

## **ADMINISTRATIVE PANEL DECISION**

Instagram, LLC v. Miguel Gonzalez Aranda  
Case No. D2026-1777

### **1. The Parties**

The Complainant is Instagram, LLC, United States of America (“United States”), represented by Perkins Coie LLP, United States.

The Respondent is Miguel Gonzalez Aranda, Spain.

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

The disputed domain name <instaproblema.com> is registered with NameSilo, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 24, 2026. On April 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 27, 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 (User #e6c90db7 Privacy See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 28, 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 April 28, 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 April 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 19, 2026. The Respondent sent email communications to the Center on April 28, 2026 and April 29, 2026. The Center notified the Parties of the commencement of the Panel appointment process on May 20, 2026.

The Center appointed Miguel B. O'Farrell as the sole panelist in this matter on June 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 in this administrative proceeding is Instagram, LLC, a United States limited liability company with its principal place of business at Menlo Park, California, United States.

The Complainant is a world-renowned 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 three billion monthly active accounts worldwide.

The Complainant owns numerous trademark registrations for INSTAGRAM, INSTA, IG, and various stylized and design trademarks (collectively the INSTAGRAM Trademarks) in many jurisdictions throughout the world, including the following:

International Trademark Registration No. 1129314 INSTAGRAM, registered on March 15, 2012 in classes 9 and 42;

United States Trademark Registration No. 4795634 INSTAGRAM, registered on August 18, 2015, in classes 9, 38, 41, 42 and 45 and

United States Trademark Registration No. 5748067 INSTA and Design, registered on May 14, 2019, in class 35.

Also, the Complainant owns numerous domain names including its INSTA and other trademarks, such as <instagram.com>, <instafans.net>, <instaplayer.org>, <instarise.net> and many others.

The disputed domain name was registered on December 1, 2020 and was used by the Respondent to offer paid solution services purporting to resolve various issues users may experience on the Complainant's Instagram platform. Currently, the disputed domain name 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 name.

Notably, the Complainant contends that the Respondent has configured the disputed domain name to resolve to content that specifically targets the Complainant by offering troubleshooting services for Instagram account issues for a fee, whilst making prominent use of Complainant's trademarks. Therefore, the Respondent uses the disputed domain name to resolve to a website which purports to be associated with or endorsed by the Complainant to confuse Internet consumers and benefit from the fame of the Complainant's trademarks and for phishing activities.

The Complainant requests the Panel to issue a decision ordering that the disputed domain name be transferred to the Complainant.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions. However, in the above-mentioned communications to the Center, the Respondent, without admitting any liability, bad faith, trademark infringement, cybersquatting, unlawful conduct, or any other wrongdoing, and without accepting the factual or legal allegations made in the Complaint, offered to settle the matter by transferring the disputed domain name to the Complainant. The offer was not accepted and therefore no settlement was reached between the Parties.

The Respondent also claimed that the project associated with the disputed domain name was experimental in nature, is not currently in use, and did not generate any profit.

Thus, the Panel will proceed to decide the dispute.

## **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 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 INSTA 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.

The addition of other terms here, "problema" 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 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.

Panels have held that the use of a domain name for illegitimate activity here, claimed as applicable to this case: copycat sites, passing off, or other types of fraud 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.

The Panel is satisfied that the Respondent must have been aware of the Complainant's trademarks INSTAGRAM and INSTA when it registered the disputed domain name on December 1, 2020.

In accordance with section 3.1.4 of the [WIPO Overview 3.1](#), the Panel considers that the inclusion of the Complainant's INSTA trademark in the disputed domain name, by the Respondent who has no relationship with the Complainant, creates a presumption of bad faith registration.

The inclusion of the word "problema" (problem in English) contributes to confuse Internet users to lead them to think that the website to which the disputed domain resolves is associated with the Complainant to help users resolve problems with their Instagram accounts.

The Respondent, when registering the disputed domain name, targeted the Complainant's business and its trademarks, with the intention to confuse Internet users and capitalize on the fame of the Complainant's trademarks for its own benefit.

The fact that there is an absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain name is also a significant factor that contributes to the finding that the disputed domain name was registered in bad faith (as stated in section 3.2.1 of the [WIPO Overview 3.1](#)).

The disputed domain name resolved to a webpage which mimics the look of the Complainant's official webpage to help confuse users and make them think that it belongs or is endorsed by the Complainant, which is evidence that the disputed domain name is also being used in bad faith.

The current non-use of the disputed domain name does not prevent a finding of bad faith.

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 <instaproblema.com> be transferred to the Complainant.

*/Miguel B. O'Farrell/*

**Miguel B. O'Farrell**

Sole Panelist

Date: June 15, 2026