

ADMINISTRATIVE PANEL DECISION

Meta Platforms, Inc. v. Yesh Kumar

Case No. D2026-4147

1. The Parties

The Complainant is Meta Platforms, Inc., United States of America, represented by Hogan Lovells Cadwalader (Paris) LLP, France.

The Respondent is Yesh Kumar, India.

2. The Domain Name and Registrar

The disputed domain name <orgfacebook.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 September 15, 2026. On September 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 16, 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 the Complainant on September 17, 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 September 21, 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 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 13, 2026.

The Center appointed Knud Wallberg as the sole panelist in this matter on October 15, 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, Meta Platforms, Inc., (Meta) is a United States social technology company, and operates, inter alia, Facebook, Instagram, Meta Quest (formerly Oculus) and WhatsApp. The Complainant's Facebook platform was founded in 2004 and is a provider of online social-media and social-networking services.

The Complainant has secured ownership of trademark registrations for FACEBOOK in many jurisdictions throughout the world, including but not limited to the following:

- United States Trademark Registration No. 3881770, FACEBOOK, registered on November 23, 2010, for goods and services in international classes 35, 38, 41, 42 and 45;
- International Registration No. 1075807, FACEBOOK, registered on July 16, 2010 for goods and services in international classes 9, 35, 36 38, 41, 42, and 45; and
- Indian Trademark Registration No. 1622925, FACEBOOK, registered on November 20, 2011 for goods and services in international classes 9, 38 and 42.

When the Complaint was filed, the disputed domain name redirected to the website "www.hiddlesfashion.com", which was titled "THE HIDDLES FASHION". The website had the subtitle "where style meets modern elegance" and appeared to feature various blog posts.

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 the disputed domain name is confusingly similar to the Complainant's FACEBOOK trademark, in accordance with paragraph 4(a)(i) of the Policy. The addition of the term "org" before the Complainant's FACEBOOK trademark does thus not prevent the finding of confusing similarity with the Complainant's FACEBOOK trademark, which remains clearly recognizable in the disputed domain name.

The Complainant furthermore contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is thus not using the disputed domain name in connection with any bona fide offering of goods. There is no evidence to suggest that the Respondent is commonly known by the disputed domain name, as contemplated by paragraph 4(c)(ii) of the Policy, nor is the Respondent making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers within the meaning of paragraph 4(c)(iii) of the Policy.

The Complainant finally contends that the disputed domain name was registered and is being used in bad faith. The Complainant's FACEBOOK trademark has been continuously and extensively used since 2004 in connection with the Complainant's social network, having acquired considerable goodwill and reputation worldwide. At the time of registration of the disputed domain name, the Complainant's Facebook platform had over 3 billion monthly active users, so the Respondent could not credibly deny knowledge of the Complainant's FACEBOOK trademark when registering the disputed domain name. The Complainant further submits that the Respondent is using the disputed domain name in bad faith since it is used to

redirect to the Respondent's website, which is unrelated to the Complainant and from which the Complainant infers that the Respondent obtains commercial gain.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

Paragraph 4(a) of the Policy directs that a complainant must prove each of the following:

- (i) that the domain name registered by the respondent is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) that the respondent has no rights or legitimate interests in respect of the domain name; and
- (iii) that the domain name has been registered and is being used in bad faith.

Paragraph 4(a) of the Policy states that the burden of proving that all these elements are present lies with the Complainant. At the same time, in accordance with paragraph 14(b) of the Rules, if a party, in the absence of exceptional circumstances, does not comply with any provision of, or requirement under, the Rules, or any request from the Panel, the Panel shall draw such inferences therefrom as it considers appropriate.

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 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, "org", 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.

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 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.

In the present case, the Panel notes that given the circumstances of the case, in particular the extent of use and reputation of the Complainant’s trademark FACEBOOK, it is inconceivable to the Panel in the current circumstances that the Respondent registered the disputed domain name without prior knowledge of the Complainant and the Complainant’s marks. Further, the Panel finds that the Respondent could not have been unaware of the fact that the disputed domain name he chose could attract Internet users in a manner that is likely to create confusion for such users.

The disputed domain name <orgfacebook.com> has, according to the Complainant, previously been used actively to redirect to a website for a fashion company, i.e. a use that was completely unrelated to the Complainant’s areas of business, which was evidence of bad faith use as described in paragraph 4(b)(iv) of the Policy.

Furthermore, the fact that the disputed domain name is not currently being used actively does not prevent the finding of bad faith use. As it is stated in section 3.3 of the [WIPO Overview 3.1](#): “From the inception of the UDRP, panelists have found that the non-use of a domain name (including a blank or ‘coming soon’ page) would not prevent a finding of bad faith under the doctrine of passive holding.”

Noting that the disputed domain name <orgfacebook.com> incorporates the Complainant’s distinctive and reputed trademark FACEBOOK and the gTLD “.com”, that no Response has been filed and that there appears to be no conceivable good faith use that could be made by the Respondent of the disputed domain name, and considering all the facts and evidence of the case, the Panel finds that the requirements of paragraph 4(a)(iii) of the Policy are also fulfilled in relation to this domain name.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraph 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <orgfacebook.com> be transferred to the Complainant.

/Knud Wallberg/

Knud Wallberg

Sole Panelist

Date: October 26, 2026