

## **ADMINISTRATIVE PANEL DECISION**

Meta Platforms, Inc. v. MOHAMMED EL JAI  
Case No. D2025-5028

### **1. The Parties**

The Complainant is Meta Platforms, Inc., United States of America ("United States"), represented by Perkins Coie, LLP, United States.

The Respondent is MOHAMMED EL JAI, Morocco.

### **2. The Domain Name and Registrar**

The disputed domain name <freefbdownloader.com> (the "Domain Name") is registered with Porkbun LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 3, 2025. On December 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On December 4, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 8, 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 December 11, 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 December 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 1, 2026.

On December 9, 2025, the Respondent sent an informal email to the Center stating that the registrant name and address disclosed by the Registrar were incorrect and did not correspond to the individual connected with the matter. On December 12, 2025, the Center replied to the Respondent's email, explaining that a UDRP complaint had been filed against the registrant of the Domain Name and that, under the Rules, the Respondent in a proceeding is the holder of a domain name registration against which a complaint is initiated. On January 6, 2025, the Center informed the Parties that it would proceed with panel appointment.

The Center appointed Piotr Nowaczyk 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 is a global technology company. It owns and operates the Facebook online social-media and social-networking platform. Since its launch in 2004, Facebook has reached billions of users worldwide and has offered its services in more than 70 languages via web and mobile applications.

The Complainant is the owner of numerous FACEBOOK and FB trademark registrations, including:

- the United States Trademark Registration for FACEBOOK (word) No. 3734637, registered on January 5, 2010;
- the European Union Trade Mark Registration for FACEBOOK (word) No. 005585518, registered on May 25, 2011; and
- the European Union Trade Mark Registration for FB (word) No. 018146501, registered on November 7, 2020.

The Complainant is also the owner of various domain names incorporating its FACEBOOK and FB trademarks, including <facebook.com> and <fb-accounts.com>.

The Domain Name was registered on June 24, 2025.

At the time of the filing of the Complaint and as of the date of this Decision, the Domain Name resolves to a website offering a free online tool for downloading videos and reels from the Complainant's Facebook platform in MP4 or MP3 formats (the "Website"). The Website also includes a fine print disclaimer at the bottom of the home page "This tool is not affiliated with Facebook or Meta Platforms, Inc."

In July and August 2025, the Complainant sent notifications to the Respondent via the Registrar's Whois contact form, requesting the transfer of the Domain Name to the Complainant. The Respondent did not reply to these notifications.

#### **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 Domain Name.

First, the Complainant contends that the Domain Name is confusingly similar to the trademark in which the Complainant has rights.

Second, the Complainant argues that the Respondent has neither rights nor legitimate interests in the Domain Name.

Third, the Complainant submits that the Domain Name was registered and is being used in bad faith. Notably, the Complainant asserts that the Respondent has registered another domain name incorporating the trademark of the Complainant's affiliated company which demonstrates a pattern of bad faith registration. See *Instagram, LLC v. Mohammed El Jai*, WIPO Case No. [D2025-4857](#).

## **B. Respondent**

Apart from the email communication of December 9, 2025, the Respondent did not formally reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **6.1. Preliminary Issue – Registrant Data**

On December 9, 2025, the Respondent sent an email to the Center stating that the registrant name and address disclosed by the Registrar were incorrect and did not correspond to the individual connected with the matter.

In accordance with Paragraph 1 of the Rules, the “Respondent” is defined as the holder of a domain-name registration against which a complaint is initiated.

In the present case, the Registrar confirmed the identity of the Respondent “MOHAMMED EL JAI” as the record registrant in its verification response. Although the Respondent informally asserted via email that these details are “incorrect”, the Respondent did not provide any evidence to substantiate this claim.

Based on the case record, the Panel finds that the Registrar confirmed domain name holder should be treated as the proper Respondent and will proceed to a decision on the merits.

Furthermore, as the Respondent received and replied to the Center's communications sent to the Registrar-provided email address, the Panel finds that the notification obligations under paragraph 2(a) of the Rules have been fully satisfied.

### **6.2. Substantive Issues - Three Elements**

Paragraph 4(a) of the Policy places a burden on the Complainant to prove the presence of three separate elements, which can be summarized as follows:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

The requested remedy may only be granted if the above criteria are met. At the outset, the Panel notes that the applicable standard of proof in UDRP cases is the “balance of probabilities” or “preponderance of the evidence”. See section 4.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)).

## **A. Identical or Confusingly Similar**

Under the first element, the Complainant must establish that the Domain Name is identical or confusingly similar to the trademark in which the Complainant has rights.

The Complainant holds valid registrations for the FACEBOOK and FB trademarks. The Panel notes that “FB” is also a widely recognized abbreviation associated with the Complainant’s FACEBOOK trademark. The Domain Name incorporates the FB trademark in its entirety. As numerous UDRP panels have held, incorporating a trademark in its entirety is sufficient to establish that a domain name is identical or confusingly similar to that trademark (see *PepsiCo, Inc. v. PEPSI, SRL (a/k/a P.E.P.S.I.) and EMS COMPUTER INDUSTRY (a/k/a EMS)*, WIPO Case No. [D2003-0696](#)).

The addition of the terms “free” and “downloader” in the Domain Name does not prevent a finding of confusing similarity between the Domain Name and the Complainant’s FB trademark. Panels have consistently held that where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. See section 1.8 of the [WIPO Overview 3.0](#).

The Top-Level Domain (“TLD”) “.com” in the Domain Name is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. See section 1.11.1 of the [WIPO Overview 3.0](#).

Given the above, the Panel finds that the Domain Name is confusingly similar to the Complainant’s FB trademark. Thus, the Panel finds the first element of the Policy has been established.

## **B. Rights or Legitimate Interests**

Under the second element, the Complainant must prove that the Respondent has no rights or legitimate interests in the Domain Name.

A right or legitimate interest in the Domain Name may be established, in accordance with paragraph 4(c) of the Policy, if the Panel finds any of the following circumstances:

- (i) that the Respondent has used or made preparations to use the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services prior to the dispute; or
- (ii) that the Respondent is commonly known by the Domain Name, even if the Respondent has not acquired any trademark rights; or
- (iii) that the Respondent is making a legitimate noncommercial or fair use of the Domain Name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark.

In the present case, the Panel finds that the Complainant has established a prima facie case that the Respondent does not have any rights or legitimate interests in the Domain Name, and the burden of production of evidence shifts to the Respondent. See section 2.1 of the [WIPO Overview 3.0](#). Although given the opportunity, the Respondent has not submitted any evidence indicating that any of the circumstances foreseen in paragraph 4(c) of the Policy are present in this case.

On the contrary, it results from the evidence on record that the Complainant’s FB trademark registration predates the registration of the Domain Name. There is no evidence in the case record that the Complainant has licensed or otherwise permitted the Respondent to use the FB trademark or to register the Domain Name incorporating this trademark. There is also no evidence to suggest that the Respondent has been commonly known by the Domain Name.

Moreover, the Panel considers that the composition of the Domain Name carries a risk of implied affiliation with the Complainant. See section 2.5.1. of the [WIPO Overview 3.0](#).

Furthermore, it results from the evidence on record that the Respondent does not make use of the Domain Name in connection with a bona fide offering of goods or services, nor does it make a legitimate

noncommercial or fair use of the Domain Name. On the contrary, at the time of filing of the Complaint and as of the date of this Decision, the Domain Name resolves to the Website offering a tool purporting to enable users to download content from the Complainant's Facebook platform. The Website also has a fine print disclaimer at the bottom of the home page. The Complainant submits that Internet users, especially those who do not scroll all the way down, would not see this ineffective disclaimer and may likely believe that the Website is associated with the Complainant. The Complainant further submits that unauthorized third-party websites and services similar to those offered at the Website are commonly associated with potentially abusive or illegal activities, including the distribution of malware or viruses, the scraping of private information or content from the Complainant's platforms, and phishing aimed at obtaining users' login credentials to compromise the accounts of the Complainant's customers. The Respondent has not rebutted the Complainant's assertions. In light of the above, the Panel finds that use of the Domain Name in this case does not confer any rights or legitimate interests on the Respondent.

In sum, the Respondent has failed to invoke any circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights or legitimate interests in respect of the Domain Name. Thus, there is no evidence in the case file that refutes the Complainant's prima facie case. The Panel concludes that the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

Under the third element, the Complainant must prove that the Domain Name has been registered and is being used in bad faith.

Bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark. See section 3.1 of the [WIPO Overview 3.0](#).

Under paragraph 4(b) of the Policy, evidence of bad faith registration and use includes, without limitation:

- (i) circumstances indicating the domain name was registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the owner of a trademark or to a competitor of the trademark owner, for valuable consideration in excess of the documented out-of-pocket costs directly related to the domain name; or
- (ii) circumstances indicating that the domain name was registered in order to prevent the owner of a trademark from reflecting the mark in a corresponding domain name, provided it is a pattern of such conduct; or
- (iii) circumstances indicating that the domain name was registered primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the domain name has intentionally been used in an attempt to attract, for commercial gain, Internet users to a website or other online location, by creating a likelihood of confusion with a trademark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on a website or location.

As indicated above, the Complainant's rights in the FB trademark predate the registration of the Domain Name. This Panel finds that the Respondent was or should have been aware of the Complainant's FB trademark at the time of registration, given the use of the Domain Name to offer services expressly targeting the Complainant's Facebook platform. Moreover, it has been proven to the Panel's satisfaction that the FB trademark is well known and unique to the Complainant. Thus, the Respondent could not ignore the reputation of the FB trademark. In sum, the Respondent registered the Domain Name with the expectation of taking advantage of the reputation of the Complainant's FB trademark.

Furthermore, at the time of filing of the Complaint, and as of the date of this Decision, the Domain Name has been used in bad faith to resolve to the Website offering a tool purporting to enable users to download content from the Complainant's Facebook platform. The Panel finds, having regard to the totality of the circumstances of the case, that the Respondent has intentionally attempted to attract, for possible commercial gain, Internet users to the Website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Website. Although the Website contains a fine print disclaimer at the bottom of the home page, considering the overall circumstances of this case, the Panel finds that the mere existence of this small disclaimer does not change the Panel's finding of the Respondent's bad faith.

Moreover, the Panel notes the Complainant's submission that the Respondent's unauthorized downloader services promoted via the Domain Name may be used to facilitate possibly abusive or illegal activities, including the distribution of malware, the dissemination of spam, the harvesting of personal data from the Complainant's platform, and the theft of users' account credentials. Such use may place the security of the Complainant's users at risk.

Finally, the Respondent's failure to reply to the Complainant's notifications sent in July and August 2025 through the Registrar's Whois Contact Form, together with its use of a privacy service to possibly conceal its identity, and the Respondent's previous involvement in a case filed by the Complainant's affiliated company in which the Panel found the Respondent's bad faith (*Instagram, LLC v. Mohammed El Jai*, WIPO Case No. [D2025-4857](#)), further supports a finding of bad faith under the Policy.

For the reasons discussed above, the Panel finds the third element of the Policy has been established.

## 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 Domain Name <freefbdownloader.com> be transferred to the Complainant.

/Piotr Nowaczyk/

**Piotr Nowaczyk**

Sole Panelist

Date: January 26, 2026