

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Tabassum Seemab, Blogging
Case No. D2025-4942

1. The Parties

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

The Respondent is Tabassum Seemab, Blogging, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <instaviewerig.com> is registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 26, 2025. On November 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 1, 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 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 December 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 26, 2025.

The Center appointed Andrea Mondini as the sole panelist in this matter on January 6, 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, Instagram, LLC (also commonly known as “Instagram” or “Insta”), is a world-wide online photo- and video-sharing social-networking service and mobile application. The Complainant was launched in 2010 and was acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012. Today, Instagram is one of the leading social-networking services and mobile applications and has more than two billion monthly active accounts worldwide.

The Complainant holds the domain name <instagram.com> which hosts its main website.

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

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE
INSTAGRAM	United States	4,146,057	May 22, 2012
	United States	5,299,119	October 3, 2017
Instagram	United States	4,795,634	August 18, 2015
INSTAGRAM	International	1129314	March 15, 2012
INSTA	European Union	018359602	February 9, 2023
IG	India	4016681	December 4, 2018

Because the Respondent did not file a Response, not much is known about the Respondent.

The disputed domain name was registered on June 29, 2025.

According to the evidence submitted with the Complaint, the disputed domain name resolves to a website prominently using the Complainant’s trademarks and color gradient trade dress, purporting to offer a tool to download content from the Complainant’s platforms and to anonymously watch Instagram stories.

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 INSTA and IG trademarks in which the Complainant has rights, because it wholly incorporates these trademarks, and the addition of the term “viewer” is not sufficient to avoid confusing similarity.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not been authorized by the Complainant to use these trademarks, 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 specifically targets the Complainant by offering a tool to download content from the Complainant’s platforms, whilst making prominent use of the Complainant’s

trademarks and replicating the Complainant's color gradient trade dress.

The Respondent does not prominently disclose its lack of relationship with the Complainant. The disputed domain name includes a moving text box that states, "Insta Story Viewer is an independent tool. We do not host any Instagram stories; their owners retain all rights." The Complainant claims the wording is ambiguous and the banner is easily overlooked. The only other attempt at a disclaimer is hidden behind an entirely separate page accessed through a small link at the bottom of the website.

The Complainant's INSTAGRAM trademarks are highly distinctive and have been extensively used to identify the Complainant and its services. 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 trademarks at the time it registered the disputed domain name. The disputed domain name and the Respondent's website are so obviously connected with the Complainant and its INSTAGRAM trademarks and services that such use by the Respondent suggests opportunistic bad faith.

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

In July 2025, the Complainant's agents sent take down notices to the Respondent, but the Respondent never replied.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

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 INSTA and IG marks are entirely reproduced within the disputed domain name.

Although the addition of other terms such as here "viewer" 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 Complainant's mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The addition of the Top-Level Domain “.com” in the disputed domain name is 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.

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.

In these proceedings, 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.

Prior UDRP panels have recognized that service providers using a domain name that contains a third-party trademark may be making a bona fide offering of goods or services and thus have a legitimate interest in such domain name. Whether or not this is the case is typically assessed based on the factors listed in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#) and [WIPO Overview 3.0](#), section 2.8:

- (i) the respondent must actually be offering the goods or services at issue;
- (ii) the respondent must use the site to sell only the trademarked goods or services;
- (iii) the site must accurately and prominently disclose the registrant’s relationship with the trademark holder; and
- (iv) the respondent must not try to “corner the market” in domain names that reflect the trademark.

With respect to the first factor, the Panel notes that the Respondent’s website does not actually offer the Complainant’s services at issue, but purports to offer a different service, i.e. an unauthorized tool that allows users to download content from the Complainant’s Instagram platform and to anonymously watch Instagram stories.

Because the first factor is not satisfied, there is no need to discuss the further factors.

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 INSTA and IG trademarks predates the registration of the disputed domain name and considering that the Complainant's INSTAGRAM trademark is well-known, that its platform is also commonly referred to as "Insta" and that the disputed domain name resolves to a website featuring the Complainant's trademarks and references to its services, it is obvious 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 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). The Panel also finds that the mere existence of a disclaimer at the disputed domain name cannot cure the Respondent's bad faith.

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 <instaviewerig.com> be transferred to the Complainant.

/Andrea Mondini/

Andrea Mondini

Sole Panelist

Date: January 14, 2025