

## **ADMINISTRATIVE PANEL DECISION**

WhatsApp, LLC v. muhammad shehryar, SEO  
Case No. D2026-0228

### **1. The Parties**

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

The Respondent is muhammad shehryar, SEO, Saudi Arabia.

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

The disputed domain name <cyberwhatsapp.net> is registered with Dynadot Inc (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 20, 2026. On January 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 22, 2026, 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 (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 27, 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 amendment to the Complaint on January 30, 2026.

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 February 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 23, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 24, 2026.

The Center appointed Alan L. Limbury as the sole panelist in this matter on March 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, is a global leader in messaging services for mobile devices, with over two billion people in over 180 countries now using the Complainant's WhatsApp messaging and voice-over-IP service and mobile application to stay in touch with friends and family via free messages and calls. Since 2009 the Complainant has used the WHATSAPP word mark and stylized logo mark, in which it has common law rights and numerous registrations around the world.

The Complainant registered the WHATSAPP word mark with the United States Patent and Trademark Office on April 5, 2011, Reg. No. 3,939.463, for "application service provider, namely, providing hosting, managing, developing, and maintaining applications, software, web sites, and databases in the fields of personal productivity, wireless communication, mobile information access, and remote data management for wireless delivery of content to handheld computers, laptops and mobile electronic devices", in International Class 42.

The Complainant registered its European Union WHATSAPP word mark with the European Union Intellectual Property Office on October 25, 2011, Reg. No. 009986514, for inter alia "instant messaging services" in International Classes 9, 38 and 42.

The Complainant registered its figurative green and white Logo mark with the European Union Intellectual Property Office on May 18, 2012, Reg. No. 010496602, for inter alia "communications software for electronically exchanging data, audio, video, images and graphics via computer, mobile, wireless, telecommunications networks and downloadable computer software for processing images, graphics, audio, video, and text" in International Classes 9, 38 and 42.

The Complainant operates the website at "www.whatsapp.com" and has registered several other domain names incorporating its WHATSAPP mark.

The Respondent is a mobile application developer for software integrated with the Complainant's WhatsApp platform. The disputed domain name was registered on April 20, 2025. It resolves to a website headed "Cyber Whatsapp", prominently displaying a figurative green and white logo similar to the Complainant's Logo mark, and inviting Internet users to download a modified version of the Complainant's applications. The website offers links to the online services of other providers. There is no disclaimer of any affiliation with the Complainant.

#### **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 that the disputed domain name is effectively identical to the Complainant's well-known WHATSAPP trademark and the Respondent has no rights nor legitimate interests the disputed domain name. There is no evidence to suggest that the Respondent is commonly known by the disputed domain name or has any rights in the disputed domain name independent of the Complainant's well-established trademark rights. To the best of the Complainant's knowledge, the Respondent has neither acquired nor applied for a trademark registration for "Cyber WhatsApp" or any variation thereof as reflected in the disputed domain name. The Respondent is not a licensee of the Complainant, nor is it affiliated with the Complainant in any way. The Complainant has not authorized the

Respondent to make any use of its WHATSAPP trademarks, whether in a domain name or mobile app, in the use of its logos on the website, or otherwise. The Respondent is a mobile application developer for software integrated with the Complainant's WhatsApp platform. The factors set out in *Ok! Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#) do not apply here because the Respondent is explicitly prohibited by the Complainant's Terms of Use from using any of the Complainant's WHATSAPP trademarks, which the Respondent clearly had in mind when registering the disputed domain name in order to exploit and profit from those rights.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant's WHATSAPP trademark is inherently distinctive and well-known throughout the world and has been continuously and extensively used by the Complainant since 2009. The Respondent knew of the Complainant's rights to the WHATSAPP trademarks when it registered the disputed domain name. The disputed domain name and the Respondent's website content are so obviously connected with the Complainant and its WHATSAPP trademarks and services that such use by the Respondent, which has no connection to the Complainant, suggests opportunistic bad faith. In choosing a domain name that so closely resembles the Complainant's WHATSAPP trademark to promote an unauthorized, derivative, competing service, the Respondent is taking advantage of the Complainant's mark for commercial gain.

The Complainant contends that given the composition of the disputed domain name and noting the nature of the Respondent's website, Internet users are likely to believe that the Respondent's website, along with the purported modified unauthorized "Cyber WhatsApp" application promoted therein, are affiliated with or somehow endorsed by the Complainant. The Respondent's modified unauthorized application 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. Such use places the security of WhatsApp users at risk.

The Respondent never replied to correspondence from the Complainant's agents demanding that the Respondent cease all unauthorized use of its WHATSAPP trademarks and transfer the disputed domain name to the Complainant. Finally, the Respondent's use of a proxy service or selection of a registrar with default proxy services, strongly suggests an attempt to prevent or frustrate a UDRP proceeding and therefore constitutes additional evidence of bad faith at the time of registration of the disputed domain name.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that the disputed domain name should be cancelled or transferred:

- (i) the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (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.

In view of the Respondent's failure to submit a Response, the Panel shall decide this administrative proceeding on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint. However, the

Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Overview of WIPO Panel Views on Select UDRP Questions, Third Edition, ("[WIPO Overview 3.1](#)"), section 4.3.

#### **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 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 3.1](#), section 1.7.

Although the addition of other terms, here "cyber", 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 3.1](#), section 1.8. The generic Top-Level Domain ("gTLD") ".net" may be ignored under this element.

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 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 3.1](#), 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 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.

The Panel notes that the *Oki Data* test does not apply.

Even applying the *Oki Data* test, the Complainant has shown the circumstances of this case to be similar to those in *WhatsApp LLC v. Sahaji, Blogging Mafia*, WIPO Case No. [DCC2024-0032](#), (<gbwhatsapp.cc>) (finding the *Oki Data* test not satisfied where "the use of the confusingly similar disputed domain name to resolve to a website bearing the Complainant's logo and falsely suggesting an affiliation with the Complainant without any disclaimer of the lack of relationship with the Complainant, and offering modified unauthorized versions of the Complainant's WhatsApp app, does not give rise to any rights or legitimate interests in the disputed domain name.")

Further, the *Oki Data* test is not satisfied because the Respondent's website offers links to the online services of other providers.

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, including:

"(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location."

The circumstances set out above in relation to the second element satisfy the Panel that the Respondent was fully aware of the Complainant and its WHATSAPP word and Logo marks when the Respondent registered the disputed domain name and that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and of the services promoted on that website. This demonstrates registration and use in bad faith to attract users for commercial gain under paragraph 4(b)(iv) of the Policy.

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 name <cyberwhatsapp.net> be transferred to the Complainant.

*/Alan L. Limbury/*

**Alan L. Limbury**

Sole Panelist

Date: March 3, 2026