

ADMINISTRATIVE PANEL DECISION

Meta Platforms, Inc. v. Pham Van Dai
Case No. D2026-2245

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 Pham Van Dai, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <rentfacebookagency.com> is registered with Mat Bao Corporation (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 25, 2026. On May 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 28, 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 (Domain Admin, Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 2, 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 June 5, 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 June 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 1, 2026.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on July 7, 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. The Complainant operates Facebook, a leading social media and networking platform created in 2004. The Complainant owns trademark registrations for FACEBOOK such as:

- Vietnamese Trademark Registration No. 4-0128158-000, registered on June 26, 2009;
- United States Trademark Registration No. 3734637, registered on January 5, 2010; and
- European Union Trademark Registration No. 005585518, registered on May 25, 2011.

The disputed domain name was registered on January 17, 2025, and resolved to a website which claims to offer Facebook advertising accounts with special features.

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 Complainant's trademark FACEBOOK. The disputed domain name incorporates the Complainant's trademarks in its entirety adding the words "rent" and "agency" which do not eliminate confusing similarity. The generic Top-Level Domain ("gTLD") ".com" can be disregarded when assessing confusing similarity.

The Complainant 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 any bona fide offering of goods or services. The Complainant did not authorize the Respondent to use its trademarks in the disputed domain name nor is the Respondent affiliated with the Complainant. The disputed domain name is being used to divert Internet users to the website purporting to offer rental of Facebook advertising accounts. The requirements of the "Oki Data" test (see *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)) are not met in the current case. The Respondent is not a bona fide service provider as it does not provide services for the proper use of the Complainant's product. The Respondent's website does not accurately and prominently disclose its lack of relationship with the Complainant but suggests affiliation through the use of the Complainant's trademark.

The Respondent's activities do not conform with the Complainant's Community Standards. The Respondent is not commonly known by the disputed domain name as there is no evidence to suggest so. The Respondent is not making a legitimate noncommercial or fair use of the disputed domain name.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant's trademark is well known, as recognized by prior UDRP panels. The Respondent must have been aware of the Complainant's trademarks and the website of the Respondent purports to offer Facebook advertising accounts and displays logos similar to the Complainant's figurative trademarks. Further evidence of bad faith is the use of a proxy service and the absence of response to the cease and desist letter. There is no disclaimer on the website regarding the absence of a relationship between the Respondent and the Complainant. The Respondent is using the disputed domain name to intentionally

attract, for commercial gain, Internet users to its website, by exploiting the goodwill and reputation attached to the Complainant's FACEBOOK trademark and creating a likelihood of confusion with the Complainant's trademark.

B. Respondent

The Respondent did not reply to the 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 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, "rent" and "agency" 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 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.

The Panel further notes the composition of the disputed domain name and the absence of the disclosure as to the lack of relationship to the Complainant. These circumstances carry a risk of user confusion, and thus, prevent a finding of rights or legitimate interests on the Respondent.

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 must have been aware of the Complainant's trademark as the Complainant's trademark is well known and as the disputed domain name was registered more than fifteen years after the registration of the Complainant's trademark. Additionally, the disputed domain name displays the Complainant's trademarks and purports to offer Facebook advertising accounts with special features.

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.

The evidence shows that the Respondent's intent in registering and using the disputed domain name was to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trademark as to the source or endorsement of the platform featured on the Respondent's website. The Panel also notes the absence of a disclaimer.

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 <rentfacebookagency.com> be transferred to the Complainant.

/Nayiri Boghossian/

Nayiri Boghossian

Sole Panelist

Date: July 16, 2026