

ADMINISTRATIVE PANEL DECISION

WhatsApp, LLC v. hogan jo, ma yi jin fu hang zhou you xian gong si
Case No. D2026-2473

1. The Parties

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

Respondent is hogan jo, ma yi jin fu hang zhou you xian gong si, Philippines.

2. The Domain Name and Registrar

The disputed domain name <whatsappcncom.com> (the “Domain Name”) is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 8, 2026. On June 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On June 10, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on June 12, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on June 15, 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 Respondent of the Complaint, and the proceedings commenced on June 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 9, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on July 21, 2026.

The Center appointed Dinant T. L. Oosterbaan as the sole panelist in this matter on July 30, 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

According to the information provided in the Complaint, Complainant operates the WhatsApp messaging and voice-over-IP service and mobile application. It claims to be a global leader in messaging services for mobile devices, with over two billion people in over 180 countries now using WhatsApp to stay in touch with friends and family via free messages and calling. Complainant also offers business users “The WhatsApp Business” app, which allows small businesses to interact with customers using tools to automate, sort, and quickly respond to messages.

Complainant owns multiple trademarks for WHATSAPP in many jurisdictions throughout the world, including the following:

- United States Trademark Registration No. 3939463, WHATSAPP, registered on April 5, 2011; and
- European Union Trade Mark No. 009986514, WHATSAPP, registered on October 25, 2011.

In addition to Complainant’s official <whatsapp.com> domain name and website, Complainant owns and operates numerous other domain names consisting of the WHATSAPP trademarks in various generic Top-Level Domains (“gTLDs”) and country-code Top-Level Domains (“ccTLDs”).

The Domain Name was registered on February 2, 2026.

The Domain Name at the time of the Decision does not resolve to an active website. Previously the Domain Name resolved to a website that referred to Complainant’s “official” “WhatsApp Business” app and offered a tutorial, a user guide and feature analysis. The website also included links to purportedly download the app.

The trademark registrations of Complainant were issued prior to the registration of the Domain Name.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that the Domain Name is confusingly similar to its trademarks. The Domain Name wholly incorporates and is effectively identical to Complainant’s well-known WHATSAPP trademark, which is followed by the nondistinctive letters “cn” and the term “com”. Moreover, the addition of the letters “cn” (which is generally understood to mean China) and “com” (which is generally understood to mean the “.com” gTLD) adds to the confusing similarity because it is likely users would think the Domain Name serves a Chinese audience for Complainant’s goods and services offered under the WHATSAPP trademark.

Complainant submits that Respondent has no rights or legitimate interests in the Domain Name. Respondent is not a licensee of Complainant nor are they affiliated with Complainant in any way. Complainant has not authorized Respondent to make any use of its WHATSAPP trademarks, in a domain name or otherwise. There is no evidence to suggest that Respondent is commonly known by the Domain Name or has any rights in the Domain Name independent of Complainant’s well-established trademark rights.

According to Complainant, Respondent is a mobile application developer for software integrated with Complainant's WhatsApp platform and is therefore explicitly prohibited from using any of Complainant's WHATSAPP trademarks. Respondent has configured the Domain Name to resolve to content that specifically targets Complainant by purportedly offering an unauthorized modified version of Complainant's applications, whilst making prominent use of Complainant's trademarks. Respondent's website states in an English translation: "WhatsApp Business is the official business version of WhatsApp, designed for merchants, small businesses, and individual business owners. Through WhatsApp Business, users can communicate more professionally with customers, build brand image, and improve daily communication and management efficiency."

Complainant mentions that prior panels have recognized that resellers or service providers using a domain name containing a third-party trademark may be making a bona fide offering of goods or services and thus have a legitimate interest in such domain name. Panels use the list of factors set out in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#) ("the Oki Data criteria"). The Oki Data criteria require that (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.

Complainant submits that the Oki Data test does not apply. Assuming it could apply, respondent is not providing bona fide services as understood within the Oki Data test under the first and third factors.

With respect to the first factor Respondent is not providing legitimate sales or repairs in relation to a product provided by Complainant. Further, the Domain Name and Respondent's services have been flagged by several cybersecurity vendors as malicious. Unauthorized third-party websites and services similar to Respondent's "WhatsApp Business" services are notoriously associated with illegal activities, which include malware and viruses, the scraping of private information and content from Complainant's platforms, and phishing for user login credentials.

With respect to the third factor Respondent does not prominently disclose their lack of relationship with Complainant despite repeatedly making prominent use of the WHATSAPP trademark.

Complainant submits that the Domain Name was registered and is being used in bad faith.

According to Complainant's its WHATSAPP trademark is inherently distinctive and well known throughout the world and has been continuously and extensively used since 2009. Moreover, Complainant's WHATSAPP trademarks are also exclusively associated with Complainant. It is therefore inconceivable for Respondent to argue that they were not aware of Complainant's WHATSAPP trademarks when they registered the Domain Name in February 2026.

Complainant asserts that given the composition of the Domain Name, and noting the nature of Respondent's website, Internet users are likely to believe that Respondent's website, along with the "WhatsApp Business" application promoted therein, are affiliated with or somehow endorsed by Complainant. By using the Domain Name in this fashion, Respondent has intentionally attempted to attract Internet users to its website by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of Respondent's website and putative services marketed therein, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Complainant concludes that Respondent's registration and use of the Domain Name falls under paragraph 4b(iv) of the Policy and therefore that the Domain Name has been registered and is being used in bad faith.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to “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”.

Paragraph 4(a) of the Policy requires that a complainant proves each of the following three elements to obtain an order that the disputed domain name should be transferred or cancelled:

- (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 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.

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 WHATSAPP trademark is reproduced within the Domain Name. Accordingly, the Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The Panel finds that the addition of the letters “cn” and the term “com” to the WHATSAPP trademark does not prevent a finding of confusing similarity between the Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The gTLD “.com” is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name. Respondent has not rebutted Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name such as those enumerated in the Policy or otherwise.

Complainant has stated it has not authorized or otherwise permitted Respondent to make any use of its WHATSAPP trademarks in association with the Domain Name. Based on the undisputed submission and evidence provided by Complainant, the Domain Name resolved to a website with content that specifically targeted Complainant by discussing its official WhatsApp Business application and its features, as well as providing links to purportedly download it. On its website Respondent mentioned: "WhatsApp Business is the official business version of WhatsApp, designed for merchants, small businesses, and individual business owners. Through WhatsApp Business, users can communicate more professionally with customers, build brand image, and improve daily communication and management efficiency." The website's copyright notice included the mention "Built with WhatsApp."

The Panel finds that Respondent's use of Complainant's mark in the Domain Name and on the associated website went beyond what is necessary to be able to identify an application for which a "user guide" was provided. Rather, in the view of the Panel, the composition of the Domain Name and the prior content of the website under the Domain Name are inherently misleading and carry a risk of implied affiliation, which may mislead Internet users into believing that the Domain Name is associated with Complainant, contrary to the fact. Respondent is thus not making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert Internet users or to tarnish the trademarks of Complainant.

In addition, Respondent has not acquired any trademark or service mark rights in WHATSAPP nor is Respondent affiliated with Complainant in any way.

The Panel does not consider such use of the Domain Name a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the Domain Name.

No Response to the Complaint was filed and Respondent has not rebutted Complainant's prima facie case.

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

C. Registered and Used in Bad Faith

The Panel finds that the Domain Name has been registered and is being used in bad faith.

The WHATSAPP trademarks of Complainant have been in operation for some time and are well known. The Panel notes that Complainant's registration of its trademarks predates the registration date of the Domain Name. Respondent knew or should have known that the Domain Name included the entirety of the WHATSAPP trademark. The construction of the website under the Domain Name referring to Complainant's official "WhatsApp Business" application indicates that when registering the Domain Name, Respondent was fully familiar with Complainant and its trademarks.

The Panel notes that Respondent's use of the Domain Name as discussed above demonstrates that Respondent registered the Domain Name with the intention to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the trademarks of Complainant as to the source, sponsorship, affiliation, or endorsement of its website or location or of a service on its website or location, which constitutes registration and use in bad faith as provided under paragraph 4(b)(iv) of the Policy. The current non-use of the Domain Name does not prevent a finding of bad faith in the circumstances of this case.

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

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 Domain Name, <whatsappcncom.com>, be transferred to Complainant.

/Dinant T. L. Oosterbaan/

Dinant T. L. Oosterbaan

Sole Panelist

Date: August 10, 2026