

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Mukkala Rajesh

Case No. D2026-2894

1. The Parties

The Complainant is Instagram, LLC, United States of America ("United States"), represented by Hogan Lovells Cadwalader (Paris) LLP, France.

The Respondent is Mukkala Rajesh, India.

2. The Domain Name and Registrar

The disputed domain name <instadrop.site> (the "Disputed Domain Name") 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 July 2, 2026. On July 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 6, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 7, 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 July 9, 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 July 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 20, 2026.

The Center appointed Nicholas Weston as the sole panelist in this matter on August 25, 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 operates a well-known online photo and video-sharing, social-networking application, and is a wholly owned subsidiary of United States social technology company Meta Platforms, Inc. It holds a portfolio of registrations for its trademarks INSTA and INSTAGRAM, and variations of these, in numerous jurisdictions. Examples include United States Trademark Registration No. 5,061,916 for the mark INSTA, registered on October 18, 2016; European Union Trade Mark No. 014810535 for the mark INSTA registered on May 23, 2018; and United States Registration No. 4,146,057 for the mark INSTAGRAM, registered on May 22, 2012.

The Complainant owns numerous domain names that comprise or contain the trademark INSTAGRAM, including the domain name <instagram.com>.

The Disputed Domain Name was registered on April 11, 2026, and resolved to a website titled "Instagram Video Downloader" (the "Respondent's website"), that purported to offer a tool, referred to as "Instadrop", to download Instagram content including reels, photos, videos, and "IGTV" "in seconds". The Respondent's website invited Internet users to enter an Instagram URL into a box featured on the website and also purported to offer a tool for downloading TikTok content. The Disputed Domain Name currently does not resolve to an active website.

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 cites its trademark registrations for the mark INSTA in numerous jurisdictions as prima facie evidence of ownership.

The Complainant contends that its rights in that the mark INSTA predate the Respondent's registration of the Disputed Domain Name. It submits that the Disputed Domain Name is confusingly similar to its trademark, because it is comprised of the INSTA trademark along with the term "drop", under the generic Top-Level-Domain ("gTLD") ".site", and that these variables are insufficient to prevent a finding of confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because it "[t]he Respondent is not a licensee of the Complainant. The Respondent is not affiliated with the Complainant in any way. The Complainant has not granted any authorization for the Respondent to make use of its INSTA or INSTAGRAM trade marks, in a domain name or otherwise" and that none of the circumstances set out in paragraph 4(c) of the Policy apply.

Finally, the Complainant alleges that the registration and use of the Disputed Domain Name was, and currently is, in bad faith, contrary to the Policy and the Rules having regard to the prior use and "well-known" nature of the Complainant's trademarks.

On the issue of registration, the Complainant states that its “INSTA trade mark is well known throughout the world as an abbreviation of the Complainant’s INSTAGRAM trade mark”, citing *Instagram, LLC v. Omer Ulku*, WIPO Case No. [D2018-1700](#). The Complainant also contends that “the Respondent could not credibly argue that it did not have knowledge of Instagram or of its INSTAGRAM or INSTA trade marks when registering the [Disputed] Domain Name in April 2026”.

On the issue of use the Complainant contends that “the Respondent’s website ... purports to offer a tool to download content from Instagram, making explicit reference to the Complainant’s Instagram platform” The Complainant goes on to contend that the “Respondent has purposefully developed a business model to provide access to users that do not necessarily have Instagram accounts to content hosted by the Complainant” as well as “the use of a pink/purple colour scheme that is very similar to the Complainant’s gradient colour scheme” and that such use amounts to use in bad faith, citing *Instagram, LLC v. Contact Privacy Inc. Customer 1247361676 / Guelce Jean-Claudy*, WIPO Case No. [D2021-1675](#) and *Instagram, LLC v. Joney Singhal, K4 Media & Technologies LLP*, WIPO Case No. [D2024-2692](#).

It also contends that “[a]lthough the Respondent’s website features a disclaimer, it is not clearly visible, being at the bottom of the web page. The Complainant submits that even if an accurate and prominent disclaimer had been featured on the Respondent’s website, it would not have been sufficient to cure the Respondent’s illegitimate use of the [Disputed] Domain Name” and cites *Instagram, LLC v. Protection of Private Person, Yurii Shemetilo, Olha Shostak*, WIPO Case No. [D2022-2832](#).

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 has the burden of proving the following:

- (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.

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. The requirements of the first element for purposes of the Policy may be satisfied by a trademark registered in any jurisdiction. [WIPO Overview 3.1](#), section 1.1..2. The Complainant has produced sufficient evidence to demonstrate that it has registered trademark rights in the mark INSTA in several jurisdictions.

Turning to whether the Disputed Domain Name is identical or confusingly similar to the INSTA trademark, the Panel observes that the Disputed Domain Name <instadrop.site> is comprised of: (a) the Complainant’s trademark; (b) followed by the word “drop”; (c) followed by the gTLD “.site”.

It is well established that the gTLD used as part of a domain name is generally disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1. The relevant comparison to be made is with the second-level portion of the disputed domain name, specifically: “instadrop”.

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 1.8.

Although, the addition of the term “drop” may bear on assessment of the second and third elements in relation to the Disputed Domain Name, the Panel finds the addition of that 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 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 disputed 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 indication that the Respondent was commonly known by the term “Insta” prior to registration of the Disputed Domain Name. The Complainant has not licensed, permitted, or authorized the Respondent to use the trademark INSTA. The Panel also notes that the composition of the Disputed Domain Name carries a risk of implied affiliation. [WIPO Overview 3.1](#), section 2.5.1.

The Panel notes the evidence that the Respondent’s use of the Disputed Domain Name for a website which purports to provide a tool allowing the unauthorized downloading of Instagram content, while prominently displaying the Complainant’s trademark and using a similar color scheme does not represent a bona fide offering of goods or services, or a legitimate noncommercial or fair use.

The Panel further finds that the presence of the disclaimer at the bottom page of the Respondent’s Website is insufficient to dispel the risk of implied affiliation or confer the Respondent’s conduct as to having rights or legitimate interests in the Disputed Domain Name.

Panels have held that the use of a disputed domain name for illegitimate activity here, the offering of a tool that facilitates the unauthorized accessing and collecting of Instagram content, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Panel notes that the Disputed Domain Name does not currently resolve to an active webpage, and finds neither this (nor the previous trading on the goodwill of the Complainant’s trademarks), represent a bona fide offering of goods or services, or a legitimate noncommercial or fair use, given the substantial reputation and goodwill of the Complainant’s mark or capacity to otherwise mislead Internet users.

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 finds that the evidence in the case shows the Respondent registered and has used the Disputed Domain Name in bad faith.

On the issue of registration, taking into account the composition of the Disputed Domain Name and the well-known nature of the Complainant's trademarks, the Panel is satisfied that the Respondent knew of and targeted the Complainant's trademark INSTA when it registered the Disputed Domain Name.

Further, a gap of several years between registration of a complainant's trademark and respondent's registration of a disputed domain name (containing the trademark) may indicate bad faith registration. In this case, the Respondent registered the Disputed Domain Name almost ten years after the Complainant established registered trademark rights in the INSTA mark. The Respondent has not come forward to rebut the Complainant's allegations or offer any alternative explanation.

On the issue of use, the Complainant's evidence is that the Disputed Domain Name resolved to a website that purports to offer for download software that enables unauthorized downloading of content from the Complainant's product Instagram. Targeting of this nature is a common example of bad faith as referred to in paragraph 4(b)(iv) of the Policy and identified in many previous UDRP decisions. [WIPO Overview 3.1](#), sections 3.1.4 and 3.2.1. Prior panels have also found that the use of a domain name to purport to offer a tool that provides access to content hosted by the Complainant to users that do not necessarily have an Instagram account amounts to bad faith use. *Instagram, LLC v. Contact Privacy Inc. Customer 1247361676 / Guelce Jean-Claudy*, WIPO Case No. [D2021-1675](#).

Panels have held that the use of a domain name for illegitimate activity here, the offering of a tool that facilitates the unauthorized accessing and collecting of Instagram content, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

The Disputed Domain Name does not currently resolve to an active website, but the Panel notes that the current non-use does not preclude the Panel's finding of bad faith in this case.

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 <instadrop.site> be transferred to the Complainant.

/Nicholas Weston/

Nicholas Weston

Sole Panelist

Date: August 29, 2026