

PANEL DECISION

Instagram, LLC and Meta Platforms Ireland Limited v. Ivan Novinarov Case No. DEU2026-0006

1. The Parties

The Complainants are Instagram, LLC, United States of America (1st Complainant), and Meta Platforms Ireland Limited, Ireland (2nd Complainant), represented by Hogan Lovells (Paris) LLP, France.

The Respondent is Ivan Novinarov, Bulgaria.

2. The Domain Name, Registry and Registrar

The Registry of the disputed domain name <instagrab.eu> is the European Registry for Internet Domains (“EURid” or the “Registry”). The Registrar of the disputed domain name is Dynadot LLC.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 21, 2026. On February 23, 2026, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain name. On February 26, 2026, the Registry transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the .eu Alternative Dispute Resolution Rules (the “ADR Rules”) and the World Intellectual Property Organization Supplemental Rules for .eu Alternative Dispute Resolution Rules (the “Supplemental Rules”).

In accordance with the ADR Rules, Paragraph B(2), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 4, 2026. In accordance with the ADR Rules, Paragraph B(3), the due date for Response was March 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 26, 2026. Due to an administrative oversight, the Center granted the Respondent a seven-day period (through April 9, 2026) to indicate whether it wished to participate in this proceeding.

The Center appointed Peter Burgstaller as the sole panelist in this matter on April 10, 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 ADR Rules, Paragraph B(5).

4. Factual Background


The Complaint was filed by Instagram, LLC an American company (1st Complainant), and Meta Platforms Ireland Limited, an Ireland company (2nd Complainant). The Complainants are members of the Meta Group (Annexes 1 and 2 to the Complainant). The 1st Complainant is a world-renowned online photo- and video-sharing social-networking application, launched in 2010. The 2nd Complainant is the service provider for Meta's platforms, including the 1st Complainant's, in the European Union (Annexes 7 – 9 to the Complaint).

The Complainants have rights in or own trademark registrations for the mark INSTAGRAM in many jurisdictions around the world, including:

- International Registration No. 1129314, INSTAGRAM, registered on 15 March 2012;
- United States Registration No. 4146057, INSTAGRAM, registered on 22 May 2012;
- French Registration No. 4206922, INSTAGRAM, registered on September 3, 2015;
- European Union Registration No. 14493886, INSTAGRAM, registered on December 24, 2015;
- United Kingdom Registration No. 00003123325, INSTAGRAM, registered on January 15, 2016; and
- European Union Trade Mark No. 015442502, , registered on September 21, 2016 (Annex 12 to the Complaint).

The 1st Complainant provides its main business website under the domain name <instagram.com> (Annex 7 to the Complaint) and has a strong presence on various social media platforms (Annex 11 to the Complaint). Moreover, the 1st Complainant owns numerous domain names consisting of or including the INSTAGRAM trademark under a wide range of generic and country code Top-Level Domains, e.g. <instagram.com>, <instagram.co>, <instagram.net>, <instagram.ae>, <instagram.xyz> or <instagram.eu> (Annex 10 to the Complaint).

The disputed domain name was registered on July 31, 2023 (Annex 3 to the Complaint).

At the time of filing the Complaint the disputed domain name referred to a website titling “INSTAGRAM PHOTO DOWNLOAD BY INSTAGRAB.EU – DOWNLOAD PICTURES FROM INSTAGRAM” with further information as well as displaying the mark INSTAGRAM and the Complainants logo  as well as offering the disputed domain name for sale (Annex 13 to the Complaint). The disputed domain name was also offered for sale on <sedo.com> (Annex 14 to the Complaint).

Finally, on October 7, 2025, the 1st Complainant's lawyers submitted a registrar registrant contact form to the Respondent; no response was sent from the Respondent. Further, on October 27, 2025, the 1st Complainant's lawyers sent a cease-and-desist letter to the Respondent via email; no response either (Annex 15 to the Complaint).

5. Parties' Contentions

A. Complainants

The Complainants request for consolidation of multiple Complainants since the 1st and 2nd Complainant are sister companies, wholly owned subsidiaries of Meta Platforms Inc. The 1st Complainant is the owner of the trademark registrations for INSTAGRAM and the 2nd Complainant is the service provider for Meta's platforms, including the 1st Complainant, in the European Union. The Complainants finally argue that

consolidation of the Complainants would be appropriate in the present proceeding and would not have any unfairly prejudicial effect on the Respondent.

Further, the Complainants contend that they have satisfied each of the elements required under the ADR Rules for a transfer of the disputed domain name.


Notably, the Complainants contend that the 2nd Complainant is a European Union company and the 1st Complainant owns numerous trademark registrations for INSTAGRAM inter alia in the European Union. The Complainants also highlight the extensive use of the INSTAGRAM brand and that INSTAGRAM is distinctive, famous and well-known around the world.

The Complainants submit that the disputed domain name is confusingly similar to a trade mark in which they have rights, since it incorporates the Complainants' INSTAGRAM mark, altered only by the replacement of the letter "m" with the letter "b" to form "instagrab" rather than "instagram". Such replacement of the letter "b" by the letter "m" cannot prevent a finding of confusing similarity with the Complainants' INSTAGRAM mark.

The Complainants further submit that the Respondent lacks rights or legitimate interests in the disputed domain name: The Respondent does not have any trademark rights to the term INSTAGRAM. There is also no evidence that the Respondent retains any unregistered trademark rights or any term used in the disputed domain name or is commonly known by the term INSTAGRAM. The Respondent has not received any license from the Complainants to use a domain name featuring the INSTAGRAM trademark and is not using such domain name for a legitimate non-commercial or fair use.

Finally, the Complainants submit that the Respondent has registered and is being used the disputed domain name in bad faith:

The disputed domain name was registered in bad faith since the Complainants' INSTAGRAM trademark registrations precede the creation date of the disputed domain name and the INSTAGRAM mark is distinctive and well known.

The disputed domain name is also being used in bad faith: The Respondent addresses a website with the disputed domain name where it purports to offer a tool that enables Internet users to download content from the Instagram platform. The Respondent's website explicitly references to Instagram and features the Complainant's Instagram mark and logo  as a favicon. Furthermore, the disputed domain name is offered for sale via the marketplace <sedo.com>, which constitutes also evidence of the Respondent's bad faith; the Respondent did not respond to the 1st Complainant's cease and desist letter.

B. Respondent

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

6. Discussion and Findings

According to Article 4 (4) of (EU) Regulation 2019/517 (henceforth the "Regulation") and Paragraph B 11(d)(1) of the ADR Rules, the Complainants bear the burden of proving the following:

- i. the disputed domain name is identical with or confusingly similar to a name in respect of which a right is recognized or established by the national law of a Member State and/or European Union law and; either
- ii. the disputed domain name has been registered by the Respondent without rights or legitimate interest in the name; or
- iii. the disputed domain name has been registered or is being used in bad faith.

Given the similarities between the ADR Rules and the Uniform Domain Name Dispute Resolution Policy (“UDRP”), the Panel will also refer to UDRP jurisprudence and the WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”) where instructive.

6.1. Procedural Issues

A. Consolidation of the Complainants

The Complaint was filed by Instagram, LLC an American company and Meta Platforms Ireland Limited, an Irish company. As set forth in section 4.11.1 of [WIPO Overview 3.1](#): “In assessing whether a complaint filed by multiple complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation.” See also *Vitalen Otomotiv A.Ş and Vitalen Technology GmbH v. Faith Ünsal*, WIPO Case No. [DEU2022-0001](#) and *BGIN Trading Limited and BGIN EU Limited v. Michal Beno*, WIPO Case No. [DEU2025-0038](#).

In the light of the above, the Panel finds that the Complainants have a specific common grievance against the Respondent because they share a common legal interest in the trademark rights on which this Complaint is based since the Complainants allege a corporate connection.

Against this background, the Panel does not see reasons why a consolidated Complaint brought by the Complainants against the Respondent would not be fair and equitable. Moreover, the Respondent failed to come forward with any allegations or evidence to object the consolidation.

For reasons of procedural efficiency, fairness and equity the Panel therefore accepts the joint Complaint. Therefore, throughout the remainder of the current Decision, the Panel will refer to both the Complainants as “the Complainant”.

B. Eligibility

The Complainant has requested the transfer of the disputed domain name. The requested transfer of the disputed domain name to a Complainant can only be granted in case the Complainant is eligible to register .eu domain names according to Article 3 of the Regulation, see also Paragraph B(11)(b) of the ADR Rules. If the general eligibility criteria are not met, the remedy that the Panel may otherwise grant will be restricted to revocation of the disputed domain name.

Meta Platforms Ireland Limited is an undertaking that is established in the European Union (in particular in Ireland); hence, it meets the general eligibility criteria within the meaning of Article 3 of the Regulation and is therefore in general entitled to obtain transfer of the disputed domain name.

6.2. Substantive Issues

A. Identical or Confusingly Similar to a name in respect of which a right or rights are recognized or established by national law of a Member State and/or European Union law

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.

The Complainant submitted evidence which incontestably and conclusively establishes rights in the mark INSTAGRAM recognized and established by national law of Member States and European Union law.

In the present case, the disputed domain name is confusingly similar to the INSTAGRAM mark in which the Complainant has rights. The disputed domain name only differs from the INSTAGRAM mark by replacing the letter “m” by the letter “b” to form “instagrab” which cannot prevent a finding of confusing similarity, since the mark clearly remains recognizable within the disputed domain name.

Finally, it has also long been held that country code Top-Level Domains (“TLDs”) are generally disregarded, here “.eu”, when evaluating the confusing similarity between a disputed domain name and a trademark.

The Panel finds the first element of the ADR Rules has been established by the Complainant.

B. Rights or Legitimate Interests

Although the overall burden of proof in ADR 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.

The Complainant has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to use the INSTAGRAM trademark in any manner. Further, the Complainant provided evidence that the disputed domain name referred to a website titled “INSTAGRAM PHOTO DOWNLOAD BY INSTAGRAB.EU – DOWNLOAD PICTURES FROM INSTAGRAM”, which directly relates to the Complainant’s mark INSTAGRAM and its business with the clear intention to confuse users seeking or expecting the Complainant.


Finally, 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 under the ADR Rules or otherwise.

The Panel finds the second element of the ADR Rules has been established.

C. Registered or Used in Bad Faith

There is no need for a further examination of whether the disputed domain name was also registered or is being used in bad faith, because Article 4 of Regulation (EC) No. 2019/517 and Article B11(d)(1)(i)-(iii) of the ADR Rules require either the absence of rights or legitimate interests on the one hand, or bad faith on the other. Further, it is not necessary to prove both registration and use in bad faith; it is sufficient if evidence illustrates one of the two elements discussed in order to comply with Article 21(1) of the Regulation.

However, the Panel notes that the evidence submitted by the Complainant is not contested by the Respondent, and demonstrates that the disputed domain name was also registered and used in bad faith:

Firstly, the Panel is convinced that the Respondent positively knew or should have known the Complainant’s trademark when registering the disputed domain name because of the fame and distinctiveness of the mark INSTAGRAM. Secondly, the disputed domain name referred to a website displaying the Complainant’s mark and logo  as well as referring to the Complainant’s business without any legitimation and with the clear intention to confuse users seeking or expecting the Complainant - this constitutes bad faith use.

Therefore, the Panel finds also the third element of the ADR Rules has been established.

7. Decision

For the foregoing reasons, in accordance with Paragraph B(11) of the ADR Rules, the Panel orders that the disputed domain name <instagrab.eu> be transferred to the 2nd Complainant.¹

/Peter Burgstaller/

Peter Burgstaller

Sole Panelist

Date: April 24, 2026

¹ The decision shall be implemented by the Registry within thirty (30) days after the notification of the decision to the Parties, unless the Respondent initiates court proceedings in a Mutual Jurisdiction, as defined in Paragraph A(1) of the ADR Rules.