

ADMINISTRATIVE PANEL DECISION

WhatsApp LLC v. Mohamad Nashouqu
Case No. D2025-5314

1. The Parties

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

The Respondent is Mohamad Nashouqu, United States.

2. The Domain Name and Registrar

The disputed domain name <whatsappchecker.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 December 18, 2025. On December 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 22, 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 December 23, 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 26, 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 January 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was January 27, 2026. The Respondent sent an email communication to the Center on January 8, 2026. However, the Respondent did not file any formal response. Pursuant to paragraph 6 of the Rules, on January 29, 2026, the Center informed the Parties that it would proceed with the panel appointment process.

The Center appointed Gregory N. Albright as the sole panelist in this matter on February 2, 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 (“WhatsApp”) operates the WhatsApp messaging and voice-over-IP service and mobile application. The Complainant owns numerous registrations protecting its WHATSAPP Trademarks around the world, including United States Trademark Registration No. 3,939,463, registered on April 5, 2011; and International Trademark Registration No. 1,396,913, registered on December 21, 2017, designating a large number of jurisdictions.

WhatsApp is a global leader in messaging services for mobile devices, with over two billion people in over 180 countries now using WhatsApp to stay in touch with friends and family via free messages and calls. WhatsApp enables its users to send text messages and voice messages, make voice and video calls, and share images, documents, user locations, and other content with one another. The Complainant also offers business users “The WhatsApp Business” app, which allows small businesses to interact with customers using tools to automate, sort, and quickly respond to messages. The Complainant also offers business users the “WhatsApp Business Platform,” to enable larger businesses to chat with customers at scale through programmatic access to WhatsApp.

WhatsApp is available in sixty different languages. In recent years, the WhatsApp mobile application has consistently ranked among the top apps in the market. In addition to the Complainant’s official “www.whatsapp.com” website and domain name, the Complainant owns and operates numerous other domain names consisting of the WHATSAPP Trademarks, including <whatsapp.net>, <whatsapp.org>, and <whatsapp.us>.

The Complainant has also made substantial investments to develop a strong presence online by being active on various social-media platforms, including Facebook, Instagram, X (formerly Twitter), YouTube, and LinkedIn. For instance, the Complainant’s official Facebook page has over 34 million Facebook “likes,” more than five million followers on X, and three million subscribers on YouTube.

The disputed domain name was registered on June 21, 2025. The Complainant has adduced evidence that at the time of the Complaint the disputed domain name resolved to a website that offered, for a fee, to “validate [WhatsApp] numbers, retrieve account details, and generate marketing leads with an intuitive interface and powerful features.”

5. Parties’ Contentions

A. Complainant

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

First, the Complainant asserts that the disputed domain name is identical or confusingly similar to the WHATSAPP Trademark, because the disputed domain name incorporates the mark in its entirety and the Respondent’s addition of “Checker” to the mark in the disputed domain name does not dispel the resulting confusing similarity. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.7 (“While each case is judged on its own merits, in cases where a domain name incorporates the entirety of a trademark ... the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing.”). WIPO Panels have consistently found comparable

domain names to be confusingly similar to the Complainant's Trademarks. See, e.g., *WhatsApp LLC v. Pruthvi Raj*, WIPO Case No. [D2023-1715](#); *WhatsApp LLC v. Registration Private, Domains By Proxy, LLC / Muhammad Asif*, WIPO Case D2022-3170.

Second, the Complainant contends that the Respondent has no rights or legitimate interests in respect to the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name or has acquired trademark rights therein. The Complainant avers that the Respondent is neither the Complainant's licensee nor affiliated with the Complainant in any way, and the Complainant has not authorized the Respondent to make any use of the WHATSAPP Trademarks.

The Respondent is not making fair use of the disputed domain name, the Complainant asserts, because the Respondent is effectively impersonating or suggesting sponsorship or endorsement of the Respondent's website by the Complainant. The Respondent's combination of the WHATSAPP Trademarks with "Checker" shows the Respondent's intent to target the Complainant's platforms, services, and user, creating a high risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

The website content associated with the disputed domain name makes extensive use of the Complainant's WHATSAPP Trademarks as well as its stylized design trademark, in order to offer for sale putative third-party checker services Respondent refers to as "WhatsApp Checker." Furthermore, the website content displays a logo that is confusingly similar to Complainant's WHATSAPP design mark, and replicates Complainant's trade dress by using a color similar to Complainant's iconic green, as well as nearly identical white design elements, in order to achieve a similar look and feel.



The Complainant's logo trademark



Logo associated with disputed domain name

The Complainant contends that these elements together are likely to confuse visitors to the Respondent's website and lead them to believe that the Respondent's "WhatsAppChecker" is operated by, approved, or affiliated with the Complainant.

The Complainant acknowledges that "Panels have recognized that resellers, distributors, or service providers using a domain name containing the complainant's trademark to undertake sales or repairs related to the complainant's goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name". [WIPO Overview 3.0](#), section 2.8.1. The Complainant asserts, however, that the "Oki Data test" (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)) does not apply in this case, because the Complainant's Terms of Use apply to all users of the Complainant's platforms, and expressly prohibit the Respondent from using the Complainant's Trademarks in the disputed domain name. And, the Complainant asserts, the Respondent fails the Oki Data test in any event, because: (1) the Respondent is not providing legitimate sales or repairs in relation to a product provided the Complainant; (2) the disputed domain name and the Respondent's services have been flagged by one or more cybersecurity vendors as malicious; and (3) the Respondent's site does not accurately and prominently disclose the registrant's relationship with the trademark holder; instead, the Respondent's website conceals the lack of relationship with the Complainant despite prominent uses of the WHATSAPP Trademarks.

Third, the Complainant asserts that the disputed domain name was registered and is being used in bad faith. The Complainant has owned trademark registrations for the WHATSAPP Trademarks since 2011, and the Complainant's mark is well-known and has been used by the Complainant throughout the world since 2009. In June 2025, when the disputed domain name was registered, the Complainant had amassed over two billion users worldwide. It is inconceivable that the Respondent was not aware of the WHATAPP Trademarks when the Respondent registered the disputed domain name on June 21, 2025.

In addition, the use of the disputed domain name by the Respondent – who has no legitimate connection to the Complainant – suggests opportunistic bad faith. [WIPO Overview 3.0](#), section 3.1.4. The evidence also shows that the Respondent has intentionally attempted to attract Internet users to the website for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Respondent’s ostensible services. Further, the Respondent’s unauthorized third-party checker services promoted via the disputed domain name may be used to spread malware, to enable spam, to harvest personal data from the Complainant’s platform, to steal users’ account credentials, or for other illegal activities. The Respondent also failed to respond to the Complainant’s demands that the Respondent cease and desist all unauthorized use of the disputed domain name and transfer it to the Complainant.

B. Respondent

The Respondent did not submit a formal reply to the Complainant’s contentions. The Respondent did, however, send an email to the Center which states: “The website has stopped, and there is no content anymore. however [sic] even in the past, there was no product running; it was just a UI [Website User Interface].”

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 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.

Although the addition of other terms – here, “checker” – may bear on assessment of the second and third elements, the Panel finds 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 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 did not submit a formal response to the Complaint with evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. The Respondent's email to the Center, quoted above in Section 5.B, does not persuade the Panel that the Respondent has legitimate rights or interests in respect of the disputed domain name.

The Respondent does not claim to be commonly known by the disputed domain name, or to hold trademark rights in the disputed domain name. Nor does the Respondent claim any affiliation with the Complainant or any license to make use of the Complainant's WHATSAPP Trademarks. The Panel agrees with the Complainant that the Respondent has not used the disputed domain name in connection with the bona fide offering of goods or services; instead, the Respondent has incorporated the Complainant's mark into the disputed domain name for the purpose of creating the false impression of an affiliation with the Complainant, for commercial gain.

The Respondent's assertion that the website has "stopped" and has no content anymore does not alter the fact that the Respondent still owns the disputed domain name and might – but for the Complaint – in the future resume activities that create confusing similarity in the future, for commercial purposes. The Respondent notably did not respond to the Complainant's demand letters and has not offered to voluntarily transfer the disputed domain name to the Complainant.

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.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The disputed domain name was registered on June 21, 2025, long after the Complainant acquired trademark rights in the WHATSAPP Trademarks through extensive use, and many years after the Complainant registered its trademark rights. The Respondent was surely aware of the Complainant's WHATSAPP Trademarks when the disputed domain name was registered. The Panel also finds that the Respondent's incorporated the entirety of the WHATSAPP Trademark into the disputed domain name for the purpose of creating likelihood of confusion or a false association with the Complainant. The Panel therefore finds that the disputed domain name was registered in bad faith.

The Panel also agrees with the Complainant that the evidence it has adduced (summarized in Section 5.A above) supports a finding that the Respondent has used the disputed domain name in bad faith.

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 <whatsappchecker.com> be transferred to the Complainant.

/Gregory N. Albright/

Gregory N. Albright

Sole Panelist

Date: February 16, 2026