

ADMINISTRATIVE PANEL DECISION

Meta Platforms, Inc. v. jiang qiwen

Case No. DAD2025-0003

1. The Parties

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

The Respondent is jiang qiwen, China.

2. The Domain Name and Registrar

The disputed domain name <facebook.ad> is registered with Andorra Telecom (the “.ad Registry”) through 101DOMAIN GRS LTD (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 6, 2025. On June 6, 2025, the Center transmitted by email to the .ad Registry a request for registrar verification in connection with the disputed domain name. On June 9, 2025, the .ad Registry 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 and contact information in the Complaint.

The Center sent an email communication to the Complainant on June 17, 2025, providing the information disclosed by the .ad Registry, and inviting the Complainant to amend the Complaint. The Complainant filed an amended Complaint on June 19, 2025.

The Center verified that the Complaint as amended satisfies the formal requirements of the .ad Dispute Resolution Policy (“adDRP” or “Policy”), the Rules for .ad Dispute Resolution Policy (the “adDRP Rules”) and the Supplemental Rules of the WIPO Arbitration and Mediation Center for .ad (“WIPO adDRP Supplemental Rules”).

In accordance with the adDRP Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 9, 2025. In accordance with the adDRP Rules, paragraph 5, the due date for Response was July 29, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 12, 2025.

The Center appointed Anita Gerewal as the panelist in this matter on August 19, 2025. 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 adDRP Rules, paragraph 7.

4. Factual Background

The Complainant, formerly known as Facebook Inc., is a social technology company that operates platforms such as Facebook, Instagram, Meta Quest (formerly Oculus), and WhatsApp.

The Complainant is the owner of numerous FACEBOOK trademark registrations internationally, including the following:

- Chinese Trademark Registration No. 5251162 for FACEBOOK word mark, in international class 38, registered on September 21, 2009.
- United States of America Trademark Registration No. 3041791 for THEFACEBOOK word mark, in international classes 35 and 38, registered on January 10, 2006.
- International Trademark Registration No. 1075807 for FACEBOOK word mark, in international classes 9, 35, 36, 38, 41, 42 and 45, registered on July 16, 2010.
- European Union Trademark Registration No. 005722392 for FACEBOOK word mark, in international classes 18, 25 and 28, registered on April 29, 2008.

The Complainant is also the registrant of numerous domain names consisting of or including the FACEBOOK trademark under a wide range of generic Top-Level Domains (gTLDs) and country code Top-Level Domains (ccTLDs).

The disputed domain name was registered on October 24, 2024, and resolves to an inactive page.

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 Complainant's FACEBOOK trademark is highly distinctive and famous throughout the world. It has been continuously and extensively used since 2004 in connection with the Complainant's social network, having rapidly acquired considerable goodwill and reputation worldwide, including in China and Andorra. The disputed domain name consists of the Complainant's FACEBOOK trademark and is an exact match with no adornment. The disputed domain name is therefore identical to a Relevant Identifier in which the Complainant has rights.

The Complainant further contends that the Respondent is not authorized, licensed, or affiliated with the Complainant and has no permission to use the Complainant's trademark. The Respondent cannot conceivably assert that it is commonly known by the disputed domain name. The disputed domain name is inactive and shows no signs of substantive use. The Respondent has not responded to the Complainant's cease and desist letter with any evidence of plans or preparations to use the disputed domain name legitimately. There is no proof of business development, investment, or genuine intent, suggesting a lack of bona fide use and possible cybersquatting.

The Complainant also contends that by reflecting the Complainant's distinctive and well-known FACEBOOK trademark in the disputed domain name, the composition of the disputed domain name is such that it carries a high risk of implied affiliation with the Complainant.

The Complainant asserts that in view of the above and notably given the nature of the disputed domain name which is identical to the Complainant's trademark, it would be inconceivable for the Respondent to argue that it did not have knowledge of the Complainant's FACEBOOK trademark when registering the disputed domain name. The Complainant submits that there is no plausible good-faith use to which the disputed domain name could be put that would not have the effect of misleading consumers as to the source or affiliation of the disputed domain name.

The Complainant also submitted that it has sent a cease-and-desist notice to the Respondent concerning the Respondent's unauthorized use of the disputed domain name but received no reply.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must show that it has met the criteria set out in paragraph 4(a) of the Policy:

- (i) The disputed domain name is identical or confusingly similar to a "Relevant Identifier" in which the Complainant has rights; and
- (ii) The disputed domain name was registered or has subsequently been used in bad faith.

Additionally, the Complainant must declare that, to the best of the Complainant's knowledge, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

A. Identical or Confusingly Similar

For the purposes of paragraph 4(a)(i) of the Policy, the term "Relevant Identifier" encompasses trademarks that are validly registered either in Andorra before the Oficina de Marques i Patents del Principat d'Andorra (OMPA) or in a foreign jurisdiction.

The Panel finds the Complainant has established rights in a "Relevant Identifier" for purposes of the first element of the Policy. The entirety of the Complainant's mark is reproduced within the disputed domain name without any addition or changes and accordingly the disputed domain name is identical to the Complainant's trademark.

The addition of the ".ad" ccTLD is a standard registration requirement and as such is disregarded under the first element confusing similarity test.

The Panel finds that the Complainant has satisfied the requirements of paragraph 4(a)(i) of the Policy.

B. Registered or Used in Bad Faith

Paragraph 4(c) of the Policy provides a non-exhaustive list of circumstances that, if found by the Panel to be present, shall be evidence of the registration and/or use of a domain name in bad faith for the purposes of paragraph 4(a)(ii) of the Policy.

In the present case, the Panel finds that, given the widespread recognition of the Complainant's trademark, it is implausible that the Respondent was unaware of the Complainant's rights at the time of registration.

The disputed domain name does not resolve to an active website. The Panel notes the prior registrations and use by the Complainant of its trademark; the well-known status of the Complainant's FACEBOOK trademark and finds that the incorporation of the Complainant's FACEBOOK trademark in its entirety in the disputed domain name with no addition or modification makes any good faith use of the disputed domain

name implausible. Noting the circumstances of the case, the Panel holds that the passive holding of the disputed domain name does not prevent a finding of bad faith.

The Panel finds that the disputed domain name is registered and being used in bad faith and that the Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 14 of the Rules, the Panel orders that the disputed domain name <facebook.ad> be transferred to the Complainant.

/Anita Gerewal/

Anita Gerewal

Panelist

Date: September 2, 2025