

## **ADMINISTRATIVE PANEL DECISION**

Meta Platforms, Inc. v. Michael Markham, Michael D Markham  
Marketing Consultancy  
Case No. D2026-1819

### **1. The Parties**

The Complainant is Meta Platforms, Inc., United States of America (“United States”), represented by Hogan Lovells (Paris) LLP, France.

The Respondent is Michael Markham, Michael D Markham Marketing Consultancy, United States.

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

The disputed domain names <growwithmeta.com>, <growwithmeta.site> and <metagrowthtrends.com> are registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 28, 2026. On April 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 29, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted for Privacy Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 29, 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 amended Complaint on April 30, 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 the Respondent of the Complaint, and the proceedings commenced on May 1, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 21, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Parties of the Respondent’s default on May 22, 2026.

The Center appointed Ingrīda Kariņa-Bērziņa as the sole panelist in this matter on May 22, 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 a United States social technology company that operates, inter alia, the online platforms Facebook, Instagram, Meta Quest (formerly Oculus), and WhatsApp. Prior to October 2021, it was known as Facebook Inc.

It is the proprietor of numerous registrations for its META trademark, including the following:

- United States Trademark No. 5548121 for META (word mark), registered by the Complainant's predecessor in interest on August 28, 2018, for services in classes 35 and 42;<sup>1</sup>
- United States Trademark No. 7615673 for META (word mark), registered on December 17, 2024 for goods in class 9, claiming a date of first use in 2021;
- European Union Trade Mark No. 018686894 for META (word mark), registered on July 14, 2023 for goods in classes 10, 14, 16, 18, 21, and 25.

The disputed domain name <metagrowthtrends.com> was registered on November 2, 2025. The disputed domain names <growwithmeta.site> and <growwithmeta.com> were both registered on November 20, 2025. All three resolve to, or redirect to, respectively, the Respondent's website at the domain name <metagrowthtrends.com>, which is titled "Meta Growth Trends" and purports to offer paid subscriptions for short-form advertising videos for use on the Complainant's Facebook and Instagram platforms, and the third-party social-media platform TikTok. The subscriptions are offered for USD 1,500 to USD 5,000 per month.

The Respondent's website states, in relevant part:

"Social Ads That Stop the Scroll Your audience scrolls past traditional ads. We create thumb-stopping short videos that convert viewers into customers on Facebook & Instagram. [...] What platforms are your videos made for? All videos are optimized for Facebook, Instagram, and TikTok..."

The footer of the Respondent's website states "© 2025 Meta Growth Trends. All rights reserved. A michaelmarkham.com company" and appears to feature a link to the Respondent.

The record indicates that the Complainant sent a cease-and-desist letter to the Respondent on April 23, 2026. The record does not reflect the Respondent's response thereto.

#### 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 names.

Notably, the Complainant contends that its Facebook platform, founded in 2004, is a leading provider of online social-media and social-networking services with approximately 3.07 billion monthly active users. The Complainant's Instagram platform, founded in 2010, is a world-renowned online photo and video sharing

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<sup>1</sup> Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in these proceedings. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.8.

application with over 3 billion monthly active accounts. The Complainant has established a significant presence online and on social media for its META mark. The disputed domain names reflect the Complainant's well-known META mark together with descriptive terms.

The Respondent's website does not disclaim the lack of relationship with the Complainant. Rather, it clearly demonstrates actual knowledge of the Complainant and its META trademark. The wording of the footer on the Respondent's website implies the existence of an in-house brand, and further adds to the confusion caused by the disputed domain names.

The Respondent is not a bona fide service provider, rather, it is making unauthorized use of the Complainant's META trademark to market its own ancillary services. The fact that three related domain names were registered is further evidence of the Respondent's bad faith.

The Complainant requests transfer of the disputed domain names.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 4(a) of the UDRP requires Complainant to make out all three of the following:

- (i) the disputed domain names are 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 names; and
- (iii) the Respondent has registered and is using the disputed domain names in bad faith.

Under paragraph 15(a) of the Rules, "[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

### **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 names. 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 Complainant's META mark is reproduced within the disputed domain names. Accordingly, the disputed domain names are 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, "growwith" and "growthtrends", respectively) may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names 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 names. 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 names such as those enumerated in the Policy or otherwise.

The Panel finds that the Respondent is using the disputed domain names, which incorporate the Complainant’s well-known META mark, to lure Internet users to its own commercial website offering video creation services - a classic bait-and-switch scheme creating confusion for commercial gain.

The Respondent has not put forward any rights or legitimate interests. There is no evidence that the Respondent is commonly known by the disputed domain names, nor that there are any circumstances or activities that would establish the Respondent’s rights therein.

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 intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s mark. The Complainant established rights in its META mark several years prior to the registration of the disputed domain names, which reflect the META mark in its entirety, together with the descriptive terms “grow with,” and “growth trends”. On this record, the Panel finds that the disputed domain names were registered in bad faith. [WIPO Overview 3.1](#), section 3.1.4.

The record reviewed by the Panel leaves no doubt that the Respondent selected the disputed domain names that reflect the Complainant’s earlier mark and proceeded to use these domain names for a business related to the Complainant. The evidence in the case file as presented indicates that the Respondent’s aim in registering the disputed domain names was to profit from or exploit the Complainant’s trademark.

The Panel finds that the Respondent registered and used the disputed domain names, which reflect the Complainant’s well-known mark, to create confusion among Internet users for the Respondent’s commercial gain. See paragraph 4(b)(iv) of the Policy.

On this record, the Panel finds the Respondent’s registration and use of the disputed domain names constitutes bad faith under 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 names <growwithmeta.com>, <growwithmeta.site> and <metagrowthtrends.com> be transferred to the Complainant.

*/Ingrīda Kariņa-Bērziņa/*

**Ingrīda Kariņa-Bērziņa**

Sole Panelist

Date: May 22, 2026