ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Instagram, LLC v. pinoy tvshows
Case No. D2026-1676

1. The Parties

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

The Respondent is pinoy tvshows, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <instagramproapp.net> (the "Disputed Domain Name") is registered with Name.com, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 20, 2026. On April 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 22, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on April 23, 2026, providing the registrant and contact information disclosed by the Registrar.

The Center verified that 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 April 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 19, 2026.

The Center appointed Yuzo Wada as the sole panelist in this matter on May 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 is an online photo- and video-sharing social networking service and mobile application. Since its launch in 2010, Instagram has rapidly acquired and developed considerable goodwill and renown worldwide. Acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012, today Instagram has more than 3 billion monthly active accounts worldwide.

The Complainant is the owner of the following trademark registrations for the sign INSTAGRAM (the "INSTAGRAM trademark"):

− International trademark, registration No. 1129314, registered on March 15, 2012, in International Classes 9 and 42;
− European Union trademark, registration No. 14493886, registered on December 24, 2015, in International Classes 35, 38 and 41; and
− Pakistan trademark, registration No. 398679, registered on July 30, 2018, in class 42.

The Complainant is also the owner of the following figurative trademark registrations (the "Complainant's figurative trademark"):

− the European Union trademark, registration No. 15442502, registered on September 21, 2016, in International Classes 9, 25, 35, 38, 41, 42, and 45; and
− the United States trademark, registration No. 5299116, registered on October 3, 2017, in International Class 9.

The Disputed Domain Name was registered on October 10, 2023. According to the available record, it used to redirect to the website entitled "Instagram Pro" that purported to offer for downloading unauthorized modified APK versions of the Instagram app, such as "Instagram Pro APK", "InstaPro APK" or "InstaPro 2" (the Respondent's website). These APK versions purported to offer additional functionality that is not offered on the official Instagram app, including a tool to download content from the Instagram app. At the time of filing of the Complaint, the Disputed Domain Name resolves to an inactive web page.

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 identical or confusingly similar to the Complainant's INSTAGRAM trademark.

The Complainant contends that the Respondent lacks any rights to or legitimate interests in the Disputed Domain Name.

The Complainant contends that the Respondent registered and is using the Disputed Domain Name in bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy requires that the complainant prove each of the following three elements to obtain a decision that a domain name should be either cancelled or transferred:

(i) the 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 domain name; and

(iii) the 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 Panel further finds that the Disputed Domain Name is confusingly similar to this mark, since the Disputed Domain Name incorporates the entirety of the Complainant's INSTAGRAM trademark. The addition of other terms, (here, "pro" for "professional" and "app" for "application") does not prevent a finding of confusing similarity (*Instagram, LLC v. GB Apps, Apps.Pk*, WIPO Case No. D2024-2405).

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Under the second element of the Policy, the Complainant must show that the Respondent has no rights or legitimate interests with respect to the Disputed Domain Name. The Respondent may establish a right or legitimate interest in the Disputed Domain Name by demonstrating any of the following non-exhaustive circumstances listed in paragraph 4(c) of the Policy:

(a) that the Respondent has used, or made preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services prior to any notice of the dispute; or

(b) that the Respondent has been commonly known by the Disputed Domain Name, even if the Respondent has not acquired any trademark rights; or

(c) that the Respondent is making a legitimate noncommercial or fair use of the Disputed Domain Name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Complainant's INSTAGRAM trademark registrations for INSTAGRAM predate the Respondent's registration of the Disputed Domain Name which is confusingly similar to the Complainant's INSTAGRAM trademarks. The Complainant has not licensed or otherwise consented to the Respondent's use of the trademarks in connection with the Disputed Domain Name.

From the evidence in the case record, the Disputed Domain Names resolved to a website displaying the Complainant's INSTAGRAM trademark, the Complainant's logo and the Complainant's figurative trademark, and purporting to offer for downloading unauthorized modified APK versions of the Complainant's Instagram

application, with additional features that are not offered on the Complainant's platform such as the ability to download Instagram content.

Moreover, the Respondent fails to disclose its relationship with the Complainant. It is highly unlikely that the Respondent is commonly known by the name "Instagram", since the term is imaginative and therefore highly distinctive.

In these circumstances, the Panel finds that the Respondent's use of the Disputed Domain Name cannot be regarded as use in connection with a bona fide offering of goods or services.

Even assuming that the Respondent is a service provider using the Disputed Domain Name containing the Complainant's INSTAGRAM trademark, it still cannot be said that the Respondent is making a bona fide offering of goods or services and thereby has a legitimate interest in such domain name under the Oki Data Test.

Outlined in the "Oki Data test", the following cumulative requirements will be applied in the specific conditions of a UDRP case:

(i) the respondent must actually be offering the goods or services at issue;

(ii) the respondent must use the site to sell only the trademarked goods or services;

(iii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and

(iv) the respondent must not try to "corner the market" in domain names that reflect the trademark.

The Respondent's activities fail to satisfy the first and third of the Oki Data requirements. Therefore, the Respondent is not making a bona fide offering of goods or services and thereby has a legitimate interest in such domain name under the Oki Data Test.

In addition, the Respondent is not making a legitimate noncommercial or fair use of the Disputed Domain Name without intent for commercial gain to misleadingly divert consumers to the Respondent's website.

Accordingly, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The burden of production therefore shifts to the Respondent to demonstrate otherwise.

Although given the opportunity, the Respondent has not submitted any evidence to demonstrate that the Respondent holds any trademark rights corresponding to the Disputed Domain Name or that the Respondent is or has been commonly known by the Disputed Domain Name.

Thus, there is no evidence in the case record that refutes the Complainant's submissions, and the Panel concludes that the second element of the Policy has been established.

C. Registered and Used in Bad Faith

According to paragraph 4(a)(iii) of the Policy, the following circumstances, in particular but without limitation, shall be evidence of the registration and use in bad faith:

(i) circumstances indicating that the Respondent has registered or has acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to the Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the Disputed Domain Name; or

(ii) the Respondent has registered the Disputed Domain Name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding Disputed Domain Name, provided that the Respondent has engaged in a pattern of such conduct; or

(iii) the Respondent has registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the Disputed Domain Name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on its website or location.

Based on the evidence submitted by the Complainant, the Panel finds that the Respondent registered and is using the Disputed Domain Name in bad faith since the Respondent's actions in offering for download fall within the scope of the example of such circumstances set out in paragraph 4(b)(iv) of the Policy.

The Disputed Domain Name was registered after the Complainant first acquired rights in the INSTAGRAM trademark. Without the authorization from the Complainant, the Disputed Domain Name resolved to a website displaying the Complainant's INSTAGRAM trademark, the Complainant's logo, and the Complainant's figurative trademark, and purporting to offer for downloading unauthorized modified APK versions of the Complainant's Instagram application.

The Panel accepts the Complainant's contention that the Complainant's INSTAGRAM trademark is distinctive and well known (*Instagram, LLC v. Mohammed Arshad, CelebLook*, WIPO Case No. D2020-2224; and *Instagram, LLC v. Hannes Stiller*, WIPO Case No. D2023-1436). The incorporation of a well-known trademark into a domain name by a registrant having no plausible explanation for doing so may be, in and of itself, an indication of bad faith (*Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.*, WIPO Case No. D2000-0163; *General Electric Company v. CPIC NET and Hussain Syed*, WIPO Case No. D2001-0087; *Microsoft Corporation v. Montrose Corporation*, WIPO Case No. D2000-1568; and *Intel Corporation v. The Pentium Group,* WIPO Case No. D2009-0273).

The Panel finds that Internet users are likely to be misled by the confusing similarity between the Disputed Domain Name and the Complainant's INSTAGRAM trademark into supposing that the Disputed Domain Name indicates a site belonging to, or authorized by, the Complainant. The only rational reason for using such a domain name would be to attract some of the Complainant's customers to the Respondent's site for profit. This falls squarely within the scope of paragraph 4(b)(iv) of the Policy (*Inter Ikea Systems B.V. v. Daniel Woodson*, WIPO Case No. D2011-1933).

The Disputed Domain Name resolved to a website that contained the Complainant's INSTAGRAM trademark, the Complainant's logo and the Complainant's figurative trademark, and purported to offer for downloading unauthorized modified APK versions of the Complainant's Instagram application. Visitors to the Respondent's website may be confused that there is some kind of relationship or endorsement by the Complainant of the Complainant's trademarks displayed there.

This leads the Panel to the conclusion that by registering and using the Disputed Domain Name, the Respondent has attempted to attract, for commercial gain, Internet users to the associated website by creating a likelihood of confusion as to the endorsement by the Complainant of the Respondent's website. This supports a finding of bad faith registration and use of the Disputed Domain Name under paragraph 4(b)(iv) of the Policy.

Noting that the Disputed Domain Name incorporates a well-known trademark, that no response has been filed, and in light of these considerations and all the facts and evidence, the Panel therefore finds that the requirements of paragraph 4(a)(iii) of the Policy are also fulfilled in this case.

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 <instagramproapp.net> be transferred to the Complainant.

/Yuzo Wada/
Yuzo Wada
Sole Panelist
Date: June 9, 2026