

ADMINISTRATIVE PANEL DECISION

WhatsApp, LLC v. Fashion Supre
Case No. D2026-2480

1. The Parties

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

The Respondent is Fashion Supre, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <bluewhtsap.com> is registered with Atak Domain Hosting Internet ve Bilgi Teknolojileri Limited Sirketi d/b/a Atak Teknoloji (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 9, 2026. On June 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 10, 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 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 June 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 7, 2026.

The Center appointed Alissia Shchichka as the sole panelist in this matter on July 14, 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 provides the WhatsApp messaging and voice-over-IP service and mobile application. WhatsApp enables users to exchange text and voice messages, make voice and video calls, and share images, documents, user locations and other content. According to the Complainant, WhatsApp has more than two billion monthly active users worldwide and is available in over 180 countries.

The Complainant has provided evidence that it is the registered owner of numerous WHATSAPP trademarks, including, but not limited to the following:

- United States Trademark Registration No. 3939463, registered on April 5, 2011, for the word mark WHATSAPP, in Class 42;
- International Trademark Registration No. 1085539, registered on May 24, 2011, for the word mark WHATSAPP, in Classes 9 and 38; and
- European Union Trademark Registration No. 009986514, registered on October 25, 2011, for the word mark WHATSAPP, in Classes 9, 38 and 42.

The Complainant also owns numerous domain names in generic Top-Level Domains (“gTLDs”) and country-code Top-Level Domains (“ccTLDs”) incorporating its WHATSAPP trademark, including, among others, <whatsapp.com>, which operates as its official website through which Internet users may access information relating to the WhatsApp platform and its services.

The Complainant’s trademarks and domain name were registered prior to the disputed domain name which was registered on August 17, 2025.

According to the evidence submitted by the Complainant, the disputed domain name previously resolved to a website promoting and facilitating the download of an unauthorized modified version of the Complainant’s WhatsApp application under the name “Blue WhatsApp” or “Blue WhatsApp Plus”. The website prominently displayed the Complainant’s WHATSAPP trademark and similar logo. At the time of this Decision, the disputed domain name redirects to an entertainment website unrelated to the Complainant.

According to the Registrar’s verification, the Respondent is located in Pakistan.

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 asserts that the WHATSAPP trademark is well known.

According to the Complainant, the disputed domain name is confusingly similar to the Complainant’s WHATSAPP trademark as it incorporates a misspelled version of the trademark. The omission of the letters “a”, and “p” from the WHATSAPP trademark, together with the addition of the term “blue”, does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s trademark. With regards to the gTLD “.com”, the Complainant submits that it should be disregarded under the first element of the Policy, as it is a standard registration requirement.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name for the following reasons: (1) the Respondent is not commonly known by the disputed domain name and has neither acquired nor applied for any trademark rights in “Blue Whatsap” or any corresponding variation; (2) the Respondent is neither affiliated with nor authorized by the Complainant to register or use the disputed domain name; and (3) the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, nor making legitimate noncommercial or fair use of the disputed domain name. Instead, the disputed domain name previously resolved to a website displaying the Complainant’s trademark while offering an unauthorized modified version of the WhatsApp application, thereby seeking to capitalize on the reputation of the WHATSAPP trademark, and falsely suggesting an affiliation with, or endorsement by, the Complainant. The Complainant further submits that the Respondent’s use does not satisfy the Oki Data criteria because: (i) the Respondent offers an unauthorized modified version of the Complainant’s application; and (ii) the disclaimer appearing at the bottom of the website is insufficient to dispel the resulting confusion.

Finally, the Complainant argues that the Respondent has registered and is using the disputed domain name in bad faith since: (1) the Complainant’s WHATSAPP trademark is well known, such that the Respondent must have been aware of the Complainant’s trademark; (2) the Respondent’s website prominently displayed the Complainant’s WHATSAPP trademark and similar logo, demonstrating that the Respondent was aware of, and intended to target, the Complainant and its WHATSAPP trademark; (3) the Respondent registered and used the disputed domain name with the intention of creating a likelihood of confusion among Internet users as to the source, sponsorship, affiliation, or endorsement of the website associated with the disputed domain name in order to attract Internet users to a website promoting an unauthorized modified version of the Complainant’s application; and (4) the Respondent failed to respond to the Complainant’s cease-and-desist letters and takedown notices, which further supports a finding of bad faith.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

The Respondent’s default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent’s failure to submit a response as it considers appropriate.

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 finds the mark is recognizable within the disputed domain name. Furthermore, the disputed domain name consists of intentional misspelling of the mark, which is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7. and 1.9.

Although the addition of another term, here, “blue”, 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.

The Complainant has confirmed that the Respondent is neither affiliated with the Complainant nor otherwise authorized or licensed to use the WHATSAPP trademark or to seek registration of any domain name incorporating the trademark. The Respondent is also not known to be associated with the WHATSAPP trademark, and there is no evidence showing that the Respondent has been commonly known by the disputed domain name. [WIPO Overview 3.1](#), section 2.3. On the contrary, the Respondent is identified in the WhoIs records by the name which does not resemble the disputed domain name.

Based on the available record, the Panel finds that 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 or to tarnish the trademark or service mark at issue. [WIPO Overview 3.1](#), section 2.4.

Indeed, the disputed domain name was used to direct to a website offering for download an unauthorized competing modified version of the Complainant’s application with additional features including advanced privacy controls, customization options, and anti-ban protection, whilst making prominent use of the Complainant’s trademarks and a similar logo. For example, the Respondent’s website stated: “Blue WhatsApp Plus looks almost identical to the official WhatsApp but provides powerful additional features”. Consequently, this use does not represent a bona fide offering as it capitalizes on the reputation and goodwill associated with the Complainant’s trademark and seeks commercial gain.

Nor did this use fall within a bona fide offering of goods and services by resellers or service providers, which could have established a legitimate interest, as determined by the conditions in the Oki Data Test. *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#). Specifically, at least two criteria are not met: (1) the website to which the disputed domain name previously resolved did not offer the goods or services at issue, but rather unauthorized third-party stand-alone software; and (2) although the website contained a disclaimer at the bottom that read “Blue WhatsApp is not affiliated with or endorsed by WhatsApp Inc. or Meta Platforms. It is an independent third-party modification”, such disclaimer was insufficiently prominent to be noticed by Internet users, and the mere presence of such a disclaimer did not render the Respondent’s activities bona fide, as Internet users had already been attracted to the Respondent’s website under the mistaken impression that it was associated with the Complainant.

Noting also the composition of the disputed domain name, the Panel further finds that the disputed domain name was registered with the intention of targeting the Complainant and its trademarks, in order to divert Internet users and exploit the reputation and goodwill associated with the Complainant’s trademarks for commercial gain. Such conduct can never be regarded as a bona fide offering of goods or services under the Policy.

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.

Therefore, the Panel concludes that the Respondent does not have any rights or legitimate interests in the disputed domain name and the Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

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 observes that the Complainant’s WHATSAPP trademark registrations predate the Respondent’s registration of the disputed domain name. The disputed domain name incorporates the Complainant’s trademark in its entirety, merely omitting the letters “a” and “p”. In these circumstances, and in light of the well-known character of the Complainant’s trademark, as well as the content of the website to which the disputed domain name resolved, the Panel finds that the Respondent was aware of the Complainant’s business and trademark at the time of registration. [WIPO Overview 3.1](#), section 3.2.2.

Moreover, the Respondent’s awareness of the Complainant and its WHATSAPP trademark is further confirmed by the use of the disputed domain name. By using the disputed domain name to attract Internet users to a website prominently featuring the Complainant’s WHATSAPP trademark and promoting an unauthorized modified version of the Complainant’s application, the Respondent clearly demonstrated its awareness of the Complainant and its WHATSAPP trademark.

In the Panel’s view, the Respondent has intentionally attempted to attract Internet users to its website, for commercial gain, by creating a likelihood of confusion with the Complainant’s trademarks regarding the source, sponsorship, affiliation, or endorsement of its website or the products offered on it. Pursuant to paragraph 4(b)(iv) of the Policy, this constitutes evidence of the registration and use of a disputed domain name in bad faith. [WIPO Overview 3.1](#), section 3.1.4. The fact that the disputed domain name currently resolves to a different website unrelated to the Complainant does not prevent a finding of bad faith.

Based on the available record, 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 <bluewhsap.com> be transferred to the Complainant.

/Alissia Shchichka/

Alissia Shchichka

Sole Panelist

Date: July 24, 2026