

## **ADMINISTRATIVE PANEL DECISION**

Instagram, LLC v. Assem Mahgoob, assem  
Case No. D2026-0191

### **1. The Parties**

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

The Respondent is Assem Mahgoob, assem, Yemen.

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

The disputed domain names <instagold.download>, <instaplus.gold>, and <instaplusgold.app> (collectively, the “Disputed Domain Names”) are registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 16, 2026. On January 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Names. On January 20, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Disputed Domain Names which differed from the named Respondent (REDACTED FOR PRIVACY Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 21, 2026, 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 January 26, 2026.

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 January 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 19, 2026.

The Center appointed Nicholas Weston as the sole panelist in this matter on February 26, 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 operates a well-known online photo and video-sharing social-networking application and is a wholly owned subsidiary of United States social technology company Meta Platforms, Inc. It holds a portfolio of registrations for its trademarks INSTA and INSTAGRAM, and variations of these, in numerous jurisdictions. Examples include United States Trademark Registration No. 5,061,916 for the mark INSTA, registered on October 18, 2016; European Union Trade Mark No. 014810535 for the mark INSTA registered on May 23, 2018, and United States Registration No. 4,146,057 for the mark INSTAGRAM, registered on May 22, 2012.

The Complainant owns numerous domain names that comprise or contain the trademark INSTAGRAM, including the domain name <instagram.com>.

The Disputed Domain Name <instagold.download> was registered on December 29, 2023.

The Disputed Domain Name <instaplus.gold> was registered on January 13, 2024

The Disputed Domain Name <instaplusgold.app> was registered on October 30, 2024.

The Disputed Domain Name <instagold.download> resolves to the “update page” of “Instagram Gold”. By clicking on the “Download Latest Version”, users are redirected to the Respondent's website at <instaplus.gold>.

The Disputed Domain Name <instaplus.gold> resolves to a website in Arabic (the Respondent's website) that purports to offer for download an unauthorised modified version of the Complainant's Instagram application titled “Instagram Gold”, with additional features that are not offered on the Instagram application.

The Disputed Domain Name <instaplusgold.app> resolved to a website in Arabic which was similar to the Respondent's website at <instaplus.gold>, and offered for download unauthorised modified versions of the Complainant's Instagram application, titled “Instagram Gold” and “InstagramPlus”, and currently does not resolve to an active website.

#### **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 Names.

Notably, the Complainant cites its trademark registrations for the mark INSTA in numerous countries, as prima facie evidence of ownership.

The Complainant contends that its rights in the INSTA mark predate the Respondent's registration of the Disputed Domain Names. It submits that the Disputed Domain Names are confusingly similar to its trademark, because each is comprised of the INSTA trademark along with the terms “plus” and/or “gold”, under the generic Top-Level-Domains (“gTLDs”) “.gold”, “.app” or “.download”, and that these variables are not sufficient to avoid the confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Names because it “[t]he Respondent is not a licensee of the Complainant. The Respondent is not affiliated with the Complainant in any way. The Complainant has not granted any authorization for the Respondent to make use of either its INSTA trademark or its INSTAGRAM trademark in a domain name or otherwise” and that none of the circumstances set out in paragraph 4(c) of the Policy apply.

Finally, the Complainant alleges that the registration and use of the Disputed Domain Names were, and currently are, in bad faith, contrary to the Policy and the Rules having regard to the prior use and “well-known” nature of the Complainant’s trademarks. On the issue of registration, the Complainant states that its “INSTA trademark is well known throughout the world as an abbreviation of the Complainant’s INSTAGRAM trademark”, citing *Instagram, LLC v. Omer Ulku*, WIPO Case No. [D2018-1700](#). The Complainant also contends that “[t]he Respondent’s prior knowledge of the Complainant and its trade mark rights as well as the Respondent’s intent to target the Complainant through the [Disputed] Domain Names is made clear from the current use made by the Respondent of the [Disputed] Domain Name <instaplus.gold> and prior use of the [Disputed] Domain Name <instaplusgold.app>, which resolve(d) to websites that make (or made) explicit reference to the Complainant and its Instagram platform and feature(d) a modified version of the Complainant’s Instagram logos and figurative trademarks, including as a favicon”.

On the issue of use the Complainant contends that the Disputed Domain Name <instaplus.gold> “currently resolves to a website that purports to offer for download unauthorised modified versions of the Complainant’s Instagram application, with additional features that are not offered on the Complainant’s platform, including the ability to download content from Instagram. Until on or around July 20, 2025, the [Disputed] Domain Name <instaplusgold.app> resolved to a similar website.” The Complainant goes on to contend that use of a domain name to purport to offer an unauthorised version of the Complainant’s Instagram application amounts to bad faith use, citing *Instagram, LLC v. Aina Jannat Aina Jannat*, WIPO Case No. [D2024-1424](#).

It also contends that “the Respondent’s current non-use of the [Disputed] Domain Name <instaplusgold.app> in connection with an active website does not prevent a finding of bad faith,”.

## **B. Respondent**

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

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, the Complainant has the burden of proving the following:

- (i) that the Disputed Domain Names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Names; and
- (iii) that the Disputed Domain Names have been registered and are 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 Names. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. The requirements of the first element for purposes of the Policy may be satisfied by a trademark registered in any jurisdiction. [WIPO Overview 3.1](#), section 1.2.1. The Complainant has produced sufficient evidence to demonstrate that it has registered trademark rights in the mark INSTA in several countries.

Turning to whether the Disputed Domain Names are identical or confusingly similar to the INSTA trademark, the Panel observes that

— the Disputed Domain Name <instagold.download> is comprised of: (a) the Complainant’s trademark; (b) followed by the word “gold”; (c) followed by the gTLD “.download”.

— the Disputed Domain Name <instaplus.gold> is comprised of: (a) the Complainant’s trademark; (b) followed by the word “plus”; (c) followed by the gTLD “.gold”.

— the Disputed Domain Name <instaplusgold.app> is comprised of: (a) the Complainant’s trademark; (b) followed by the words “plus” and “gold”; (c) followed by the gTLD “.app”.

It is well established that the gTLD used as part of a domain name is generally disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11. The relevant comparison to be made is with the second-level portion of each of the Disputed Domain Names, specifically: “instagold”, “instaplus”, and “instaplusgold”, respectively.

The Panel finds the mark is recognizable within the Disputed Domain Names. Accordingly, the Disputed Domain Names are confusingly similar to the mark for the purposes of the Policy also. [WIPO Overview 3.1](#), section 1.9.

Although, the addition of other terms such as “gold,” and/or “plus”, may bear on assessment of the second and third elements in relation to the Disputed Domain Names, the Panel finds the addition of those terms does not prevent a finding of confusing similarity between that Disputed Domain Names and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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 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 Disputed Domain Names (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 3.1](#), section 2.1.

The Panel finds that there is no indication that the Respondent was commonly known by the term “Insta” prior to registration of the Disputed Domain Names. The Complainant has not licensed, permitted, or authorized the Respondent to use the trademark INSTA. The Panel also notes that the composition of the Disputed Domain Names carries a risk of implied affiliation (see [WIPO Overview 3.1](#), section 2.5.1).

The Panel notes the evidence that the Respondent's current use of the Disputed Domain Name <instaplus.gold> and previous use of the Disputed Domain Name <instaplusgold.app> to resolve to websites that sought to offer for download unauthorised modified versions of the Complainant's Instagram application, with additional features not offered by the Complainant, including the ability to download Instagram content, as well as the Respondent's use of the Disputed Domain Name <instagold.download> to resolve to an "update page" which features a link to the Respondent's website at <instaplus.gold>. The Panel naturally finds that such use does not represent a bona fide offering of goods or services, or a legitimate noncommercial or fair use.

Panels have held that the use of a Disputed Domain Name for illegitimate activity here, the offering of unauthorised modified versions of the Complainant's Instagram application, or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel notes the evidence that the Disputed Domain Name <instaplusgold.app> does not currently resolve to an active webpage, and finds neither this (nor the previous trading on the goodwill of the Complainant's trademarks), represent a bona fide offering of goods or services, or a legitimate noncommercial or fair use, given the substantial reputation and goodwill of the Complainant's mark or capacity to otherwise mislead Internet users.

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 Names. 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 Names such as those enumerated in the Policy or otherwise.

The Panel finds the second element of the Policy has been established for the Disputed Domain Names.

### **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 3.1](#), section 3.2.1.

In the present case, the Panel finds that the evidence in the case shows the Respondent registered and has used the Disputed Domain Names in bad faith.

On the issue of registration, taking into account the composition of the Disputed Domain Names and the well-known nature of the Complainant's trademarks, the Panel is satisfied that the Respondent knew of and targeted the Complainant's trademark INSTA when it registered the Disputed Domain Names.

This Panel finds that there is no reason for the Respondent to have registered the Disputed Domain Names other than to trade off the reputation and goodwill of the Complainant's well-known trademark. [WIPO Overview 3.1](#), section 3.1.4.

Further, a gap of several years between registration of a complainant's trademark and respondent's registration of a disputed domain name (containing the trademark) may indicate bad faith registration. In this case, the Respondent registered the Disputed Domain Names some seven years after the Complainant established registered trademark rights in the INSTA mark. The Respondent has not come forward to rebut the Complainant's allegations or offer any alternative explanation.

On the issue of use, the Complainant's evidence is that the Disputed Domain Name <instaplus.gold> resolves to a website that purports to offer for download unauthorised modified versions of the Complainant's Instagram application, with additional features that are not offered on the Complainant's platform, including the ability to download content from Instagram. Until July 2025, the Disputed Domain Name <instaplusgold.app> resolved to a similar website. The Disputed Domain Name <instagold.download> resolves to an "update page" which features a link to the Respondent's website at <instaplus.gold>. Targeting of this nature is a common example of bad faith as referred to in paragraph 4(b)(iv) of the Policy and identified in many previous UDRP decisions. [WIPO Overview 3.1](#), sections 3.1.4 and 3.2.1. Prior panels have also found that the use of a domain name to purport to offer an unauthorised version of the Complainant's Instagram application amounts to bad faith use. *Instagram, LLC v. Aina Jannat Aina Jannat*, WIPO Case No. [D2024-1424](#).

Panels have held that the use of a domain name for illegitimate activity here, claimed impersonation or passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. There is also evidence that the Respondent provided false contact details to shield its identity when registering the Disputed Domain Names. Previous panel decisions have found that providing false information for the Whois database to shield a registrant's identity (which is also in breach of the registration agreement) is clear evidence of the Respondent's knowledge of the Complainant's rights at the time of registration and can support an inference of bad faith. [WIPO Overview 3.1](#), section 3.2.1. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Names constitutes bad faith under the Policy.

The Disputed Domain Name <instaplusgold.app> does not currently resolve to an active website. Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's taking active steps to conceal its identity or (iv) the use of false contact details (noted to be in breach of its registration agreement). [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the Complainant's well-known INSTA trademark, the composition of the Disputed Domain Name <instaplusgold.app>, the Respondent's address of the underlying registrant that refers to a street without indicating a building or apartment number and use of a privacy service to conceal its identity, and the Respondent's failure to provide any evidence of actual or contemplated good-faith use and finds that in the circumstances of this case the passive holding of the Disputed Domain Name <instaplusgold.app> does not prevent a finding of bad faith under the Policy.

The Panel also observes that the Respondent appears to have been the unsuccessful respondent in a previous UDRP proceeding See, *WhatsApp LLC v. Assem Mahgoob, Assem*, WIPO Case No. [D2025-1776](#). The Panel therefore finds that that the Respondent is a serial offender who deliberately targeted the Complainant and is engaged in a pattern of bad faith conduct that supports a further finding of bad faith against the Respondent. [WIPO Overview 3.1](#), section 3.1.2.

The Panel finds that 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 Names <instagold.download>, <instaplus.gold>, and <instaplusgold.app> be transferred to the Complainant.

/Nicholas Weston/

**Nicholas Weston**

Sole Panelist

Date: February 27, 2026