

ADMINISTRATIVE PANEL DECISION

WhatsApp LLC v. Suhani Sachdeva, Digital Rubix
Case No. D2025-4868

1. The Parties

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

The Respondent is Suhani Sachdeva, Digital Rubix, India.

2. The Domain Name and Registrar

The disputed domain name <simplywhatsapp.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 22, 2025. On November 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 26, 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 amended Complaint on December 1, 2025.

The Center verified that the Complaint together with the amended 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 December 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 29, 2025. The Respondent did not submit any formal response but sent email communications to the Center on December 29, 2025. On December 30, 2025, the Center asked the parties whether they wished to explore settlement options. On the same day, the Complainant notified the Center that it did not wish to explore settlement options. On January 6, 2026, the

Center informed the parties that it would proceed to panel appointment. On January 7, 2026, the Respondent sent further email communications to the Center.

The Center appointed Andrea Mondini as the sole panelist in this matter on January 12, 2026. 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, WhatsApp LLC, is a world-wide mobile messaging application. The Complainant was founded in 2009 and was acquired by Facebook, Inc (now Meta) in 2014. Today WhatsApp is one of the leading mobile messaging applications, with over 2 billion monthly active users worldwide (as of 2023).

The Complainant holds several domain names containing the WHATSAPP trademark, among them <whatsapp.com> which hosts its main website.

The Complainant owns numerous trademark registrations in several jurisdictions, including:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	INTERNATIONAL CLASS
WHATSAPP	European Union	009986514	October 25, 2011	9, 38, and 42
WHATSAPP	International Registration	1085539	May 24, 2011	9, and 38
WHATSAPP	India	2149059	May 24, 2011	9, and 38
	International Registration	1109890	January 10, 2012	9, and 38

The disputed domain name was registered on September 12, 2021.

According to the evidence submitted with the Complaint, the disputed domain resolves to a website titled “#1 Bulk WhatsApp Marketing Tool & More” that purports to offer for sale paid subscriptions that provide unauthorized software for use on the WhatsApp application. The software purports to provide Internet users with, inter alia, the ability to send “bulk messages” on WhatsApp and to set automated responses. The subscriptions are offered for various monthly prices depending on the package ordered by the Internet user. The Respondent’s website features the Complainant’s WHATSAPP trademark and logo, and it includes the following wording: “Unlock the full potential of the world’s most popular messaging platform with our premium features, including bulk messaging, chatbot support, autoresponders, and much more!”

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 as follows:

The disputed domain name is confusingly similar to the WHATSAPP trademark in which the Complainant

has rights, because it incorporates this trademark in its entirety, and the addition of the word “simply” does not avoid a finding of confusing similarity.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The trademark WHATSAPP has been extensively used to identify the Complainant and its services. The Respondent has not been authorized by the Complainant to use this trademark, is not commonly known by the disputed domain name, and there is no evidence of the Respondent’s use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods and services. On the contrary, the Respondent’s website purports to offer paid subscriptions for unauthorized software for use on the WhatsApp application, such as the ability to send “bulk messages” and automated responses, which may be used for spamming and phishing activities. The Respondent’s use of the disputed domain name does not comply with the WhatsApp Brand Assets and Guidelines that prohibit to “use other trademarks, names, domain names, logos, or other content that could be confused with WhatsApp”.

The disputed domain name was registered in bad faith because it is obvious that the Respondent had knowledge of both the Complainant and its well-known trademark WHATSAPP at the time it registered the disputed domain name. The Respondent’s intent to target the Complainant when registering the disputed domain name may be inferred from the contents of the Respondent’s website, which makes explicit reference to the Complainant’s WHATSAPP trademark.

The Respondent is using the disputed domain name in bad faith, by intentionally attempting to attract Internet users to its website for financial gain, by creating a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent’s website.

B. Respondent

On December 29, 2025, the Center received messages with the following text:

“Hi!

I am an individual person and I originally registered this domain with the intent of developing a CRM- based activity. However, I have not been able to launch any services, conduct any business, or perform any activity on this domain.

I would like to clarify the following points:

No Commercial Gain: I have not derived any financial benefit or profit from the use of this domain.

No Active Use: The domain has remained inactive/dormant for the duration of my ownership.

Willingness to Surrender: I have no intention of utilizing this domain moving forward and am fully prepared to surrender or transfer the domain name as required.

Please let me know the necessary steps or the specific process I should follow to complete the surrender or transfer of this domain.

I look forward to your guidance on how to proceed.

Best regards,”

On January 7, 2026, the Center received further messages from the same individual reiterating in essence the content of his messages of December 29, 2025, and offering his “full cooperation and willingness to transfer the domain.”

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the 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 has been registered and is being used in bad faith.

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 Panel finds the entirety of the WHATSAPP mark is reproduced within the disputed domain name.

Although the addition of other elements, such as here the word "simply", may bear on assessment of the second and third elements, the Panel finds that in the present case 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. [WIPO Overview 3.0](#), section 1.8.

The addition of the generic Top-Level Domain ("gTLD") ".com" in the disputed domain name is viewed as a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [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 for a complainant to prove 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.

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.

On the contrary, the Respondent repeatedly declared to the Center his willingness to transfer the disputed domain name, which implies that the Respondent does not assert rights or legitimate interests in the disputed domain name.

In any event, the disputed domain name in itself suggests a connection or affiliation between the Complainant and the Respondent which in fact does not exist.

Based on the available record, 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.

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.

In the view of the Panel, noting that the Complainant's trademark predates the registration of the disputed domain name and considering that the Complainant's trademark is well-known and that the disputed domain name resolves to a website featuring the Complainant's trademarks and references to its services, it is clear that the Respondent targeted the Complainant when it registered the disputed domain name. In the circumstances of this case, this is evidence of registration in bad faith.

The Panel notes that the Respondent alleges that it did not derive any financial gain from the use of the disputed domain name. However, even if for whatever reason the Respondent did not actually derive any financial gain from such use, considering that the website posted under the disputed domain name offers paid subscriptions, the Panel holds that the Respondent at least intentionally attempted to derive financial gain from such use in the sense of Policy, paragraph 4(b)(iv). Also, the Respondent's allegation that the disputed domain name remained "inactive and dormant" for the entire duration of his ownership is refuted by the evidence submitted by the Complainant showing the screenshot of the website posted under the disputed domain name.

Therefore, the Panel holds that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its websites in the sense of Policy, paragraph 4(b)(iv).

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy with regard to the disputed domain name.

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 <simplywhatsapp.com> be transferred to the Complainant.

/Andrea Mondini/

Andrea Mondini

Sole Panelist

Date: January 16, 2025