

ADMINISTRATIVE PANEL DECISION

Meta Platforms, Inc. v. Elvis Lis

Case No. D2026-0292

1. The Parties

Complainant is Meta Platforms, Inc., United States of America (“U.S.A.”), represented by Perkins Coie, LLP, U.S.A.

Respondent is Elvis Lis, U.S.A.

2. The Domain Name and Registrar

The disputed domain name <fbviewer.org> (the “Domain Name”) is registered with Spaceship, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 24, 2026. Also, on January 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. That same day, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on January 28, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on January 29, 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 Respondent of the Complaint, and the proceedings commenced on February 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 22, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on February 23, 2025.

The Center appointed Harrie R. Samaras as the sole panelist in this matter on February 27, 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

Complainant was founded in 2004. Its Facebook platform (the “Platform”) provides online social-media and social-networking services.

Complainant owns trademark registrations for the FB Mark (or “the Mark”) including in the European Union (18146501) registered on November 7, 2020; in the United Kingdom (UK00003441474) registered on March 20, 2020; and in Brazil (918596068) registered on August 18, 2020. The FB Mark is commonly used to refer to Complainant’s FACEBOOK Mark (e.g., U.S.A. Registration No. 3,734,637, registered January 5, 2010) and has been used by international publications, as well as referenced in online dictionary definitions as an abbreviation for the FACEBOOK Mark. Complainant also owns domain names that reflect those Marks (e.g., <facebook.com> and <fb-accounts.com>).

Currently, the Platform has over three billion monthly active users and over two billion daily active users on average worldwide. Complainant’s social-networking services are provided in more than seventy different languages. The Platform is also available as an application for mobile devices. Also, Complainant is active on various social-media platforms, including Facebook, Instagram, X (formerly Twitter), and LinkedIn.

The Domain Name was registered on August 26, 2025. It resolves to a website offering downloadable software that permits the public to view the content of Facebook platform users – “Facebook Story Viewer” (the “Website”). According to the Website, by entering the profile link or username of the Facebook page to be targeted into the downloaded software, users of Respondent’s software will purportedly have the ability to “view Facebook stories anonymously” and “without being detected.” They may also save the stories for offline viewing (e.g., mobile, tablet, computer). The Website uses the FACEBOOK Mark prominently in bolded blue lettering throughout the Website. The hue of blue looks to be the same as what Complainant uses for its FACEBOOK Mark – “Facebook Blue”.

A security vendor flagged the Domain Name as “malicious” (i.e., phishing).

Complainant’s representative sent Respondent (through the domain owner contact webform provided by the Registrar) notifications demanding that Respondent cease all unauthorized use of its FACEBOOK trademarks and transfer the Domain Name to Complainant. Respondent did not respond to the correspondence nor ceased using the Mark.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

The Domain Name wholly incorporates and is effectively identical to the FB Mark, followed by the non-distinctive term “viewer.” Adding the term “viewer” is not sufficient to dispel the ensuing confusing similarity between the FB Mark and the Domain Name. The applicable TLD, in this case “.org,” may be disregarded for the purposes of assessment under the first element, as it is viewed as a standard registration requirement.

There is no evidence to suggest that Respondent is commonly known by the Domain Name or has any independent rights in it. Respondent has neither acquired nor applied to register the Domain Name or any variation of it. Respondent is not a licensee of Complainant, nor is it affiliated with Complainant.

Complainant has not authorized Respondent to make any use of its FB or FACEBOOK Marks, whether in a domain name or mobile app, or its logos. Respondent offers a downloader service of content hosted on the Platform, and is expressly prohibited from using Complainant's FACEBOOK trademarks.

The formulation of the Domain Name (combining the FB Mark with the nondistinctive term "viewer") coupled with Respondent's website content, was intended to target Complainant, its platforms, services and users, and to imply affiliation with Complainant. Thus, this defeats any claim of legitimate noncommercial or fair use. Respondent clearly had Complainant's FB Mark and FACEBOOK Mark in mind when registering the Domain Name to exploit and profit from those rights. Respondent's conduct is likely to confuse users into believing that the Domain Name and Respondent's services are operated by, approved of, or affiliated with Complainant, which cannot constitute legitimate or noncommercial fair use under the Policy.

It is well settled that the *Oki Data* test (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)) does not apply where any prior agreement, express or otherwise, between the parties prohibits the registration or use of domain names incorporating a complainant's trademark. Even if the *Oki Data* test did apply, Respondent's use of the Domain Name does not satisfy the test's factors.

Respondent knew of Complainant's rights in the FB Mark and FACEBOOK Mark when registering the Domain Name. The FACEBOOK Mark is inherently distinctive, widely known throughout the world, and Complainant continuously and extensively used it since 2004. "FB" is a well-known abbreviation associated with the FACEBOOK Mark as shown in news headlines and dictionary definitions of record. All search results obtained by typing the term "facebook" into the Google search engine and search results for the term "FB," refer to Complainant. It is inconceivable for Respondent to argue that they were not aware of Complainant's FACEBOOK or FB Mark when registering the Domain Name. Furthermore, when Respondent registered the Domain Name, it had three billion users worldwide.

The Website content is obviously connected with Complainant and its FACEBOOK Mark and services such that such use by Respondent, who has no connection to Complainant, suggests opportunistic bad faith. Furthermore, in choosing a domain name that so closely resembles Complainant's FACEBOOK Mark to promote an unauthorized, derivative, competing service, Respondent is taking advantage of a Complainant's Mark for commercial gain, which supports a finding of bad faith under the Policy. Given the composition of the Domain Name, and noting the nature of the Website described above, Internet users are likely to believe the Website along with the unauthorized "Facebook Story Viewer" services promoted therein, are affiliated with or somehow endorsed by Complainant. To that end, the Website contains language that could mislead users, such as: "Our Facebook Story Viewer uses secure technology to access public Facebook stories anonymously without revealing your identity." Respondent has intentionally attempted to attract Internet users to the Website by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Website and putative services marketed therein, in bad faith.

Respondent's bad faith use of the Domain Name is also evident in that the downloadable software may be used to spread malware, to enable spam, to harvest personal data from Complainant's platform, to steal users' account credentials, or for other illegal activities. Such use places the security of Complainant's users at risk.

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 Respondent registered the Domain Name.

B. Respondent

Respondent did not reply to Complainant's contentions.

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 Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

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 FB Mark is reproduced within the Domain Name. Accordingly, the 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 term here, "viewer" may bear on the 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 Domain Name 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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name. Respondent has not rebutted Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name such as those enumerated in the Policy or otherwise.

The Panel notes that Complainant has referred to the *Ok! Data* test which is applicable to 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. The Panel notes that the *Ok! Data* test is not directly applicable in this case given that Respondent is not a reseller, distributor or service provider using the Domain Name to undertake sales or repairs related to Complainant's goods or services. Thus, it will not be addressed further.

Panels have held that the use of a domain name for illegitimate or illegal activity here, claimed respectively as: (1) impersonation/passing off in providing downloading services of content hosted on Complainant's Facebook platform, using Complainant's FB and FACEBOOK Marks (among other things); and (2) possible phishing/identity theft (i.e., the software may be used to spread malware, to enable spam, to harvest personal data from the Platform, to steal users' account credentials, or for other illegal activities) placing the security of Complainant's users at risk), can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

In the present case, the Panel notes that Respondent registered the Domain Name in bad faith because: (1) Complainant has been using the FB Mark (a well-known abbreviated form of the FACEBOOK Mark) since at least 2019, years before Respondent registered the Domain Name; (2) Complainant has been using the FACEBOOK Mark since at least 2004, over 21 years before Respondent registered the Domain Name; (3) Complainant is well-known internationally; (4) Respondent registered as a Domain Name an established Mark simply adding the descriptive word "viewer" that does not distinguish the Domain Name from the FB Mark; (5) Respondent uses a bolded form of the FACEBOOK Mark in its distinctive blue color ubiquitously on the Website; and (6) Respondent is using a confusingly similar Domain Name in conjunction with a website that purports to offer downloadable software to permit the public to view the content of FACEBOOK platform users, thus targeting Complainant, the Platform, and its users.

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. Here, Respondent ignored Complainant's cease-and-desist letter insofar as it did not cease using Complainant's FB and FACEBOOK Marks nor did it respond to the letter.

Panels have held that the use of a domain name for illegitimate or illegal activity here, claimed respectively as: (1) impersonation/passing off in providing downloading services of content hosted on Complainant's Facebook platform, using Complainant's FB and FACEBOOK Marks (among other things); and (2) possible phishing/identity theft (i.e., the software may be used to spread malware, to enable spam, to harvest personal data from the Platform, to steal users' account credentials, or for other illegal activities) placing the security of Complainant's users at risk), constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Domain Name constitutes bad faith under the Policy.

The Panel finds that 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 Domain Name <fbviewer.org> be transferred to Complainant.

/Harrie R. Samaras/

Harrie R. Samaras

Sole Panelist

Date: March 11, 2026