

ADMINISTRATIVE PANEL DECISION

Meta Platforms, Inc. v. Thanh Nguyen
Case No. D2026-2676

1. The Parties

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

The Respondent is Thanh Nguyen, Viet Nam.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 19, 2026, originally with three domain names. On June 19, 2026, the Center transmitted by email to the Registrars GoDaddy.com, LLC and P.A. Viet Nam Company Limited a request for registrar verification in connection with the disputed domain names. On June 19 and 22, 2026, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (Registration Private, Domains By Proxy, LLC and Domain Admin, Domain Whois Protection Service) and contact information in the Complaint.

The Center sent an email communication to the Complainant on June 23, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint requesting the partial withdrawal of two domain names on June 26, 2026. The Center issued a Notification of (Requested) Partial Withdrawal on July 1, 2026. The proceeding therefore concerns only one disputed domain name.

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 July 1, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 21, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 27, 2026.

The Center appointed Anita Gerewal 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

The Complainant is a U.S.-based social technology company that operates platforms including Facebook, Instagram, Meta Quest, and WhatsApp, with a mission to help people connect, build communities, and grow businesses. Founded in 2004, the Complainant's Facebook platform (commonly known as "FB") is a leading social media and networking service that enables users to connect with friends and family, discover news and events, and share and express matters of importance to them, with the broader aim of bringing people closer together and fostering community.

The Complainant owns numerous trademark registrations for FACEBOOK and FB in many jurisdictions throughout the world, including the following:

- United States Trademark Registration No. 3,881,770 for the word mark FACEBOOK in international classes 35, 38, 41, 42 and 45, registered on November 23, 2010
- European Union Trade Mark Registration No. 005585518 for the word mark FACEBOOK in international classes 35, 41, 42 and 45, registered on May 25, 2011
- Vietnamese Trademark Registration No. 4-0336324-000 for the combined mark FACEBOOK in international class 36, registered on November 11, 2019
- European Union Trade Mark Registration No. 18146501 for the word mark FB in international classes 9, 35, 36, 38, 41, 42 and 45, registered on November 7, 2020
- United States Trademark Registration No. 5,186,706 for the figurative mark  in international class 41, registered on April 18, 2017

The Complainant is also the owner of numerous domain names comprising its FACEBOOK and FB trademarks, under various generic Top Level Domains (gTLDs) as well as under many country code Top-Level Domains.

The disputed domain name was registered on April 18, 2024 and, prior to the filing of the Complaint, resolved to a website in Vietnamese that purported to offer for sale cloned or fake Facebook accounts. The Respondent's website also featured the Complainant's logo and the figurative trademark . As at the date of filing of the Complaint, the disputed domain name resolves to an inactive web page that states "Account Suspended".

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 Complainant has established registered trademark rights in FB across various jurisdictions. It submits that the disputed domain name incorporates the FB trademark in its entirety, with the additional terms “clone” and “giare” and the “.com” gTLD. According to the Complainant, the complete inclusion of the FB mark is sufficient to establish confusing similarity, and the addition of the other terms does not prevent such a finding because the FB mark remains clearly recognizable within the disputed domain name.

The Complainant also contends that the Respondent has no affiliation, licence, or authorization to use the FB trademark and there is no evidence that the Respondent is commonly known by the disputed domain name. The disputed domain name previously resolved to a website offering cloned or fake Facebook accounts for sale and prominently displaying the Complainant’s logo and figurative mark. The Complainant argues that such unauthorized activity cannot constitute a bona fide offering of services, as it exploits the FB trademark for services that undermine rather than legitimately support the Facebook platform. It further submits that, even under the Oki Data criteria, the Respondent fails to satisfy the relevant requirements, establishing a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name.

The Complainant also submits that its FACEBOOK trademark is highly distinctive and internationally renowned, having been extensively used since 2004 and having acquired substantial goodwill and reputation worldwide. It further submits that its FB trademark, which is commonly used to refer to Facebook, has acquired considerable goodwill and renown worldwide. It argues that the disputed domain name, which incorporates the FB mark together with the terms “clone” and “giare”, and the Respondent’s use of the Complainant’s logo and figurative mark on its website, demonstrate that the Respondent was aware of the Complainant and its trademark when registering the disputed domain name in 2024. The Complainant further contends that the Respondent intentionally exploited the reputation of the FB mark for commercial gain by attracting Internet users to a website offering unauthorized services and creating a misleading impression of association with the Complainant. The absence of a disclaimer further increased the likelihood of confusion, while the disputed domain name’s current inactivity does not preclude a finding of bad faith. Accordingly, the Complainant submits that the disputed domain name was registered and used in bad faith.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, the Complainant must establish each of the following elements:

- (i) The disputed domain name is identical or confusingly similar to the trademark or service mark in which the Complainant has rights;
- (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 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 the FB trademark 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. 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, “clone” and “giare” 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.

The Panel finds that there is no evidence before the Panel that the Respondent is affiliated with, licensed by, or otherwise authorized by the Complainant to use the FB trademark, nor is there any evidence that the Respondent is commonly known by the disputed domain name. Moreover, the disputed domain name previously resolved to a website purportedly offering cloned Facebook accounts for sale and prominently displaying the Complainant’s logo and figurative mark. In the Panel’s view, such unauthorized use cannot constitute a bona fide offering of goods or services, as it seeks to capitalize on the Complainant’s trademark in connection with activities that undermine, rather than legitimately support, the Facebook platform. The Panel further considers that the Respondent’s use does not satisfy the applicable criteria under the Oki Data test. See *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

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 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.

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.

In the present case, the Panel notes that the disputed domain name incorporates the Complainant's distinctive FB trademark in its entirety together with the descriptive terms "clone" and "giare", and the evidence indicates that the Respondent's website prominently displayed the Complainant's logo and figurative mark. In the circumstances, the Panel considers it more likely than not that the Respondent was aware of the Complainant and its trademarks when registering the disputed domain name in 2024.

The Panel further notes that the term "giare" has a recognized meaning in Vietnamese. In particular, "giá rẻ" may be translated as "cheap", "cheap price", or "low price". Previous UDRP panels have expressly recognized this meaning in assessing domain names containing the term "giare". See *GrabTaxi Holdings Pte. Ltd. v. PHAN VĂN NGỌ*, WIPO Case No. [D2025-1522](#). The Panel accordingly considers that the combination of the distinctive FB mark with the descriptive terms "clone" and "giare" is consistent with an intention to attract Internet users seeking purportedly cheap or low-priced cloned Facebook accounts. This reinforces the Panel's conclusion that the Respondent was aware of the Complainant's trademark at the time of registration and that the disputed domain name was registered and used in bad faith. The fact that the disputed domain name is presently inactive does not alter this conclusion.

The Panel finds that the Respondent's use of the disputed domain name was intended to take unfair advantage of the reputation of the FB trademark by attracting Internet users to a website offering unauthorized services and thereby creating a misleading impression of association or affiliation with the Complainant. The absence of any disclaimer reinforces the likelihood of confusion as to the source, sponsorship, or affiliation of the website. Accordingly, the Panel concludes that the disputed domain name was registered and is being used in 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 <clonefbgiare.com> be transferred to the Complainant.

/Anita Gerewal/

Anita Gerewal

Sole Panelist

Date: August 13, 2026