

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Amanda Li
Case No. D2026-2990

1. The Parties

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

The Respondent is Amanda Li, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <instasaver.click> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 7, 2026. On July 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 9, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 10, 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 13, 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 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 5, 2026.

The Center appointed Mihaela Maravela as the sole panelist in this matter on August 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

According to information in the Complaint, the Complainant operates an online photo- and video-sharing social-networking application. The Instagram application was launched in 2010, it was acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012, and today it is one of the world's fastest growing photo- and video-sharing and editing software and online social networks, with more than 3 billion monthly active accounts worldwide. Instagram is currently the most downloaded app worldwide, according to The Financial Times and The Evening Standard.

The Complainant is the exclusive owner of several registered trademarks consisting of or including INSTAGRAM, and INSTA, including the United States of America ("United States") registration No. 5061916 for INSTA, registered on October 18, 2016, for class 9, the European Union Trade Mark registration No. 014810535 for INSTA, registered on May 23, 2018, for class 9, the International trademark registration No. 1129314 for INSTAGRAM, registered on March 15, 2012, for classes 9 and 42, and the European Union Trade Mark registration No. 14493886 for INSTAGRAM, registered on December 24, 2015, for classes 25, 35, 38, 41, and 45.

The disputed domain name was registered on April 9, 2026, by an individual allegedly located in Hong Kong, China. The disputed domain name resolves to a website titled "Free Instagram Video Downloader", that purports to offer a tool for downloading Instagram content, including Reels, Stories, IGTV videos and photos. The Respondent's website invites Internet users to enter an Instagram URL into a search box featured on the website. The Respondent's website features the Complainant's graphics with a similar gradient colour scheme to that of the Complainant's Instagram platform.

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 it has established trademark rights in INSTA and INSTAGRAM for the purposes of paragraph 4(a)(i) of the Policy by showing it owns numerous trademark registrations for INSTA and INSTAGRAM in various jurisdictions. The disputed domain name comprises the Complainant's INSTA trademark, as well as an abbreviation of its INSTAGRAM trademark, followed by the term "saver", under the generic Top-Level Domain ("gTLD") ".click", and the Complainant submits that the addition of the term "saver" to its INSTA trademark does not prevent a finding of confusing similarity between its trademark and the disputed domain name, while the gTLD ".click" may be disregarded for the purposes of assessing confusing similarity, as it is a standard requirement of registration.

As regards the second element of the Policy, the Complainant contends that the Respondent is not a licensee of the Complainant, is not affiliated with the Complainant in any way, and the Complainant has not granted any authorization for the Respondent to make use of its INSTA or INSTAGRAM trademark, in a domain name or otherwise. The use of the disputed domain name to purport to offer tools to view and download content from the Complainant's Instagram platform does not constitute bona fide use. Further, the Complainant submits that if the *Ok! Data* criteria as set out in *Ok! Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), were applied, the Respondent has failed to comply with the first and the third criteria, namely: (i) the Respondent is not a bona fide service provider in that it does not provide services for the

proper use of the Complainant's product. Rather, the Respondent's website purports to offer a tool to view and download content from the Complainant's Instagram platform, and (ii) notwithstanding the inclusion of disclaimer-like statements on the Respondent's website, that are located at the bottom of the website and under a separate page titled "Disclaimer". The Respondent's website displays repeated references to the Complainant's INSTAGRAM trademarks, features a pink/orange gradient colour scheme similar to that of the Complainant. Moreover, the Instagram downloader tool that is offered via the Respondent's website violates the Meta Developer Policies and facilitates breach of the Instagram Terms of Use, as the tool goes beyond the limits placed on the functionality of Instagram and enables the downloading of Instagram content, which interferes with the intended operation of the Instagram service.

With respect to the third element of the Policy, the Complainant argues that its INSTAGRAM trademark is inherently distinctive and well-known throughout the world in connection with its online photo sharing social network, having been continuously and extensively used since its launch in 2010, therefore the Respondent could not credibly argue that it did not have knowledge of the Complainant or its INSTAGRAM or INSTA trademarks when registering the disputed domain name in 2026. The Respondent's intent to target the Complainant when registering the disputed domain name is clear from the content of the Respondent's website, which makes explicit reference to the Complainant's INSTA and INSTAGRAM trademarks. In addition, in light of the nature of the disputed domain name, which comprises the Complainant's INSTA trademark, as well as the use of a pink/orange colour scheme that is very similar to the Complainant's gradient colour scheme, the Complainant submits that the Respondent has sought to create a misleading impression of association with the Complainant. Although the Respondent's website features disclaimers, they are not clearly visible, being at the bottom of the website and on a separate "Disclaimer" 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.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this 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". Likewise, paragraph 10(d) of the Rules, provides that "the Panel shall determine the admissibility, relevance, materiality and weight of the evidence".

No response has been received from the Respondent in this case. Even if the Respondent has not replied to the Complainant's contentions, the Complainant still bears the burden of proving that all requirements are fulfilled. To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical or confusingly similar to a 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.

The applicable standard of proof in UDRP cases is the "balance of probabilities" or "preponderance of the evidence", and the Panel can draw certain inferences in light of the particular facts and circumstances of the case. WIPO Overview of WIPO Panel Views on Select UDRP Questions, (["WIPO Overview 3.1"](#)), section 4.2. Concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the reasonable factual allegations in the Complaint as true. [WIPO Overview 3.1](#), section 4.3.

The Panel has taken note of the [WIPO Overview 3.1](#), and, where appropriate, will decide consistently with the consensus views stated therein.

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 3.1](#), section 1.7.

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

The entirety of the 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, "saver") 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.

It is the settled view of panels applying the Policy that the gTLD (here ".click") may be disregarded under the first element test. See [WIPO Overview 3.1](#), section 1.11.

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 Panel notes that the Respondent is not a licensee or an affiliate of the Complainant. The Complainant did not grant an authorization to the Respondent to make use of its INSTA or INSTAGRAM trademarks in any manner, including as part of the disputed domain name. The Respondent does not appear to be commonly known by the disputed domain name in the meaning of the Policy.

The use of the disputed domain name in connection to a website where the Respondent purports to offer a tool to download Instagram content, including posts, stories and reels by prompting Instagram users to enter an Instagram URL into a search box on the website, and features references to the Complainant's INSTA and INSTAGRAM trademarks, using a pink gradient colour scheme similar to the colour scheme of the Complainant's Instagram platform, shows that the Respondent targets the Complainant and takes unfair

advantage of its trademark to exploit its popularity to attract Internet users to the Respondent's website and to offer them its services likely for commercial gain or to somehow benefit the Respondent. The Panel therefore does not regard this conduct of the Respondent as a legitimate activity that may give rise to rights or legitimate interests of the Respondent in the disputed domain name under the Policy.

The Panel further notes that the website at the disputed domain name includes a disclaimer; however, the disclaimer on the website at the disputed domain name is displayed at the bottom of the website and on a separate "Disclaimer" page and given the primary website content which tends to falsely suggest a connection or affiliation with the Complainant, such a non-prominent disclaimer does not change the Panel's findings in this case. Moreover, the nature of the disputed domain name, incorporating the Complainant's widely-known trademark, carries a risk of implied affiliation and cannot constitute a fair use as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. See [WIPO Overview 3.1](#), section 2.5.1.

The Panel therefore finds that the Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any 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.

Generally speaking, a finding that a domain name has been registered or is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by the complainant. The Panel considers that this is the case here. The disputed domain name is confusingly similar to the Complainant's trademark which is well-known and carries a risk of implied affiliation with the Complainant. It has been used to offer a tool to download Instagram content, including posts, stories and reels by prompting Instagram users to enter an Instagram URL into a search box on the website. Furthermore, the website of the Respondent features references to the Complainant's INSTA and INSTAGRAM trademarks, and a pink gradient colour scheme similar to the colour scheme of the Complainant's Instagram platform, which clearly indicates that the Respondent is trying to pass itself off as being connected with the Complainant.

Under the circumstances of the case, and given the above use, the Panel finds that Internet users would likely have been confused as to the source of the products or services offered on such website. Therefore, the Panel considers that paragraph 4(b)(iv) of the Policy has direct bearing to the present case: "(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to his website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the said website location or of a product or service on that website location."

The Respondent's websites include a disclaimer for the lack of relationship with the Complainant, but it is only included at the bottom of the website and on a separate "Disclaimer" page. As discussed in section 3.7 of the [WIPO Overview 3.1](#), in cases where the respondent appears to otherwise have a right or legitimate interest in a disputed domain name, a clear and sufficiently prominent disclaimer would lend support to circumstances suggesting its good faith. On the other hand, where the overall circumstances of a case point to the respondent's bad faith, the mere existence of a disclaimer cannot cure such bad faith. In such cases,

panels may consider the respondent's use of a disclaimer as an admission by the respondent that users may be confused. The circumstances of this case, as evident from the case file, do not support a finding that the Respondent has rights or legitimate interests in the disputed domain name, and in any event the disclaimer is not sufficiently prominent. Rather, as discussed above, the overall circumstances of the case point to the Respondent's bad faith, so the inclusion of the disclaimer may indeed be regarded as an admission by the Respondent that visitors to its website may be confused about their origin and affiliation.

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 <instasaver.click> be transferred to the Complainant.

/Mihaela Maravela/

Mihaela Maravela

Sole Panelist

Date: August 21, 2026