

ADMINISTRATIVE PANEL DECISION

Instagram, LLC v. Salman Khalid

Case No. DCO2025-0083

1. The Parties

The Complainant is Instagram, LLC, United States of America ("United States"), represented by Hogan Lovells (Paris) LLP, France.

The Respondent is Salman Khalid, Pakistan, self-represented.

2. The Domain Name and Registrar

The disputed domain name <instaproapk.co> is registered with Ascio Technologies, Inc. Danmark - Filial af Ascio technologies, Inc. USA (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 23, 2025. On September 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 24, 2025, 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 25, 2025, 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 30, 2025.


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 October 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 22, 2025. The Respondent sent an email communication to the Center on October 20, 2025. However, the Respondent did not file any formal Response. Accordingly, the Center notified the commencement of panel appointment process on October 24, 2025.

The Center appointed Daniel Kraus as the sole panelist in this matter on November 4, 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 Rules, paragraph 7.

4. Factual Background

The Complainant, Instagram, LLC (also commonly known as “Insta”), is a world-wide online photo and video sharing social-networking application. The Complainant was launched in 2010 and was acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012. At the time of this Decision, Instagram is one of the leading video sharing and editing software and online social network, with more than 2.4 billion monthly active accounts worldwide. The Complainant owns numerous trademark registrations in several jurisdictions, including:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	INTERNATIONAL CLASS
INSTAGRAM	United States	4146057	May 22, 2012	9
INSTA	United States	5061916	October 18, 2016	9
INSTAGRAM	European Union	014493886	December 24, 2015	35, 38, 41, 45
INSTA	European Union	014810535	May 23, 2018	9
	United States	5299116	October 3, 2017	9
INSTAGRAM	Pakistan	398679	May 1, 2017	42

The Complainant holds several domain names, among them <instagram.com> which hosts its main website.

Because the Respondent did not file a formal Response, not much is known about the Respondent. The disputed domain name was registered on November 8, 2022.

According to the evidence submitted with the Complaint the disputed domain name redirected to a website titled “Insta Pro APK” that purports to offer for download a modified APK version of the Instagram application, with a wording suggesting that InstaPro APK is a customized version of the official version of Instagram that allows users to enjoy additional features.

The Respondent’s website features a pink/purple color scheme that is similar to the gradient color scheme of the Complainant’s Instagram platform. The Respondent’s website also makes prominent reference to the Complainant’s INSTAGRAM trademark and features similar versions of the Complainant’s “Instagram” logo and figurative trademark on the website itself and as a favicon. The Panel notes that there is a disclaimer on the website indicating: “All names, logos, images, and brands are the property of their respective owners. We are not associated with Instagram by any means. Instagram is a registered trademark of Meta Inc.”

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 as follows:

The disputed domain name is confusingly similar to the INSTAGRAM and INSTA trademarks in which the Complainant has rights, because it incorporates the INSTA trademark in its entirety. The addition of the terms “pro” and “apk” is not sufficient to prevent a finding of confusing similarity.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not been authorized by the Complainant to use its trademarks, is not commonly known by the disputed domain name, and there is no evidence of the Respondent's use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods and services. To the contrary, the Respondent's website purports to offer an unauthorized modified APK version of the Complainant's Instagram application, with additional features that are not offered on the Complainant's application, including the ability to download Instagram content, which does not amount to a bona fide offering of goods or services. The Respondent's use of the disputed domain name does not comply with the Instagram Terms of Use that prohibit to "modify, translate, create derivative works of or reverse-engineer our products or their components".

The disputed domain name was registered in bad faith because it is obvious that the Respondent had knowledge of both the Complainant and its well-known trademarks INSTAGRAM and INSTA at the time it registered the disputed domain name. The Respondent's intent to target the Complainant when registering the disputed domain name may be inferred from the contents of the Respondent's website, which makes explicit reference to the Complainant's INSTAGRAM and INSTA trademarks.

The Respondent is using the disputed domain name in bad faith, by intentionally attempting to attract for financial gain Internet users to its website, by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. The lack of a prominent or accurate disclaimer on the homepage of the Respondent's website to clarify the Respondent's relationship (or lack thereof) with the Complainant further adds to the confusion caused by the disputed domain name and constitutes additional evidence of the Respondent's bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions. It only sent an informal email to the Center on October 20, 2025, with the following content: "Please send me complete complain copy and all details on this email: [...]@gmail.com". No other reply was sent.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, the Complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is 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 Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the entirety of the INSTA mark is reproduced within the disputed domain name. Although the addition of other terms such as here "pro" and "apk" may bear on assessment of the second and third elements, the Panel finds that in the present case the addition of such terms does not prevent a finding of

confusing similarity between the disputed domain name and the Complainant's marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The addition of the Top-Level Domain ("TLD") in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds the first element of the Policy has been established for the disputed domain name.

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. 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 3.0](#), section 2.1.

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.

Prior UDRP panels have recognized that service providers using a domain name that contains a third-party trademark may be making a bona fide offering of goods or services and thus have a legitimate interest in such domain name. Whether or not this is the case is typically assessed based on the factors listed in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#):

- (i) the respondent must actually be offering the goods or services at issue;
- (ii) the respondent must use the site to sell only the trademarked goods or services;
- (iii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and
- (iv) the respondent must not try to "corner the market" in domain names that reflect the trademark.

The Panel notes that the Respondent's website purports to offer for download an unauthorized modified APK version of the Complainant's Instagram application. As such, the Respondent cannot be said to be using the Respondent's website to actually offer the goods or services at issue, namely the original Instagram application.

The Respondent's website features a disclaimer containing the following sentence: "We are not associated with Instagram by any means." In the Panel's view, this disclaimer appears to be far from prominent and unlikely to be seen by most users of the site. Considering the prominent use of the Complainant's trademarks and similar logos and color schemes on the Respondent's site, the Panel finds the Respondent's disclaimer to be ineffective in dispelling the confusion caused by the disputed domain name and the website content, and notes that Internet users will in any event have been enticed to the Respondent's website before seeing that disclaimer.

Furthermore, the disputed domain name itself suggests a connection or affiliation between the Complainant and the Respondent which in fact does not exist.

Based on the available record, the Panel thus 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 3.0](#), section 3.2.1.

In the view of the Panel, noting that the Complainant's trademarks predate the registration of the disputed domain name and considering that the Complainant's trademarks are well-known and that the disputed domain name resolves to a website featuring the Complainant's trademarks and references to its services, it is obvious that the Respondent targeted the Complainant when it registered the disputed domain name. In the circumstances of this case, the Panel concludes that this is evidence of registration in bad faith.

The impression given by the website to which the disputed domain name resolves would cause Internet users to believe that the Respondent is somehow associated with the Complainant when, in fact, it is not. The Panel holds that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's marks as to the source, sponsorship, affiliation, or endorsement of its website in the sense of Policy, paragraph 4(b)(iv).

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy with regard to the disputed domain name.

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 <instaproapk.co> be transferred to the Complainant.

/Daniel Kraus/

Daniel Kraus

Sole Panelist

Date: November 18, 2025