ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
WhatsApp, LLC v. Kundan Singh
Case No. D2026-3903

1. The Parties

The Complainant is WhatsApp, LLC, United States of America ("U.S." or "United States"), represented by Ashurst Perkins Coie US LLP, United States.

The Respondent is Kundan Singh, India.

2. The Domain Name and Registrar

The disputed domain name <boosterwhatsapp.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 1, 2026. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 2, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 3, 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 amendment to the Complaint on September 8, 2026.

The Center verified that the Complaint together with the amendment to the 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 September 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 8, 2026.

The Center appointed Delia-Mihaela Belciu as the sole panelist in this matter on October 13, 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. company that is operating the WhatsApp messaging and voice-over-IP service and mobile application.

WhatsApp is one of the global leaders in messaging services for mobile devices. According to the information available in the file, over two billion people in over 180 countries are currently using WhatsApp to stay in touch with friends and family via free messages and calling.

The Complainant also offers business users “The WhatsApp Business” app, which allows small businesses to interact with customers, as well as “WhatsApp Business Platform”, to enable larger businesses to chat with customers.

WhatsApp is available in 60 different languages.

In recent years the WhatsApp mobile application has consistently ranked among the top apps in the market.

The Complainant is the owner of several WHATSAPP trademark registrations, among which:

- the United States Trademark Registration No. 3939463 for WHATSAPP, registered on April 5, 2011, for services in class 42;

- the European Union Trademark Registration No. 009986514 for WHATSAPP, registered on October 25, 2011, for goods and services in classes 9, 38, and 42; and

- the Indian Trademark Registration No. 3111463 for WHATSAPP, registered on November 30, 2015, for goods and services in classes 9, 35, 36, 38, 42 and 45.

The Complainant owns several domain names incorporating its WHATSAPP trademark, among which <whatsapp.com>, registered since September 4, 2008, used in relation to its official website.

In addition, the Complainant has made substantial investments to develop a strong presence online by being active on various social-media platforms, including Facebook, Instagram, X (formerly Twitter), YouTube and LinkedIn.

The disputed domain name <boosterwhatsapp.com> was registered on January 30, 2026, and is used in relation to a website reproducing the Complainant’s logo and color scheme, while offering bulk messaging and chatbot services.

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:

(i) the disputed domain name is confusingly similar to the Complainant's WHATSAPP mark, as it incorporates it in its entirety with the addition in front of it of the non-distinctive term "booster", in addition to the generic Top-Level Domain ("gTLD") ".com";

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name for a number of reasons, among which that: (1) there is no evidence to suggest that the Respondent is commonly known by the disputed domain name, (2) from the available evidence, the Respondent has neither acquired nor applied for a trademark registration for the term "booster whatsapp" or any variation thereof, (3) the Respondent is not a licensee of the Complainant, nor is affiliated with Complainant in any way, (4) the Complainant has not authorized the Respondent to make any use of its WHATSAPP trademarks, whether in a domain name, or mobile app, in the use of its logos on a website, or otherwise, (5) the Respondent has registered the disputed domain name by incorporating in its entirety the Complainant's WHATSAPP mark with the non-distinctive term "booster", clearly intending to target the Complainant's mark, services, and users, considering also the content of the website in relation to which the disputed domain name is used, (6) the disputed domain name resolves to a website that specifically targets the Complainant by purportedly offering unauthorized bulk messaging and chatbot services, whilst making prominent use of the Complainant's WHATSAPP trademarks, (7) the disputed domain name and the Respondent's services have been flagged by one or more cybersecurity vendors as malicious, as per the allegations of the Complainant, (8) the Respondent does not prominently disclose his lack of relationship with Complainant on the website corresponding to the disputed domain name;

(iii) the disputed domain name was registered and is being used in bad faith for a number of reasons, among which that, (1) the Respondent was aware of the Complainant's WHATSAPP trademark when he registered the disputed domain name, as the Complainant's WHATSAPP trademark is inherently distinctive and well-known throughout the world, being continuously and extensively used by the Complainant since 2009, (2) in the Complainant's view, the disputed domain name and the website to which it resolves is so obviously connected with the Complainant and its WHATSAPP trademark and services, that such use by the Respondent, which has no connection to Complainant, suggests opportunistic bad faith, (3) in the Complainant's view, given the composition of the disputed domain name, and the content of the website to which it resolves, which offers bulk messaging and chatbot services, and in addition includes misleading language such as "Integrated WhatsApp Chat", "Seamlessly connect with customers through Integrated WhatsApp Chat", Internet users are likely to believe that this website is affiliated with or somehow endorsed by the Complainant, (4) according to the Complainant's allegations, the disputed domain name has been flagged by at least one independent cybersecurity vendor as being malicious in connection with malware, (5) the Respondent never replied to the notifications sent through the Complainant's agent, demanding the Respondent to cease all unauthorized use of its WHATSAPP trademarks and to transfer the disputed domain name to the Complainant, (6) in the Complainant's view, the Respondent's use of a proxy service or selection of a registrar with default proxy services suggests bad faith at the time of registration of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order for the Complainant to succeed, such must prove, according to paragraph 4(a) of the Policy, that:

(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 with respect to the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

In case all three elements above have been fulfilled, the Panel is able to grant the remedy requested by the Complainant. Thus, the Panel will deal with each of the requirements in turn.

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. WIPO Overview 3.1, section 1.2.1.

The Panel finds that the entirety of the Complainant's WHATSAPP mark is reproduced within the disputed domain name with the addition in front of it of the descriptive term "booster", which does not prevent a finding that the disputed domain name is confusingly similar to the Complainant's WHATSAPP mark. 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, in this case "booster", 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.

In what concerns the addition of the gTLD ".com" in relation to the disputed domain name, such is viewed as a standard registration requirement, and is disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

Based on the available record, the Panel finds that 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.

Thus, based on the available evidence, the Respondent does not appear to be commonly known by the name "whatsapp", nor "boosterwhatsapp".

The Complainant has not given the Respondent permission, authorization, consent, or license to use its WHATSAPP mark, including in the disputed domain name, and also, between the Respondent and the Complainant there is no relationship, based on the evidence available in this file.

Moreover, based on the evidence filed by the Complainant, the disputed domain name resolves to a website reproducing the Complainant's logo and color scheme, along with misleading language such as "Integrated WhatsApp Chat", "Seamlessly connect with customers through Integrated WhatsApp Chat", while offering bulk messaging and chatbot services, without any authorisation from the Complainant and without disclosing the lack of relationship with the Complainant.

Panels have held that the use of a domain name for an illegal activity, as in this case passing off, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Furthermore, the composition of the disputed domain name, incorporating the Complainant's WHATSAPP mark with the addition of the descriptive term "booster" in front of it, might lead to confusion for Internet users and as such, carries a risk of implied affiliation with the Complainant. WIPO Overview 3.1, section 2.5.1.

All the above does not amount to a bona fide offering of goods or services, or to a legitimate noncommercial or fair use of the disputed domain name.

Based on the available record, the Panel finds that 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.

In the present case, the Panel notes that the Complainant's rights in the WHATSAPP mark predate the registration date of the disputed domain name.

In light of the above as well as of the distinctive and well-known character of the WHATSAPP mark, the Panel finds that it is not conceivable that the Respondent registered the disputed domain name without knowledge of the Complainant's WHATSAPP mark, which supports a finding of bad faith registration. WIPO Overview 3.1, section 3.2.2.

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.

The Respondent's incorporation into the disputed domain name of the Complainant's WHATSAPP mark in its entirety, with the addition in front of it of the term "booster" (which could be leading to the idea of an enhanced service of the WhatsApp functionality), the failure of the Respondent to submit a Response in this dispute file, as well the fact that, according to the evidence available in this the case file, the website corresponding to the disputed domain name directs Internet users to a website reproducing the Complainant's logo and color scheme, along with misleading language such as "Integrated WhatsApp Chat", "Seamlessly connect with customers through Integrated WhatsApp Chat", while offering bulk messaging and chatbot services, without any authorisation from the Complainant and without for the Respondent to disclose the lack of relationship with the Complainant, is clear evidence of bad faith use and registration of a domain name, and all lead to a finding of bad faith registration and use. Moreover, the Panel finds that by using the disputed domain name, the Respondent has intentionally attempted to attract Internet users to the website by creating a likelihood of confusion with the Complainant's WHATSAPP mark as to the source, sponsorship, affiliation, or endorsement of the website.

Panels have held that the use of a domain name for an illegal activity, as in this case passing off, 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 and 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 <boosterwhatsapp.com> be transferred to the Complainant.

/Delia-Mihaela Belciu/
Delia-Mihaela Belciu
Sole Panelist
Date: October 27, 2026