

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Mohinder Nathan, Novaris Health LLC
Case No. D2026-2919

1. The Parties

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

Respondent is Mohinder Nathan, Novaris Health LLC, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <instanderofficial.net>, (the "Disputed Domain Name") is registered with Name.com, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 2, 2026. On July 3, 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 (Redacted For Privacy, Domain Protection Services, Inc.) and contact information in the Complaint. The Center sent an email communication to Complainant on July 7, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on July 10, 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 Respondent of the Complaint, and the proceedings commenced on July 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 3, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on August 24, 2026.

The Center appointed Richard W. Page as the sole panelist in this matter on August 26, 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

Complainant is a world-renowned online photo- and video- sharing social-networking application. Since its launch in 2010, Complainant has rapidly acquired and developed considerable goodwill and renown worldwide. Acquired by Meta Platforms, Inc. in 2012, Complainant today is one of the world's fastest growing photo- and video-sharing and editing software and online social network, with around 3 billion monthly active accounts worldwide. It has consistently ranked among the top "apps" for mobile devices, including for iOS and Android operating systems. Complainant is one of the most downloaded applications for iOS phones worldwide, according to application information company "Data.ai".

Complainant has trademark registrations for its INSTA Mark and for its INSTAGRAM Mark, including without limitation the following:

United States Registration No. 5061916 for INSTA registered October 18, 2016, in international class 9;

European Union Registration No. 014810535 for INSTA registered May 23, 2018, in international class 9; and

International Registration No. 1129314 for INSTAGRAM registered March 15, 2012, in international classes 9 and 42.

Complainant also holds numerous figurative trademark registrations for its logos. Complainant is the registrant of numerous domain names consisting of or including the INSTAGRAM Mark under a wide range of generic Top-Level Domains ("gTLDs") as well as under numerous country code Top-Level Domains ("ccTLDs").

The Disputed Domain Name was registered on January 13, 2026, and resolves to a website titled "Inlander" which promotes and offers for download a modified APK (Android Package Kit) version of Instagram known as "Inlander APK".

5. Parties' Contentions

A. Complainant

Complainant contends that the Disputed Domain Name incorporates the entirety of the INSTA Mark (which is also the dominant part of the INSTAGRAM Mark), followed by the letters "nder", and the term "official".

Complainant further contends that the term INSTA is commonly used to refer to Instagram and provides numerous press articles and online dictionary entries in support. Complainant further contends that, given the exclusive online nature of Complainant's business, Complainant's domain names consisting of its INSTA Mark and its INSTAGRAM Mark are not only the heart of its business, but also a primary way for its millions of users to avail themselves of its services.

Complainant further contends that it has also made substantial investments to develop a strong presence online by being active on various social media platforms including Instagram, Facebook, X.com, and LinkedIn.

Complainant submits that Respondent is not a licensee of Complainant, affiliated with Complainant, or authorized by Complainant to use its INSTA Mark or its INSTAGRAM Mark in a domain name or in any other way.

Complainant further submits that Respondent's website prominently references the INSTAGRAM Mark and features (including as a favicon) an app-style logo, which closely resembles Instagram's distinctive camera logo.

Complainant further submits that the misleading information on Respondent's website precludes Respondent's actions from being considered either bona fide or legitimate.

Complainant further submits that there is no evidence in this file or otherwise, showing Respondent is commonly known by the Disputed Domain Name.

Complainant alleges that the actions of Respondent satisfy the criteria of paragraph 4(b)(iv) demonstrating that Respondent's registration and use of the Disputed Domain Name are in bad faith.

Complainant further alleges, as additional evidence of bad faith, that on May 25, 2026, its lawyers sent a cease and desist letter to Respondent via email. No response was received.

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

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable."

Even though Respondent has failed to file a Response or to contest Complainant's assertions, the Panel will review the evidence proffered by Complainant to verify that the three essential elements of the claims are met. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

Paragraph 4(a) of the Policy directs that Complainant must prove each of the following three elements:

- i) that the Disputed Domain Name registered by Respondent is identical or confusingly similar to the trademark which Complainant has rights; and,
- ii) that 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

The Panel notes that registration of a trademark, here the INSTA Mark and the INSTAGRAM Mark, prima facie satisfies the threshold requirement of Complainant having trademark rights for purposes of standing to file a UDRP case. [WIPO Overview 3.1](#), section 1.2.1.

Complainant has shown rights in respect of the INSTA Mark and the INSTAGRAM Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

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 trademarks and the Disputed Domain Name. [WIPO Overview 3.1](#), section 1.7.

The entirety of the INSTA 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 the letters "nder" and the word "official", 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 INSTA 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 nonexclusive circumstances in which Respondent may demonstrate rights or legitimate interests in the Disputed Domain Name.

(i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services; or

(ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or

(iii) you [Respondent] are 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 INSTA Mark or the INSTAGRAM Mark.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving that Respondent lacks rights or legitimate interests in the Disputed Domain Name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of Respondent. As such, where Complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to 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 Complainant). If Respondent fails to come forward with such relevant evidence, 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 Disputed 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 Disputed Domain Name such as those enumerated in the Policy or otherwise.

Panels have held that the use of the Disputed Domain Name for illegitimate activity, here claimed as offering of unauthorized modified APK version of the Complainant's Instagram application for download, can never confer rights or legitimate interests on Respondent. [WIPO Overview 3.1](#), section 2.13.1. Particularly noting the nature of the Disputed Domain Name including the term "official" which may create an impression that the modified APK version of the Complainant's Instagram application for download is an official one.

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 the Disputed Domain Name in bad faith.

Paragraph 4(b) of the Policy sets forth four nonexclusive criteria for Complainant to show bad faith registration and use of the Disputed Domain Name:

- (i) circumstances indicating that you [Respondent] have registered or you have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainant who is the owner of the INSTA Mark and the INSTAGRAM Mark or to a competitor of Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or
- (ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owner of the INSTA Mark from reflecting the INSTA Mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you [Respondent] have registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the Disputed Domain Name, you [Respondent] have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's Marks as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your Respondent's website or location.

In the present case, the Panel notes that Respondent has met the provisions of paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegitimate activity, here claimed as , offering of unauthorized, modified APK version of the Complainant's Instagram application for download, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Particularly noting the nature of the Disputed Domain Name including the term "official" which may create an impression that the modified APK version of the Complainant's Instagram application for download is an official one. Having reviewed the record, the Panel finds Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

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 <instanderoofficial.net> be transferred to Complainant.

/Richard W. Page/

Richard W. Page

Sole Panelist

Date: September 9, 2026