

Domain Name Dispute Resolution Center (DNDRC)

Arbitration and Mediation Center

COMPLAINT PANEL DECISION

Case No. 2026-0004

Also in PDF C2026-0004

1. The Complainant

The Complainant is Instagram, LLC having its office at 1601 Willow Road, Menlo Park California 94025 United States of America. The complainant has initiated the complaint via their authorized representative, David Taylor/ Jane Seager having their office at Hogan Lovells (Paris) LLP 17, avenue Matignon 75008 Paris, France.

2. The Domain Name and Respondent

The domain name upon which the Complaint is based is <instaproapk.com.pk>, hereinafter referred to as the Disputed Domain Name [“the DDN”].

PKNIC has informed DNDRC that the DDN is registered by GB Apps, with the contact name being GB Apps, with their address being District DG Khan Tehsil Taunsa sharif and that the email address provided at the time of registration of the DDN is gbapps.pk@gmail.com.

3. Procedural History

DNDRC was informed of the Complaint against the Respondent in accordance with the PKNIC - Internet Domain Registration Policy upon receiving notification from the Complainant, on 15 December 2025. DNDRC completed an administrative review of the Complaint and communicated the same to the Complainant on 19 December 2025.

Upon the Complainant’s fulfillment of the procedural obligations on 19 December 2025, DNDRC formally requested the Respondent’s registration details from PKNIC on 29 December 2025. PKNIC provided the requested details on 29 December 2025.

DNDRC issued a formal notification of the dispute to the Respondent on 30 December 2025, enclosing a copy of the Complaint and a Response Form, informing the Respondent that failure to submit a Response within 10 days would result in the dispute proceeding ex parte.

The Complaint, along with all relevant material, was referred to the appointed arbitrator for review and decision on 13 January 2026. The arbitrator completed the review and issued a decision on 23 January 2026. DNDRC, following the completion of the procedural obligations, transmitted the decision to the concerned parties on 24 January 2026.

Applying Paragraph 4(a) of the Rules for Uniform Domain Name Dispute Resolution Policy (the Rules), DNDRC appointed Mr. Muhammad Amaan Latif as the sole Arbitrator who has verified that the Complaint satisfies the formal requirements of the Policy and the Rules.

4. Factual Background

(a) Complainant

The Complainant's brief contentions are reproduced below:

The Complainant

1. *The Complainant, **Instagram LLC (Instagram)**, is a world-renowned leading online photo and video sharing social-networking application. Acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012, today Instagram is the world's fastest growing photo and video sharing and editing software and online social network, with more than 2.4 billion monthly active accounts worldwide.*

*A screen capture of the homepage of the Complainant's website at <https://instagram.com> is provided as **Annex 3**.*

2. *Instagram has consistently ranked amongst the top "apps" for mobile devices, including for iOS and Android operating systems.*

*Copies of Instagram's company information, including its Wikipedia entry, articles about Meta's acquisition of Instagram in 2012 and mobile application rankings, and Interbrand's Best Global Brands 2024 are provided as **Annex 4**.*

3. *Instagram is currently the most downloaded application worldwide, according to The Financial Times. Instagram's exponential growth and popularity, including in Pakistan, has been widely reported by specialized technology publications including Tech Crunch as well as major international publications such as The New York Times, The Washington Post (United States) and Datareportal.*

*Copies of sample press articles about Instagram's launch and rapid growth and international popularity, including in Pakistan, are provided as **Annex 5**.*

4. *The Complainant is the registrant of numerous domain names consisting of or including its INSTAGRAM trade mark under a wide range of generic Top-Level Domains and under numerous country code Top-Level Domains (ccTLDs).*

*Copies of the WhoIs records for a selection of the Complainant's domain names comprising its INSTAGRAM trade mark are provided as **Annex 6**.*

5. *The Complainant has also made substantial investments to develop a strong presence online by being active on various social-media platforms, including Facebook, X (formerly Twitter) and LinkedIn. These pages are available at the following URLs:*

<https://instagram.com/instagram>

<https://facebook.com/instagram>

<https://x.com/instagram>

<http://linkedin.com/company/instagram>

*Screen captures of the Complainant's social-media pages are provided as **Annex 7**.*

The Complainant's trade marks

6. *In addition to its strong online presence, the Complainant has secured ownership of numerous trade mark registrations for INSTA and INSTAGRAM in various jurisdictions, including Pakistan (see **Annex 2**).*

The Domain Name and the associated website

7. *The Domain Name redirects to <https://instapro-app.com/>, a website titled "Insta PRO APK" that purports to offer for download an unauthorized modified APK version of the Instagram app. The APK provides functionality over and above that of the Instagram application,*

including the ability to download Instagram content such as reels, posts, videos, highlight videos, IGTV, and stories (the Website). The Website states:

"Instagram is leading the ranks when it comes to global social platforms. It sits among the top three. But due to its odd popularity, it takes nasty measures and brings serious restrictions. For instance, it does not allow download media and offers a rigid app body with no customization on offer. Moreover, there are plenty of ads to mess up user experience. Therefore we are offering you the Insta Pro App. It is a third-party app that overcomes restrictions and enhances your experience as a social influencer. Moreover, it comes with customization, personalization, anonymity, and boosted sharing power."

"Cons

- A third-party app that violates Instagram policies [...]*
- May prove malicious for the device and lead to an account ban in some cases."*

"Downloading and using modified applications like Insta Pro may violate Instagram's terms of service. We are not responsible for any consequences related to the use of third-party or modified apps."

8. The Website makes prominent reference to the Complainant's INSTA and INSTAGRAM trademarks and features modified versions of the Complainant's figurative trademark as a logo and favicon, as well as a pink gradient colour scheme that is very similar to the Complainant's gradient colour scheme,² as follows:

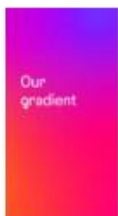
Complainant's figurative trademark and logo



Logos and favicon on the Website



Complainant's gradient colour scheme



Gradient colour scheme on the Website



9. The Website displays the following disclaimer-like statement:

"The content provided on <https://instapro-app.com> is for informational and educational purposes only. We are not affiliated with or endorsed by Instagram or Meta Platforms Inc. We do not host any copyrighted material. The Insta Pro APK or related tools mentioned on this website are provided only for awareness and personal use at your own risk."

*Screen captures of the website to which the Domain Name redirects and proof of redirection are provided as **Annex 8**.*

10. On 2 December 2025, the Complainant's lawyers sent a cease-and-desist letter to the Respondent using the email addresses instaproapp.com@gmail.com and support@instapro-app.com. In this letter, the Complainant asserted its trademark rights and requested transfer of the Domain Name. The Complainant's lawyers received delivery failure notifications from these email addresses.

*A copy of the cease-and-desist-letter sent by the Complainant's lawyers and copies of the delivery failure notifications are provided as **Annex 9**.*

11. The Respondent was named as the respondent in several cases,³ in each of which the relevant panel ordered the transfer of the disputed domain name to the Complainant, being either the Complainant or the Complainant's related company, WhatsApp LLC.
12. The Complainant submits the present Complaint requesting transfer of the Domain Name to protect its rights and legitimate business interests.

Therefore, the Complainant seeks the following remedy:

In accordance with Paragraph 4(i) of the Policy, the Complainant requests that the Administrative Panel appointed in this administrative proceeding transfer the Domain Name to the Complainant.

(b) Respondent

The Respondent has not submitted any response.

5. Jurisdiction

The Panel's jurisdiction over this dispute between the Complainant and the Respondent is established by virtue of the Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules.

The Respondent applied for and was granted registration of the DDN on the basis of these regulations, and has submitted to, the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules and correspondingly to the arbitral jurisdiction of the DNDRC and its arbitration decisions.

6. Discussion and Findings

The decision of the dispute shall be addressed with respect to the following aspects:

- I. Identical or confusing similarity with a trademark or service in which the Complainant has rights (a UDRP criteria).
- II. Legitimate interest in the domain name (a UDRP criteria).
- III. Registration and use of the domain name in bad faith (a UDRP criteria).

I. Identical or confusing similarity to a trademark or service mark in which the Complainant has rights

The Complainant has made the following submissions:

1. **The Domain Name is confusingly similar to the Complainant's trademark**
(Policy, paragraph 4(a)(i); Rules, paragraphs 3(b)(viii), (b)(ix)(1)).
13. *The Complainant owns numerous trade mark registrations for INSTA in jurisdictions throughout the world (see **Annex 2**). The Complainant has therefore established trade mark rights in INSTA for purposes of paragraph 4(a)(i) of the Policy.*
14. *The Domain Name incorporates the Complainant's INSTA trademark, followed by the terms "pro" and "apk", under the extension ".com.pk".*
15. *The Complainant submits that the presence of its INSTA trademark in the Domain Name is sufficient to establish confusing similarity between the Domain Name and the Complainant's*

trademark; see *WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition* ("*WIPO Overview 3.0*"), [section 1.7](#).

16. *The Complainant submits that the addition of the terms "pro" and "apk" does not prevent a finding of confusing similarity with the Complainant's INSTA trademark, which remains clearly recognizable in the Domain Name. See WIPO Overview 3.0, section 1.8 and Instagram, LLC v. Salman Khalid, WIPO Case No. DCO2025-0083 ().5 See also Instagram, LLC v. Aina Jannat Aina Jannat, WIPO Case No. D2024 1424 (<instagramproapk.org>).*
17. *The domain extension ".com.pk" may be disregarded for purposes of assessment under the first element. See WIPO Overview 3.0, section 1.11.1.*
18. *The Complainant therefore submits that the Domain Name is confusingly similar to the Complainant's INSTA trademark, under paragraph 4(a)(i) of the Policy.*

The Respondent has not submitted any response.

The Complainant contends that the DDN is confusingly similar to its INSTA trademark. For the purposes of paragraph 4(a)(i) of the Policy, the Panel undertakes a straightforward comparison between the Complainant's trademark and the DDN to determine whether the mark is recognizable within the domain name.

The Panel notes that the Complainant owns numerous registered trademarks for INSTA in jurisdictions worldwide, thereby establishing trademark rights for the purposes of the Policy. The DDN incorporates the Complainant's INSTA trademark in its entirety, followed by the terms "pro" and "apk," under the country-code top-level domain ".com.pk." As set out in section 1.7 of the WIPO Overview 3.0, where a domain name incorporates a complainant's trademark in its entirety, this is sufficient to establish confusing similarity for the purposes of the first element.

The Panel further observes that the addition of the terms "pro" and "apk" does not prevent a finding of confusing similarity. In accordance with section 1.8 of the WIPO Overview 3.0, the addition of descriptive, generic, or other non-distinctive terms to a complainant's trademark does not avoid confusing similarity where the trademark remains clearly recognizable within the domain name. This approach has been consistently applied in prior cases involving the Complainant, including *Instagram, LLC v. Salman Khalid, WIPO Case No. DCO2025-0083*, and *Instagram, LLC v. Aina Jannat, WIPO Case No. D2024-1424*.

Finally, the Panel notes that the country-code top-level domain “.com.pk” is a technical requirement of domain name registration and is disregarded for the purposes of assessing confusing similarity, in line with section 1.11.1 of the WIPO Overview 3.0.

Accordingly, the Panel finds that the DDN is confusingly similar to the Complainant’s INSTA trademark and that the Complainant has satisfied paragraph 4(a)(i) of the Policy.

II. Legitimate interests in a domain name

As per paragraph 4(c), the UDRP requires the Respondent’s claim to be of legitimate interest and shall be:

“proved based on all evidence presented” that “shall demonstrate” the Respondent’s “rights or legitimate interests to the domain name for purposes of Paragraph 4(a)(ii).”

Paragraph 4(c) states that:

“(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”

The Complainant has made the following submissions:

2. The Respondent has no rights or legitimate interests in respect of the Domain Name
(Policy, paragraph 4(a)(ii); Rules, paragraph 3(b)(ix)(2))

19. *The Complainant asserts that the Respondent is unable to invoke any of the circumstances set out in paragraph 4(c) of the Policy that would demonstrate its rights or legitimate interests in the Domain Name.*

The Respondent is not using the Domain Name in connection with any bona fide offering of goods or services

20. *The Respondent is not a licensee of the Complainant, nor has the Respondent been authorized by the Complainant to make any use of its INSTA trade mark.*
21. *As detailed above, the Website purports to offer for download an unauthorized modified APK version of the Instagram app which includes the ability to download Instagram content (see **Annex 8**).*
22. *Prior UDRP Panels have found that purporting to offer for download an unauthorized modified version of the complainant's application does not amount to a bona fide offering of goods or services; see Instagram, LLC v. GB Apps, Apps.Pk, WIPO Case No. D2024-2405 (<instagramproapp.com>).*
23. *As a preliminary matter, the Complainant submits that the Respondent cannot be viewed as a bona fide service provider, as it does not provide sales or repairs relating to a product provided by the Complainant. Rather, the Respondent is purportedly making unauthorized use of the Complainant's INSTA and INSTAGRAM trademarks to offer for download a modified APK version of the Instagram app which includes the ability to download Instagram content. Nevertheless, if one is to apply the Oki Data criteria,⁷ the Respondent fails to fulfil at least the first and third criteria (see WIPO Overview 3.0, section 2.8):.*

Nevertheless, if one is to apply the Oki Data criteria, the Respondent fails to fulfil at least the first and third criteria:

- i.) *The Website purports to offer for download an unauthorized modified version of the Complainant's Instagram application. As such, the Respondent cannot be said to be using the website to offer the goods or services at issue, namely the Instagram application;*
- ii.) *Although the Website features a disclaimer-like statement, the Respondent does not prominently and accurately disclose its lack of relationship with the Complainant, the disclaimer being located in the tab "disclaimer". Moreover, the Website features a colour scheme similar to that of the Complainant and modified versions of the Complainant's figurative trademark, which suggests the Respondent is affiliated with the Complainant, when in fact it is not.*

24. *Moreover, the unauthorized downloading of Instagram content using such APK version of the Complainant's Instagram platform also places the privacy and security of Instagram users at risk, as content downloaded may be stored and later used by third parties for unauthorized purposes. Prior DNDRC Panels have found that such use of a Domain Name does not constitute legitimate or fair use. See WhatsApp, LLC v. GB Apps, DNDRC Case No. 2024-0008 (<gbwhatsappdownloads.pk >).*
25. *Not only do tools for the unauthorized downloading of content from Instagram place the privacy and security of Instagram users at risk, but they also violate the Instagram Terms of Use and the Meta Developer Policies. See also Instagram, LLC v. WhoisGuard, Inc. / Name Redacted, Senol Sahin, thepicdeer.com, Ekrem Gueltekin and Ekrem Gultekin, WIPO Case No. D2020-2826 (<beautifulinstagram.club> et al.).*
26. *The Complainant therefore submits that the Respondent is not using the Domain Name in connection with a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy.*

The Respondent is not commonly known by the Domain Name

27. *The Respondent cannot legitimately claim that it is commonly known by the Domain Name, in accordance with paragraph 4(c)(ii) of the Policy.*
28. *The registrant information for the Domain Name is redacted in the publicly-available WhoIs record (see **Annex 2**). Apart from the email addresses instaproapp.com@gmail.com and support@instapro-app.com, the Website does not display any contact details.*
29. *As detailed above, the Respondent's name has been disclosed as "GB Apps", which does not bear any resemblance to the Domain Name.*
30. *Nor is there any evidence of the Respondent having obtained or applied for any trademark registration for "insta" or "instaproapk" or any variation thereof, as reflected in the Domain Name.*
31. *The Respondent's use of the Domain Name as detailed above does not support any reasonable claim of being commonly known by the Domain Name, nor does it give rise to any reputation in the Domain Name itself, independent of the Complainant's trademark rights.*

- The Respondent is not making any legitimate noncommercial or fair use of the Domain Names*
32. *Nor can the Respondent assert that it is currently making any legitimate noncommercial or fair use of the Domain Name pursuant to paragraph 4(c)(iii) of the Policy.*
 33. *Prior Panels found that the use of a domain name to offer for download an unauthorized modified version of the Complainant's Instagram app which includes the ability to download Instagram content does not constitute legitimate noncommercial or fair use. See Instagram, LLC v. Adila Ayaz, Freelance, WIPO Case No. D2025-0950 (<instaproz.com> et al).*
 34. *As detailed above, given the nature of the Domain Name and the Respondent's use of it, in particular the repeated use of the Complainant's INSTA and INSTAGRAM trademarks and the use of modified versions of the Complainant's figurative trademark, including as a favicon, as well as an pink gradient colour scheme that is very similar to the Complainant's gradient colour scheme, the Complainant submits that the Respondent is using the Domain Name to exploit the goodwill and reputation associated with the Complainant's trademarks by creating a false impression of association with the Complainant. In this way, the Respondent is misleadingly diverting Internet users to its website, which does not constitute legitimate noncommercial or fair use of the Domain Name. See Instagram, LLC v. rokibul islam, WIPO Case No. D2024-3293 (<captureinsta.com >).*
 35. *The Complainant therefore submits that it has established a prima facie case that the Respondent lacks rights or legitimate interests in the Domain Name. Accordingly, the burden of production shifts to the Respondent to produce evidence to rebut the Complainant's case. See WIPO Overview 3.0, section 2.1. Without such evidence, the Complainant may be deemed to have satisfied the requirements of paragraph 4(a)(ii) of the Policy.*

The Respondent has not submitted any response.

The Complainant asserts that the Respondent has no rights or legitimate interests in the DDN, noting that the Respondent neither uses the DDN for any bona fide or legitimate purpose nor holds any authorization, whether express or implied, to incorporate or otherwise use the Complainant's INSTA or INSTAGRAM trademarks. The Respondent is not a licensee of the Complainant and has never been permitted to make any use of its trademarks.

Under established UDRP practice, it is generally recognized that requiring a complainant to prove the absence of a respondent's rights or legitimate interests would amount to proving a negative.

Panels therefore assess whether a complainant has established a prima facie case that the respondent lacks rights or legitimate interests, upon which the burden of production shifts to the respondent to demonstrate otherwise. In the present case, the Panel finds that the Complainant has successfully established such a prima facie case under paragraph 4(c) of the Policy.

Firstly, the Complainant has neither licensed nor otherwise authorized the Respondent to use its trademarks, rendering any claim to a bona fide offering of goods or services through the DDN untenable. The Respondent's website purports to offer for download an unauthorized modified "Insta Pro" APK version of the Complainant's Instagram application, which enables users to download Instagram content by circumventing the official platform. Prior panels have consistently held that offering unauthorized modified versions of a complainant's application does not constitute a bona fide offering of goods or services, nor legitimate noncommercial or fair use under the Policy. (*See WhatsApp LLC v. Kami Khan WIPO Case No. D2025-1205*).

Secondly, there is no evidence that the Respondent is commonly known by the DDN or by the Complainant's mark within the meaning of paragraph 4(c)(ii) of the Policy. The publicly available WHOIS information is redacted, the Respondent's disclosed name ("GB Apps") bears no resemblance to the DDN, and there is no evidence that the Respondent owns or has applied for any trademark rights corresponding to "insta," "instapro," or any similar term. The Respondent's use of the DDN does not establish any independent reputation separate from the Complainant's trademark rights.

A review of the Respondent's website further reveals extensive and misleading use of the Complainant's branding, including modified versions of the Complainant's figurative trademark, favicon, and a pink gradient colour scheme closely resembling that of the Complainant. The Panel deduces that the Respondent is attempting to exploit the goodwill and worldwide reputation of the Complainant's globally recognized mark and to create a false impression of affiliation. Any disclaimer-like statement is insufficient, as it is neither prominent nor effective in dispelling this misleading association. (WIPO Overview 3.0, section 2.13.1.)

In view of the foregoing, the burden of production has shifted to the Respondent to demonstrate rights or legitimate interests in the DDN. The Respondent has failed to submit any response, argument, or evidence to rebut the Complainant's prima facie case.

Accordingly, the Panel finds that the Respondent lacks rights or legitimate interests in the DDN, and the Complainant has therefore satisfied the second element of paragraph 4(a) of the Policy.

III. Registration and use in bad faith

The Complainant has made the following submissions:

3. **The Domain Name was registered and is being used in bad faith**
(Policy, paragraph 4(a)(iii), 4(b); Rules, paragraph 3(b)(ix)(3))

36. *The Complainant submits that paragraph 4(b)(iv) of the Policy is of particular relevance in the present case, although there are other factors not listed in paragraph 4(b) of the Policy that further indicate bad faith, as detailed further below.*

Registration in bad faith

37. *The Complainant's INSTAGRAM trademark is inherently distinctive and well known throughout the world in connection with its online photo sharing social network, having been continuously and extensively used since its launch in 2010. See Instagram, LLC v. Rahaf Adnan, WIPO Case No. D2023-1433 ().¹³ Similarly, the Complainant's INSTA trademark is well known throughout the world as an abbreviation of its INSTAGRAM trademark. See Instagram, LLC v. Omer Ulku, WIPO Case No. D2018-1700 (<supportinsta.com>).*

38. *The leading search results obtained by typing the term "insta" into Google's search engine available at www.google.com and www.google.com.pk refer to the Complainant and its business. A copy of the Google search results for "insta" is provided as **Annex 12**.*

39. *The Respondent's intent to target the Complainant when registering the Domain Name may be inferred from the content of the Website, which makes explicit reference to the Complainant's INSTA and INSTAGRAM trademarks and features modified versions of the Complainant's figurative trademark (see **Annex 8**). See Instagram, LLC v. Joney Singhal, K4 Media & Technologies LLP, WIPO Case No. D2024-2692 (<igtvdownloader.com >).*

40. *The Complainant further notes that since the Respondent registered the Domain Name, it has taken steps to point the Domain Name to a website that purports to offer for download an unauthorized modified APK version of the Complainant's Instagram application which provides functionality over and above that of the official Instagram application, including the ability to download Instagram content, in breach of the Meta Developer Policies and which facilitates breach of the Instagram Terms of Use as detailed above (see **Annex 11** and **Annex 10**). See also Instagram, LLC v. Muhammad Tahir, Muhammad ASIF, pinoy tvshows, WIPO Case No. D2024-4981 (<instapro.com.co> et al)*

41. *Finally, as detailed above, the Complainant notes that the Respondent has been named in several cases concerning domain names incorporating the Complainant's trademark as well as the trademark of the Complainant's related company, WhatsApp LLC. In each of these cases, the relevant Panel ordered the transfer of the disputed domain name(s). The Complainant submits that the Respondent's repeated registration of such domain names demonstrates a pattern of trademark-abusive domain name registration targeting the Complainant and WhatsApp LLC, which constitutes further evidence of the Respondent's bad faith.*
42. *The Complainant submits that the Respondent registered the Domain Name with full knowledge of the Complainant's rights and with the intent to attract Internet users to the Website for the promotion of an unauthorized modified version of the Complainant's application that may put the online security of Instagram users at risk, in bad faith.*

Use in bad faith

43. *As detailed above, the Respondent is using the Domain Name to offer for download an unauthorized modified APK version of the Instagram app, providing additional functionality that includes the ability to download Instagram content.*
44. *Prior UDRP panels have held that the unauthorized downloading of content from Instagram, in violation of the Meta Developer Policies and which facilitates breach of the Instagram Terms of Use (see **Annex 11** and **Annex 10**), may place the privacy and security of users of such platforms at risk and amounts to bad faith. See Instagram, LLC v. Contact Privacy Inc. Customer 1247361676 / GUELCE JEAN-CLAUDY, WIPO Case No. D2021-1675 (<storiesgrams.com>).*
45. *Moreover, in light of the nature of the Domain Name as detailed above, the prominent use of the Complainant's INSTA and INSTAGRAM trademarks and modified versions of its Instagram figurative trademark as well as the use of a gradient colour scheme that is very similar to that of the Complainant (see **Annex 3** and **Annex 8**), the Complainant submits that the Respondent has sought to create a misleading impression of association with the Complainant, in bad faith. See Instagram, LLC v Van Nam Tran, University, WIPO Case No. D2024-1576 (downloadgram.pro> et al).*
46. *The Complainant submits that by using the Domain Name in this manner, 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 trademark as to the source, sponsorship, affiliation or endorsement of the website and the services offered therein, in bad faith pursuant to paragraph 4(b)(iv) of the Policy. Prior UDRP panels have held that commercial gain may include the respondent gaining or seeking reputational and/or bargaining advantage, even where such advantage may not be readily quantified; see WIPO Overview 3.0, section 2.5.3.*
47. *The APK version of the Instagram app is also likely to disrupt the Complainant's business by driving users to third party applications. See Instagram, LLC v. Aina Jannat Aina Jannat, supra.*
48. *Although the Website features a disclaimer-like statement, it is not displayed prominently and is only accessible in the tab "disclaimer". However, the Complainant submits that even if a clearly visible disclaimer was featured on the Website, it would not be sufficient to cure the Respondent's illegitimate use of the Domain Name. See WIPO Overview 3.0, section 3.7. and Instagram, LLC v. Protection of Private Person et al., WIPO Case No. D2022-2832 (<insta-stories.online>et al.).*
49. *Finally, the Complainant submits that the fact that the Respondent displays on its website email addresses that do not function, as evidenced by the delivery failure notifications (see Annex 9), may be viewed as an additional indication of the Respondent's bad faith.*
50. *The Complainant therefore asserts that the Domain Name was registered and is being used in bad faith, in accordance with paragraph 4(a)(iii) of the Policy.*

The Respondent has submitted a response.

Under paragraph 4(b)(iv) of the UDRP Policy, a respondent is deemed to have registered and used a DDN in bad faith where it has intentionally attempted to attract, for commercial gain, internet users to its website by creating a likelihood of confusion with the complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website or the products or services offered thereon. The Panel finds this provision to be of particular relevance in the present case, without prejudice to other indicia of bad faith evident from the record.

The Panel finds that the disputed domain name was registered in bad faith, as the Complainant's INSTAGRAM and INSTA trademarks are inherently distinctive and enjoy worldwide recognition due to their extensive and continuous use since 2010. This global renown is evidenced by common Internet search results that directly associate the term "insta" with the Complainant and its services,

making it implausible that the Respondent lacked prior knowledge of the Complainant's trademark rights at the time of registration. Further, the Respondent's bad faith intent is reinforced by the website content, which repeatedly references the Complainant's INSTA and INSTAGRAM trademarks and displays altered versions of the Complainant's figurative mark, demonstrating a deliberate attempt to target and exploit the Complainant's goodwill. Such conduct constitutes an evidence of bad faith registration. (WIPO Overview 3.0, section 3.2.2, and *WIPO Case No. D2014-1240*).

Additionally, the Complainant has demonstrated that the Respondent has been named in several prior proceedings involving DDNs incorporating the Complainant's trademarks, as well as those of its related company, WhatsApp LLC, in each case resulting in the transfer of the relevant DDNs. The Panel considers this to be indicative of a pattern of trademark-abusive DDN registration, which constitutes further evidence of bad faith under the Policy.

Moreover, the Respondent's website associated with the DDN prominently displays the Complainant's INSTA and INSTAGRAM trademarks, modified versions of its figurative trademark, and a gradient colour scheme identical to that of the Complainant. These elements collectively create a misleading impression of association or endorsement, which the Panel finds to be a deliberate attempt to confuse Internet users. Such conduct squarely falls within paragraph 4(b)(iv) of the Policy, as it demonstrates an intentional effort to attract Internet users for commercial gain by exploiting confusion with the Complainant's trademarks. In this regard, the Panel notes that "commercial gain" under the Policy is not limited to direct monetary profit and may include reputational, traffic-driven, or bargaining advantages, therefore, this attempt to capitalize on the Complainant's goodwill constitutes bad faith. (WIPO Overview 3.0, section 2.5.3).

The Panel also accepts that the Respondent's activities conducted through the DDN are likely to disrupt the Complainant's business by diverting users away from the official Instagram platform to third-party applications, further reinforcing a finding of bad faith.

Although the Respondent's website to which the DDN resolves contains a disclaimer-like statement, it is neither prominent nor immediately visible, being accessible only through a separate "disclaimer" tab. In any event, the Panel recalls that even a clearly visible disclaimer would not be sufficient to cure an otherwise illegitimate use of a DDN incorporating a complainant's trademark, particularly where the overall presentation of the website remains misleading.

In light of the totality of the circumstances, and in the absence of any response or rebuttal from the Respondent, the Panel concludes that the DDN was registered and is being used in bad faith. Accordingly, the Complainant has satisfied the third element of paragraph 4(a) of the Policy.

7. Decision

Upon reviewing the contentions and supporting evidence submitted by both Parties, the Panel finds that the Complainant has successfully established all elements required under the PKNIC - Internet Domain Registration Policy and the UDRP. The Panel recognizes that the “INSTA”, “INSTAGRAM” and “instaproapk.com.pk” mark is registered to the Complainant and the Respondent has no legitimate rights over it. Therefore, the continuous use of the DDN pertaining to the Complainant’s registered trademark could result in hinderance in exercise of the rights of the Complainant in the trademark and could also jeopardize the reputation of the Complainant by amounting to confusion regarding the ownership of the DDN.

Taking all the discussion above into consideration, the Panel concludes and decides that:

1. The DDN is confusingly similar to the registered trademark of the Complainant;
2. The Respondent has no legitimate interest in the DDN;
3. The DDN was registered and is being used in bad faith.

Pursuant to Section 4 of the Policy, the Panel therefore directs that the registration of the DDN <instaproapk.com.pk> be transferred to the Complainant, as requested, within forty-eight (48) hours of receipt of this decision, either by email or through its publication on the official website www.dndrc.com/cases_resolved/, whichever is earlier. The Complainant shall also remain entitled to approach PKNIC directly for enforcement of this decision.

Arbitrator: Muhammad Amaan Latif

Sole Panelist

Date: 23 January 2026