

ADMINISTRATIVE PANEL DECISION

WhatsApp LLC v. Manish Gupta, Mags International
Case No. D2026-0642

1. The Parties

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

The Respondent is Manish Gupta, Mags International, India.

2. The Domain Name and Registrar

The disputed domain name <businesswhatsapp.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 February 13, 2026. On February 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 16, 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 ("Registration Private, Domains By Proxy, LLC") and contact information in the Complaint. The Center sent an email communication to the Complainant on February 17, 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 February 17, 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 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 10, 2026. The Respondent sent an email communication to the Center on March 5, 2026, in which it requested suspension of the proceeding to "explore possible settlement discussions with the Complainant". The proceeding was not suspended, so the

Center commenced the panel appointment process on March 13, 2026. The Respondent filed a late response on March 17, 2026, and the Complainant filed a supplemental statement on March 23, 2026.

The Center appointed Knud Wallberg as the sole panelist in this matter on March 18, 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 the provider of the WhatsApp application, a popular mobile messaging application allowing users to exchange messages via smartphones without having to pay for short message service (SMS) messages. The Complainant was founded in 2009, and its WhatsApp application now has over two billion active users worldwide.

The Complainant has registered numerous trademarks consisting of the term “WhatsApp” in many jurisdictions throughout the world, including International Registration No. 1085539, WHATSAPP, registered on May 24, 2011, for goods and services in international classes 9 and 38, Indian Trademark Registration No. 2149059, WHATSAPP, registered on May 24, 2011, in classes 9 and 38 and Indian Trademark Registration No. 3111463 WHATSAPP, registered on November 30, 2015, in classes 9, 35, 36, 38, 42 and 45.

The Complainant is also the owner of numerous domain names, consisting of the WHATSAPP trademark, under various generic Top-Level Domains (“gTLDs”) as well as under many country code Top-Level Domains (“ccTLDs”).

The Respondent filed an Indian application to register “BUSINESSWHATSAPP” as a trademark for services in class 35. The application was filed on January 22, 2024. The Complainant has filed an opposition against the application, and the opposition is still pending.

The disputed domain name was registered on October 13, 2018, and at the time the Complaint was filed it resolved to a third-party website where it was offered for sale.

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 confusingly similar to the trademarks in which it has rights as it comprises the Complainant’s WHATSAPP trademark, with the addition of the generic term “business” as prefix, under the gTLD “.com”.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. The Respondent is thus not a licensee of the Complainant. The Respondent is not affiliated with the Complainant in any way, nor has the Complainant authorized the Respondent to make any use of its WHATSAPP trademark, in a domain name or otherwise. Regarding the Respondent’s pending trademark application, in its supplemental filing the Complainant submits that the circumstances indicate that the Respondent applied to register “BUSINESSWHATSAPP” as a trademark in India primarily to circumvent the Complainant’s assertion of its well-established rights in the WHATSAPP trademark.

The Complainant finally contends that the disputed domain name was registered and is being used in bad faith. The Complainant submits that given the Complainant's renown and goodwill worldwide, the Respondent had actual knowledge of the Complainant and its rights at the time of registration of the disputed domain name.

B. Respondent

As mentioned above in paragraph 3, the Respondent did not file a Response within the deadline. However, in exercise of his powers under Article 10 of the Rules, the Panel has decided to review the belated submission of the Respondent and to take the relevant parts of the submission, i.e., the parts that relate to the three elements of the UDRP.

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

Regarding the first element, the Respondent does not dispute that the domain name contains the term "WhatsApp," but that it is well established that the mere presence of a trademark within a domain name does not, by itself, justify transfer under the Policy. The disputed domain name must be considered in its entirety, including the additional descriptive element.

The Respondent further submits that there is no evidence to suggest that it lacks rights or legitimate interests in the disputed domain name. The Respondent has not represented itself as being associated with the Complainant, has not used any branding or logos belonging to the Complainant, and has not operated any service that could cause confusion among Internet users.

The Respondent finally submits that the disputed domain name was not registered in bad faith nor has the Respondent been engaged in any activity that could reasonably be construed as bad faith use. Regarding the indication that the disputed domain name was offered for sale, this was the result of an automated process implemented by the Registrar, as part of its standard domain parking or default configuration, and such automated content is outside the direct control of the Respondent and cannot be attributed to it as evidence of intent.

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that the Complainant must prove each of the following elements:

- (i) the disputed domain name 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.

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 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. [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, “business,” may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent the 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 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 that the Respondent lacks rights or legitimate interests in the disputed domain name. The Panel has not been presented with any facts that indicate that the Respondent has been commonly known by the disputed domain name or a name corresponding to the disputed domain name. Furthermore, the Panel finds that the nature of this case is covered by Section 2.12.2 of the [WIPO Overview 3.1](#), and the Panel thus decline to find that the Respondent has rights or legitimate interests in the disputed domain name on the basis of the corresponding trademark application in India. First, it is a pending application against which the Complainant has filed an opposition and secondly, the Panel finds that the overall circumstances indicate that the application was filed primarily to circumvent the Complainant’s assertion of its rights or otherwise prevent the Complainant’s exercise of its rights.

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 the Respondent registered the disputed domain name in 2018 that is several years after the Complainant had started to use its mark and at a time when the Complainant had registered the mark in India, and since the Respondent has not provided any explanation for why it registered the disputed domain name the Panel finds that the Respondent most likely registered the disputed domain name with prior knowledge of the Complainant and the Complainant’s marks.

Furthermore, the disputed domain name is offered for sale or lease at a price likely in excess of the Respondent’s out-of-pocket costs directly related to the disputed domain name, which is in an indication of bad faith. Paragraph 4(b)(i) 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 <businesswhatsapp.com> be transferred to the Complainant.

/Knud Wallberg/

Knud Wallberg

Sole Panelist

Date: April 1, 2026