescribed by the Policy and the Rules to provide notice to Respondent, and those steps are presumed to satisfy notice requirements.

Paragraph 4(a) of the Policy sets forth three elements that must be established by a complainant to merit a finding that a respondent has engaged in abusive domain name registration and use and to obtain relief.

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 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.

Complainant has shown rights in respect of the trademarks INSTAGRAM, INSTA and a distinctive logo for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the INSTA mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to that mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. ¹

Although the addition of other terms, here "fix" and "my", 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. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

¹Because Complainant's INSTA trademark is distinctive and well known, the Panel does not consider it necessary to address also confusing similarity in relation to Complainant's INSTAGRAM trademark. Complainant's distinctive logo does not form part of the confusing similarity analysis with respect to the disputed domain name as such, but is relevant to assessment of Respondent's activities in respect to rights or legitimate interests and bad faith.

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 Complainant, panels have recognized that proving Respondent lacks rights or legitimate interests in the disputed domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of Respondent. As such, where Complainant, as here, makes out a *prima facie* case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the dispute domain name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a *prima facie* case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Complainant has acknowledged that there are circumstances in which a service provider may use a trademark of a third-party in a domain name as a matter of fair use or in connection with a bona fide offer of goods or services. Complainant refers to Respondent's use of Complainant's trademarks as a violation of Complainant's Terms of Use for its platform in so far as those terms may appear to preclude incorporating Complainant's trademarks in a domain name. However, Complainant's Terms of Use (with cross-reference to incorporated Brand Guidelines and Meta Developer Policies) appear to allow some flexibility in third-party reference to Complainant's trademarks (e.g., offering an app, website, product, or service compatible with INSTAGRAM) where descriptive use is permitted (see, e.g., “Keep the word Instagram consistent”, per the Brand Guidelines). These cross-linkages are acknowledged by Complainant. The Panel would require additional briefing by the Parties before reaching a conclusion as to whether third-party reference to INSTA or INSTAGRAM in the disputed domain name is necessarily a violation of Complainant's Terms of Use. As these UDRP proceedings are not intended to litigate whether Respondent has violated Complainant's Terms of Use, the Panel without prejudice does not draw any conclusions from these contract terms.

Respondent has used Complainant's INSTA trademark in the disputed domain name, and it has used Complainant's distinctive INSTAGRAM logo on its website. Respondent manifestly is attempting to draw Internet users to its website by reference to Complainant. The issue that arises is whether Respondent is using its website associated with the disputed domain name in a way that fairly makes use of Complainant's trademarks, and relatedly whether it is undertaking a bona fide offer of goods or services. Complainant has made out a *prima facie* case that Respondent is not making a good faith offering of services because Respondent is charging customers for a service that Complainant is providing without charge, and more importantly is doing so in a way that appears designed to bypass Complainant's internal review processes by engaging a special internal contact -- not accessible to the public -- that can accomplish things that a public user would not be able to accomplish. Complainant has specifically raised concern that Respondent may be using its special contact (assuming this is true) to reauthorize Instagram accounts that Complainant has deliberately banned, and which might have been banned for sound security reasons. In other words, Respondent appears to be offering to bypass Complainant's account security measures.

The Panel is inclined to agree with Complainant that Respondent's self-described services are not encompassed within the boundaries of “fair use” of Complainant's trademarks because they are likely to tarnish or injure Complainant's business and may pose a risk to the security of Complainant's platform. Moreover, Respondent does not appear to be offering bona fide services to the extent that it purports to offer services not available to the public, but rather through an unnamed inside contact. The implication is that Respondent is bypassing Complainant's own internal operational and human resource guidelines.

Although Respondent states that it collects substantial amounts of money from Internet user customers “in advance”, and further that this money will be refunded if Respondent is not successful in restoring their accounts, there is no actual evidence on the record of these proceedings as to what Respondent may be doing with money that is collected in advance. Merely including testimonials on its website from individuals purporting to have done business with Respondent does not constitute evidence of a flow of funds, and particularly not a flow of funds back to Internet users whose accounts were not restored. As per the Complaint, “Meta’s own official Help Center and self-serve recovery are free of charge.” There is no end of sophisticated fraudulent activity taking place on the Internet involving the use of domain names, and that activity often involves some type of assurance by the party undertaking the fraudulent activity that it is trustworthy. This is not to say that Respondent is taking unfair financial advantage of Internet users through some form of deception, but rather that Respondent has not responded to the Complaint and has not sought to justify its activities with concrete evidence.

Complainant has made out a *prima facie* case to which Respondent might have, but did not, reply. The Panel declines to speculate on behalf of Respondent. It may be that Respondent will choose to follow through with its threat to litigate with Complainant, and Respondent may be reserving its evidence for litigation. That is Respondent’s prerogative.

On the evidence before it, for the foregoing reasons the Panel concludes that Complainant has established that Respondent has not established 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.

In the present case, the Panel notes that Respondent manifestly was aware of Complainant and its INSTA and INSTAGRAM trademarks when it registered the disputed domain name, having expressly directed its services toward Complainant’s trademarks and customer accounts. There is no doubt that “fix my INSTA” targets Complainant and its branded services.

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 Respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

As noted previously, Respondent is seeking to draw Internet users to its website and services by using Complainant’s distinctive and well-known INSTA and INSTAGRAM trademarks and logo. Giving Internet users adequate credit, it is doubtful that an Internet user visiting Respondent’s website would be confused into thinking that Complainant itself was sponsoring or endorsing Respondent’s website given that Respondent, *inter alia*, refers to suing Complainant to get access to an inside person. But, the issue of Internet user confusion regarding Complainant’s sponsorship of Respondent’s website is not the end of the matter.

Respondent’s website conveys the distinct impression that by bypassing Complainant’s publicly accessible account review processes, Respondent can circumvent the system and accomplish the restoration of user accounts because Respondent “sued” Complainant and now has “direct access to a person inside Meta who can fix accounts for me”. Respondent has not responded to the Complaint and has not identified the litigation that resulted in the establishment of special access for it, and why Respondent was authorized to bypass Complainant’s standard support processes on behalf of Respondent’s customers. On its face, and without reference to the results of a particular litigation, this contention strikes the Panel as implausible, though perhaps not “inconceivable”. Again, as per the Complaint, Meta’s own official Help Center and self-serve recovery are free of charge. As above, Respondent may go through with its proposal to litigate with

Complainant and establish that it is indeed the holder of legitimate special access rights. The Panel has no opinion about that. But, it is not prepared to accept Respondent's (website) claims on their face.

Moreover, as noted above in the discussion of rights or legitimate interests, Respondent is requesting substantial amounts of money from Internet users to exercise his special access rights on their behalf, and is proposing to return their funds if it is not successful. Respondent has not provided any concrete evidence that it is in fact engaged in such a pay in advance, be refunded if not satisfied, endeavor. And given the amount of fraudulent and deceptive conduct otherwise taking place in the Internet space, the Panel is not inclined to give Respondent the benefit of the doubt as to what it is doing. On its face, there is a very significant risk of dissatisfied Internet users involved.

The elements described above lead the Panel *prima facie* to conclude that Respondent is acting in a manner that is likely to cause harm to Internet users and/or the business reputation of Complainant, and Complainant's goodwill in its trademark. Respondent has not responded to the Complaint and sought to provide concrete evidence of the nature of its activities. It has not rebutted the *prima facie* case against it.

The Panel concludes that Respondent registered and is using the disputed domain name in bad faith within the meaning of paragraph 4(b) the Policy.

The Panel finds that 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 <fixmyinsta.com> be transferred to Complainant.

/Frederick M. Abbott/

Frederick M. Abbott

Sole Panelist

Date: January 1, 2026