ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Meta Platforms, Inc., and Instagram, LLC v. Daniel Moreira
Case No. D2026-4014

1. The Parties

The Complainants are Meta Platforms, Inc. and Instagram, LLC, United States of America ("United States"), represented by Hogan Lovells Cadwalader (Paris) LLP, France.

The Respondent is Daniel Moreira, Brazil.

2. The Domain Names and Registrar

The disputed domain names <baixarvideosfacebook.com> and <baixarvideosinstagram.com> are 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 7, 2026. On September 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 9, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Unknown Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainants on September 10, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on September 14, 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 September 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 7, 2026. The Respondent sent email communications to the Center on September 10, 2026, September 11, 2026, September 15, 2026, September 16, 2026 and September 19, 2026.

The Center appointed Ian Lowe as the sole panelist in this matter on October 21, 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 first Complainant, Meta Platforms, Inc. ("Meta") is a United States social technology company that operates social network platforms and applications including Facebook, Instagram, Meta Quest (formerly Oculus) and WhatsApp. The first Complainant's Facebook platform (Facebook) was founded in 2004 and is a leading provider of online social-media and social-networking services.

The second Complainant, Instagram, LLC ("Instagram"), is a world-renowned online photo and video sharing social networking application. Since its launch in 2010, Instagram, commonly abbreviated as "Insta", has rapidly acquired and developed considerable goodwill and renown worldwide. Acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012, Instagram 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.

The Complainants are the proprietors of numerous trademark registrations for FACEBOOK and INSTAGRAM worldwide. The registrations for FACEBOOK include United States Trademark Registration No. 3,041,791, registered on January 10, 2006; Brazil Trademark No. 829480480, registered on December 15, 2009; and International Registration No. 1075807, registered on July 16, 2010.

The registrations for INSTAGRAM include International Trademark Registration No. 1129314, registered on March 15, 2012; United States Trademark Registration No. 4,146,057, registered on May 22, 2012; and Brazil Trademark No. 840060980, registered on January 5, 2016.

The Complainants operate a number of social media websites for the FACEBOOK and INSTAGRAM platforms using domain names including <facebook.com> and <instagram.com>.

The disputed domain names were both registered in April 2026. Neither disputed domain name currently resolves to an active website. The Complainants have adduced evidence that at the time of preparation of the Complaint the <baixarvideosfacebook.com> disputed domain name resolved to a website at "www.baixarvideosfacebook.com" in the Portuguese language entitled "FaceSave / Video Downloader" that purported to offer a tool to download content from the first Complainant's Facebook platform. It featured the FACEBOOK mark and a blue and white colour scheme that was very similar to the colour scheme of the first Complainant's Facebook platform.

Similarly, the Complainants have adduced evidence that at the time of preparation of the Complaint the <baixarvideosinstagram.com> disputed domain name resolved to a website at "www.baixarvideosinstagram.com" in the Portuguese language entitled "InstaSave" that purported to offer a tool to download content, including video and reels, from the second Complainant's Instagram platform. It featured the second Complainant's INSTAGRAM logo and a pink/purple colour scheme very similar to the gradient colour scheme featured on the Instagram platform.

The Respondent's websites also purported to provide similar services for third-party platforms such as TikTok, YouTube and Twitter. The footer of the Respondent's websites included disclaimer-like wording in fine print.

The Respondent did not respond to a cease and desist letter sent on behalf of the Complainants in August 2026.

5. Parties' Contentions

A. Complainants

The Complainants contend that the disputed domain names are confusingly similar to their FACEBOOK and INSTAGRAM trademarks, that the Respondent has no rights or legitimate interests in respect of the disputed domain names, and that the Respondent registered and is using the disputed domain names in bad faith. The Complainants contend that the use of the tools purportedly offered by the Respondent violates the terms of service and terms of use of their Facebook and Instagram platforms.

B. Respondent

The Respondent did not reply substantively to the Complainants' contentions. In its emails to the Center on September 10, 2026, and September 11, 2026, the Respondent raised procedural issues. In its emails to the Center on September 15, 2026, and September 16, 2026, it stated that without admitting liability, wrongdoing, or bad faith, it had voluntarily and temporarily disabled the websites associated with the disputed domain names and that it was willing to consent to the voluntary transfer of the disputed domain names and reach a mutually acceptable settlement with the Complainants. In its email of September 19, 2026, the Respondent sent a signed agreement providing for the transfer/assignment of the disputed domain names.

6. Discussion and Findings

For this Complaint to succeed in relation to the disputed domain names, the Complainants must prove that:

(i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainants have rights; and

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and

(iii) the disputed domain names have been registered and are 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 Complainants' trademarks and the disputed domain names. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainants have shown rights in respect of a trademark or service mark for the purposes of the Policy in respect of each of the disputed domain names. WIPO Overview 3.1, section 1.2.1.

Ignoring the generic Top-Level Domain ".com", the disputed domain names comprise respectively the entirety of the FACEBOOK mark and the entirety of the INSTAGRAM mark with the addition of the term "baixarvideos". "baixar" means download in the Portuguese language. In the Panel's view, the addition of the term "baixarvideos" does not prevent a finding of confusing similarity between the disputed domain names and the FACEBOOK and INSTAGRAM marks. 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. Accordingly, 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.

The disputed domain names resolved to websites offering tools to download content from the Complainants' Facebook and Instagram platforms. They featured respectively the first Complainant's FACEBOOK mark and the second Complainant's INSTAGRAM logo. The Complainants have not authorised the Respondent to use the marks or to register the disputed domain names.

The Panel does not consider that such activity could amount to the bona fide offering of goods or services and considers that it could not possibly give rise to rights or legitimate interests in such disputed domain names on the part of the Respondent. Rather the Respondent is making unauthorized use of the Complainants' trademarks to market ancillary services, taking an unfair advantage of the Complainants' trademarks likely to attract Internet users to the Respondent's website. .

Having reviewed the available evidence, the Panel finds that the Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in either of the disputed domain names. The Respondent has not rebutted the Complainants' prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

The Panel finds the second element of the Policy has been established in respect of each of the disputed domain names.

C. Registered and Used in Bad Faith

In light of the composition of the disputed domain names and the use to which the Respondent has put them, there can be no doubt that the Respondent had the Complainants and their rights in the Complainants' trademarks in mind when it registered the disputed domain names.

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 Panel considers that the Respondent has relied on the goodwill associated with the Complainants' marks to attract Internet users to its websites to market its unauthorized tools. By enabling Internet users to download Facebook or Instagram content, the tools place the privacy and security of Facebook and Instagram users at risk, as downloaded content may be stored and later used for unauthorized purposes. Prior UDRP panels have held that the unauthorized downloading of content from social networks amounts to bad faith. The Panel considers that the fine print disclaimer wording at the foot of the Respondent's websites is not sufficient to cure the illegitimate use of the disputed domain names by the Respondent.

Accordingly, the Panel finds that the Respondent has registered and used both of the disputed domain names in bad faith. The third element of the Policy has therefore been established in respect of each of the disputed domain names.

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 <baixarvideosfacebook.com> be transferred to the first Complainant Meta Platforms, Inc., and that the disputed domain name <baixarvideosinstagram.com> be transferred to the second Complainant Instagram, LLC.

/Ian Lowe/
Ian Lowe
Sole Panelist
Date: November 4, 2026