

## **ADMINISTRATIVE PANEL DECISION**

WhatsApp LLC v. Dinah Spiegel

Case No. D2026-3065

### **1. The Parties**

Complainant is WhatsApp LLC, United States of America (“United States” or “U.S.”), represented by Hogan Lovells (Paris) LLP, France.

Respondent is Dinah Spiegel, United States.

### **2. The Domain Name and Registrar**

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

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 13, 2026. On July 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 14, 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) and contact information in the Complaint. The Center sent an email communication to Complainant on July 15, 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 16, 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 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 6, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on August 7, 2026.

The Center appointed Austin, Scott R. as the sole panelist in this matter on August 7, 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 following facts appear from the Complaint (as amended) and its annexes, which have not been contested by Respondent.

Founded in 2009 and acquired by Meta Platforms, Inc. (formerly known as Facebook, Inc.) in 2014 (“Meta”), Complainant is a provider of one of the world’s most popular mobile messaging apps identified by the trademark “WhatsApp” (the “WHATSAPP Mark”), which allows users across the globe to exchange messages for free via both iPhone and Android system smartphones, as well as access its messaging platform through its official website located at “www.whatsapp.com” (the “WHATSAPP Official Website”).

According to applications information company Data.ai, Complainant’s app using the WHATSAPP Mark is the 4th most downloaded application for iOS phones worldwide, and according to a source cited by Complainant, as of 2026 the app has “3 billion monthly active users globally, including 100 million in the US, and is ranked as the most popular mobile messenger app in the world.”

Complainant has registered and operates numerous domain names incorporating the WHATSAPP Mark in combination with various generic and country code Top-Level-Domains (“gTLD” and “ccTLD”), including <whatsapp.co.in>, <whatsapp.org>, <whatsapp.info> and <whatsapp.net>.

Complainant has also developed a strong presence online by being active on various social-media forums, including Facebook, where Complainant’s official WhatsApp page has over 47 million followers, and X (formerly Twitter) where the WhatsApp profile has over 5 million followers.

Complainant owns the exclusive rights to the WHATSAPP Mark, in which it claims use since 2009 and has secured ownership of trademark registrations for the WHATSAPP Mark in many jurisdictions throughout the world, including the following:

United States Trademark Registration No. 3939463, WHATSAPP, registered on April 5, 2011;

United Kingdom Trademark Registration No. UK00909986514, WHATSAPP, registered on October 25, 2011;

Chinese Trademark Registration No. 21470703, WHATSAPP, registered on February 7, 2020; and

European Union Trademark No. 009986514, WHATSAPP, registered on October 25, 2011.

Respondent registered the disputed domain name on May 26, 2021, and prior to July 2, 2026, it redirected to an Atom.com parking page where it was offered for sale with a “Buy Now” price of USD 24,888. Following July 6, 2026, cease and desist correspondence from Complainant, the disputed domain name now resolves to an inactive website.

#### **5. Parties’ Contentions**

##### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. Complainant contends that the disputed domain name is identical or confusingly similar to Complainant’s WHATSAPP Mark; that Respondent has no rights or legitimate interests in respect of the disputed domain name because Respondent has no commercial relationship with Complainant nor license or authority to use the disputed domain name or WHATSAPP Mark in any way, and is not commonly known by the disputed domain name or the WHATSAPP Mark. Notably, Complainant contends that Respondent’s use of the disputed domain name incorporating Complainant’s coined term WHATSAPP Mark to redirect users an Atom.com parking page offering the domain name for sale at a premium price

significantly in excess of typical out-of-pocket costs, does not amount to a bona fide offering of goods or services because Respondent seeks to capitalize on Complainant's reputation through resale of the disputed domain name at a profit. Complainant further contends that such for-profit conduct does not give rise to a claim of legitimate noncommercial or fair use, nor does Respondent's current use of the disputed domain name in connection with an inactive web page cure Respondent's prior illegitimate use redirecting to a parking site for sale of the disputed domain name at a profit.

Finally, Complainant contends that the disputed domain name was registered and is being used in bad faith because Respondent targeted Complainant's globally famous WHATSAPP Mark to redirect users to a parked page primarily for the purpose of selling, renting, or otherwise transferring it to Complainant, or a competitor for consideration in excess of Respondent's out of pocket costs, plus deactivating the parked page to an inactive site and concealing Respondent's identity through updating its registrant details in the publicly-available Whois record to a proxy service shortly after cease and desist correspondence was transmitted by Complainant.

## **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

Paragraph 15 of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules, and any rules and principles of law that it deems applicable.

The onus is on Complainant to make out its case, and it is apparent from the terms of the Policy that Complainant must show that all three elements set out in paragraph 4(a) of the Policy have been established before any order can be made to transfer or cancel a domain name. As the proceedings are administrative, the standard of proof under the Policy is often expressed as the "balance of the probabilities" or "preponderance of the evidence" standard. Under this standard, an asserting party needs to establish that it is more likely than not that the claimed fact is true. WIPO Overview of WIPO Panel Views on Select UDRP Questions, (["WIPO Overview 3.1"](#)), section 4.2.

Thus, for Complainant to succeed it must prove within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

1. The disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
2. Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3. The disputed domain name has been registered and is being used in bad faith.

The Panel finds that Complainant has met its burden in all three elements of the Policy and will deal with each of these elements in more detail below.

### **A. Identical or Confusingly Similar**

Ownership of a nationally registered trademark constitutes prima facie evidence that a complainant has the rights required under paragraph 4(a)(i) of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Complainant claims rights in the WHATSAPP Mark for application service provider services dating back to 2009. Complainant has submitted sufficient evidence, including electronic copies of valid and subsisting US and international trademark registrations in its name, demonstrating rights in the WHATSAPP Mark. See *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#).

With Complainant's rights in the WHATSAPP Mark established, the remaining question under the first element of the Policy is whether the disputed domain name is identical or confusingly similar to Complainant's WHATSAPP Mark. It is well accepted that the first element functions primarily as a standing requirement and that the 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.

A consensus of prior UDRP panel decisions has held a domain name wholly incorporating a complainant's registered mark is sufficient to establish identity or confusing similarity for purposes of the Policy despite the addition of other terms. [WIPO Overview 3.1](#), section 1.8 ("Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element"); see also *BNP Paribas v. Ronan Laster*, WIPO Case No. [D2017-2167](#).

The disputed domain name incorporates Complainant's WHATSAPP Mark in its entirety and adds the term "plus" – though this matters only for the second and third elements. Respondent's addition to Complainant's Mark of this term to form the disputed domain name does not prevent a finding of confusing similarity as noted by prior UDRP panels in similar cases involving terms added to a well-known mark. See *AXA SA v. YAnina, Dostavka Produktov*, WIPO Case No. [D2017-0237](#); as well as similar cases specifically involving Complainant's WHATSAPP Mark and the addition of the identical term "plus". See, e.g. *WhatsApp LLC v. Shoaib Ahmed*, WIPO Case No. [D2025-4231](#) (<whatsappplus.org>); *WhatsApp LLC v. Anees Awan*, WIPO Case No. [D2025-1672](#) (<whatsappplus.pro>).

The addition of the gTLD ".com" is irrelevant in determining whether the disputed domain name is confusingly similar. [WIPO Overview 3.1](#), section 1.11.1; See *Research in Motion Limited v thamer Ahmed Alfarshooti*, WIPO Case No. D2012-1146; see also *L'Oréal v Tina Smith*, WIPO Case No. [D2013-0820](#).

Based on the above, this Panel finds that the added term "plus" does not prevent a finding of confusing similarity between the disputed domain name and Complainant's WHATSAPP Mark. Complainant's WHATSAPP Mark remains fully recognizable as incorporated in its entirety into the disputed domain name.

Accordingly, the Panel finds the disputed domain name confusingly similar to the WHATSAPP Mark in which Complainant has rights and Complainant has thus satisfied its burden under paragraph 4(a)(i) of the Policy.

## **B. Rights or Legitimate Interests**

Although the overall burden of proof in UDRP proceedings is on 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 domain name (although the burden of proof always remains on 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. See also *The American Automobile Association, Inc. v. aaaaautoinsurance.com Privacy--Protect.org, aaa-netaccess.com Privacy--Protect.org, aaanetacceess.com Privacy--Protect.org, Isaac Goldstein*, WIPO Case No. [D2011-2069](#).

Paragraph 4(a)(ii) of the Policy also directs an examination of the facts to determine whether a respondent has rights or legitimate interests in a domain name. Paragraph 4(c) of the Policy provides a list of circumstances in which Respondent may demonstrate rights or legitimate interests in a disputed domain name.

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 in its Response with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The first example, under paragraph 4(c)(i), is where "before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services".

Here, the annex to the Complaint shows that Respondent's website as configured prior to July 2, 2026 redirected to an Atom.com parking page where it was offered for sale with a "Buy Now" price of USD 24,888. Following July 6 cease and desist correspondence from Complainant, the parked page was deactivated to an inactive website.

While the Policy recognizes that aggregating and holding domain names for resale consisting of dictionary words or common phrases can represent a bona fide service, Complainant contends that such qualification is unavailing here. Because the disputed domain name incorporates Complainant's famous WHATSAPP Mark in its entirety coupled with Respondent's redirection to a parking page offering the disputed domain name for a "Buy Now" sale price of USD 24,888 such use does not amount to a bona fide offering of goods or services. This infers, Complainant argues, that Respondent was seeking to illegitimately capitalize on Complainant's reputation through resale of the disputed domain name at a profit, rather than having registered it for a legitimate purpose.

Prior UDRP panels have held that use of a disputed domain name for redirection to a parking page offering the domain name for sale for a sum significantly in excess of typical out-of-pocket costs do not give rise to any rights or legitimate interests in the disputed domain name. See *Saddle Butte Ag, Inc. v. Hola Domains*, WIPO Case No. [D2021-1292](#); *Meta Platforms, Inc. and Meta Platforms Technologies, LLC v. hao su*, WIPO Case No. [D2022-4574](#).

Similarly, regarding the disputed domain name's current status resolving to an inactive website, prior UDRP panels have found that such non-use does not necessarily amount to a bona fide offering of goods or services. See *Instagram, LLC v. Registration Private, Domains By Proxy LLC/ sezer suat*, WIPO Case No. [D2022-0157](#).

Noting the composition of the disputed domain name which comprises the WHATSAPP Mark with a common term, and its history of use first redirecting to a parked page offering the WHATSAPP disputed domain name at a premium price, and subsequently deactivated to an inactive website defeats any claim of use of the disputed domain name in connection with a bona fide offering of goods or services to demonstrate rights or legitimate interests in the disputed domain name. Respondent cannot avail itself of the benefit of paragraph 4(c)(i) of the Policy.

Paragraph 4(c)(ii) of the Policy provides another scenario in which a respondent may demonstrate rights or legitimate interests in a disputed domain name by showing that the respondent is commonly known by the domain name. Complainant contends Respondent also fails this scenario because no matter which nominal registrant name is used, "Duchao" set forth in the public Whois record until at July 2, 2026, the proxy service in place at the filing of the Complaint, or "Dinah Speigel", the identity of the registrant disclosed in the Registrar Verification, none of these bears any resemblance to the disputed domain name whatsoever.

Thus, there is no evidence in this case to suggest that Respondent is commonly known by the disputed domain name, that it is licensed or otherwise authorized to use Complainant's trademark, or that it has acquired any trademark rights relevant thereto. As such, the Panel finds this sub-paragraph of the Policy is of no help to Respondent, and the facts presented here support a lack of rights or legitimate interests in the disputed domain name. See *Expedia, Inc. v. Dot Liban, Hanna El Hinn*, WIPO Case No. [D2002-0433](#).

Finally, Complainant contends Respondent fails under paragraph 4(c)(iii) of the Policy, the last of the three scenarios by which Respondent may demonstrate rights or legitimate interests in the disputed domain name, because Respondent is not currently making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers.

Complainant argues that Respondent's listing of the disputed domain name for sale on the Atom.com parking page signals an intent to derive commercial gain from the resale of the disputed domain name, which does not give rise to a claim of legitimate noncommercial or fair use.

Prior UDRP panels have held disputed domain names redirected to parking pages where the disputed domain names were listed for sale in a manner similar to the 'Buy Now' marketplace scenario present here may be considered to be commercial in nature, which does not amount to legitimate noncommercial or fair use as contemplated by paragraph 4(c)(iii) of the Policy. See *Meta Platforms, Inc. and Meta Platforms Technologies, LLC v. 昭龙叶*, WIPO Case No. [D2022-4696](#).

In light of the above, and with nothing from Respondent to rebut Complainant's arguments and evidence, the Panel finds that the facts of this case demonstrate that Respondent has no rights or legitimate interests in the disputed domain name. Complainant has successfully met its burden under paragraph 4(a)(ii) of the Policy.

### **C. Registered and Used in Bad Faith**

Finally, Complainant must prove, by a preponderance of the evidence, that the disputed domain name has been registered and used in bad faith under paragraph 4(a)(iii) of the Policy. See, e.g., *Hallmark Licensing, LLC v. EWebMall, Inc.*, WIPO Case No. [D2015-2202](#).

Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances that point to bad faith conduct on the part of a respondent. The panel may, however, consider the totality of the circumstances when analyzing bad faith under Policy, paragraph 4(a)(iii) and may make a finding of bad faith that is not limited to the enumerated factors in Policy, paragraph 4(b). See *Do the Hustle, LLC v. Tropic Web*, WIPO Case No. [D2000-0624](#).

First, Complainant contends and has shown in the fact evidence submitted in its annexes and prior decisions cited in its Complaint that Complainant and its WHATSAPP Mark, having been continuously and extensively used since the launch of its WhatsApp application in 2009, are well-known throughout the world, including in the United States where Complainant was founded, and where Respondent is purportedly located, such that Respondent could not have been unaware of it when they registered the disputed domain name.

The Panel is prepared to follow the decisions cited by Complainant of prior UDRP panels under similar circumstances which have recognized the strength and renown of Complainant's WHATSAPP Mark it would be implausible to believe that Respondent selected and was using the disputed domain name for any purpose other than to trade on Complainant's trademark rights and reputation, establishing a fact pattern that repeatedly has been held to constitute bad faith registration. See, e.g., *WhatsApp Inc. v. Sudheer Kumar*, WIPO Case No. [D2019-1632](#); *WhatsApp Inc. v. Vipul Singh*, WIPO Case No. [D2020-0903](#).

Prior UDRP panels have also held that a respondent's selection of a disputed domain name that comprises the complainant's mark in its entirety demonstrates a respondent's likely actual knowledge to support a finding of bad faith in registering and using the domain name. See, e.g., *Lloyds Bank Plc v. Marc Wiese*, WIPO Case No. [D2015-0914](#); see also *Heineken Brouwerijen B.V. v Mark Lott*, WIPO Case No. [D2000-1487](#). Moreover, panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith. See [WIPO Overview 3.1](#), section 3.1.4.

Given Complainant's WHATSAPP Mark's widespread recognition, including in the United States where Respondent is purportedly located, and that the disputed domain name incorporates the famous mark in its entirety, the Panel finds bad faith registration based on Respondent's likely knowledge of the WHATSAPP Mark. See *Facebook, Inc. and WhatsApp Inc. v. Registration Private, Domains By Proxy, LLC / Nanci*, WIPO Case No. [D2019-2223](#); *Carrefour v. Registration Private, Domains by Proxy LLC / Nisar Ahmad Zafar*, WIPO Case No. [D2016-2506](#).

Turning to those factors relevant to bad faith use, given the widespread recognition of Complainant's WHATSAPP Mark, and decades of use of the WHATSAPP Mark prior to Respondent's registration of the disputed domain name on May 26, 2021, the composition of the disputed domain name similar to Complainant's official domain names comprising the WHATSAPP Mark and a dictionary term used in prior domain name cases involving Complainant's WHATSAPP Mark resulting in transfer, the Panel takes the view that Respondent's intention when registering the disputed domain name was to take unfair advantage of the likelihood of confusion between the disputed domain name and Complainant's Mark to redirect users to the parking page for Respondent to profit from the sale of the disputed domain name to Complainant or one of its competitors at a price clearly in excess of Respondent's technical costs. Respondent's change in use of the disputed domain name following Complainant's cease and desist letters from the parking page to an inactive website reinforces the Panel's finding that there was no good faith intention behind the registration and use of the disputed domain name. Prior UDRP panels have consistently found similar conduct to constitute bad faith use under paragraph 4(a)(iii) of the Policy. See *Meta Platforms, Inc. and Silvergate Capital Corporation v. Privacy Service Provided by Withheld for Privacy ehf / Andris Tukišs and Maija Scokina and Zigis Bergs and Maris Mezs and Mara Sirma and Aigars Kuzmins and Lasma Kalnberza, and Aija Berzina*, WIPO Case No. [D2022-1690](#). Respondent's use and registration of the disputed domain name, therefore, must be considered to be in bad faith. See [WIPO Overview 3.1](#), sections 3.1.1 and 3.1.4.

Respondent's activities fit within the scenario under UDRP paragraph 4(b)(i) and more generally constitute registration and use in bad faith within the meaning of the Policy, taking into consideration the non-exhaustive factors described above as applied to the facts present in this case. Accordingly, under these circumstances, including the adverse inferences drawn by Respondent's failure to respond, its use of an identity shield and most likely false registration data for its postal address and telephone data, the Panel finds that Complainant has met its burden, establishing by a preponderance of the evidence, that Respondent registered and used the disputed domain name in bad faith. Complainant has satisfied paragraph 4(a)(iii) of the Policy. [WIPO Overview 3.1](#), section 3.1.1; see also *Oculus VR, LLC v. Lin*, WIPO Case No. [DCO2016-0034](#).

## 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 <whatsappplus.com> be transferred to Complainant.

/Austin, Scott R./

**Austin, Scott R.**

Sole Panelist

Date: August 7, 2026