

UNDER INDRP POLICY & RULES OF PROCEDURE

WhatsApp LLC

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....Complainant

Versus

Aina Jannat

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.....Respondent

DOMAIN IN ISSUE: gbwhatsapppro.com.in

ARBITRATION AWARD: (INDRP CASE NO.2148)

The Complainant, details as mentioned above in the title, has filed a Complaint under INDRP Policy and Rules of Procedure against the domain **gbwhatsapppro.com.in**

The domain **gbwhatsapppro.com.in** is registered in the name of the Respondent, as mentioned in the title above, through the Registrar **NETIM SARL** with address at 264 av arthur notebart Lille 59160 France; e-mail sales@netim.com. As per the information and details provided, the Domain **gbwhatsapppro.com.in** was created and registered in the name of the Respondent on 17.11.2023.

After the filing of the domain Complaint, National Internet Exchange of India (referred to as NIXI) appointed me as an Independent Arbitrator as per the INDRP Policy and Rules of Procedure on 08 July,

2026 by an e-mail. Thereafter, an e-mail pertaining to confirmation of the appointment as an Independent Arbitrator as well as commencement of the proceedings by me was sent to all Parties concerned on 08 July, 2026. The Complainant was asked to send /serve copies of the Complaint as well as documents Annexures to the Respondent via same e-mail.

Subsequently, the Complainant complied with the provision of service of Complaint and documents on the Respondent by sending copies of the domain Complaint and documents/annexures to the Respondent by e-mail as well as physical mode. The Complainant had also confirmed services and delivery by e-mail vide their e-mails dated 10th July and 17th July 2026. Thereafter, the Respondent was given an opportunity to file the Reply vide e-mail dated 20 July, 2026.

It is to be noted herein that despite of the opportunity given, the Respondent has preferred to neither appear in the proceedings nor file Reply or documents.

CASE ON MERITS:

Complainant has submitted in his Complaint that the Complainant's concern was founded in the year 2009 and has been later acquired by Meta Platforms, Inc. (formerly known as Facebook, Inc.) (**Meta**) in 2014. It is also submitted by the Complainant that it is a provider of one of the World's most popular mobile messaging applications. The Complainant further submits that it owns WhatsApp Application and allows users across the globe to exchange messages for free via devices namely smartphones, including iPhone and Android. The Complainant's main website, accessible at www.whatsapp.com, also facilitates Internet users to access its messaging platform. The Complainant also submits that WhatsApp has become one of the fastest growing and most popular mobile applications in the World, with over 3 billion monthly active users worldwide as of January 2026. WhatsApp has acquired considerable reputation and goodwill World-wide, including both India and Pakistan. The Complainant also submits that WhatsApp is one of the most downloaded applications World-wide according to applications information company Appfigures. The Complainant further submits that it has a global presence through internet and owns numerous domain names comprising its WHATSAPP trademark, under various generic Top-Level Domains as well as under many country code Top-Level Domains (**ccTLDs**).

The Complainant further submits that it has made substantial investments to develop a strong presence online by being active on various social-media forums, including on Facebook, X (formerly Twitter) and LinkedIn. The Complainant also mentions in their Complaint that it owns several WhatsApp registered trademarks in various Countries including India (Number 2149059), U.S.A. (Number 3939463) and

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Pakistan (Number 302143). The Complainant also owns figurative mark  under registration nos.3996588 and 1109890 in India.

The Complainant further submits that the Respondent's website prominently displays references to the

Complainant's WHATSAPP trademark, wherein the Respondent's mark  is shown in green colour scheme closely resembling WhatsApp's distinctive branding, and displays a variation of the Complainant's figurative telephone trade mark. The Complainant further states that the website of the Respondent does not state any disclaimer clearly and accurately disclosing the absence of a relationship with the Complainant. The Complainant further submits that on 21 May 2026, the Complainant's Lawyers had sent an abuse Notice to the Respondent via the Registrar's domain holder contact form to which the Complainant had not received any Reply.

The Complainant further mentions that it has already obtained orders from the UDRP against the Respondent wherein the Respondent has been directed to transfer its domains **whatsappgb.one** and **instagramproapk.org** to the Complainant. The Complainant also relies on other precedents namely LEGO Juris A/S v. Robert Martin, INDRP/125 (Domain name as lego.co.in) in support of his Complaint. The Complainant has also filed several documents in support of his submissions made in his Complaint as Annexures.

The Complainant has also shown that WHATSAPP trademark is registered and used abroad in India as well as in other Countries of the World. The Complainant has filed its trademark registration details and documents in support of usage of its trademark and domain along with the Complaint which suffices the requirement of establishing its prior adoption and usage by the Complainant.

The Complainant has been able to establish the fact that its domains as well as the trademarks are adopted and used by the Complainant much prior in time than the disputed domain name **gbwhatsapppro.com.in** of the Respondent. The Complainant has also been able to establish the fact that the Respondent has copied the trademark and domain names of the Complainant and obtained the domain with dishonest and mala fide intention by adding prefix and suffix to the Complainant's trademark/

domain names. The Complainant has also been able to establish all the three statutory requirements as laid down in Rule 4 of the INDRP Policy, namely: -

- (a) The Respondent Registrant's domain name is deceptively similar to the Domain Name, Trademark / Service Mark of the Complainant; and
- (b) The Respondent Registrant has no rights or legitimate interests in respect of the domain name; and
- (c) The Respondent Registrant's domain name has been registered and used in bad faith and for illegal/unlawful purpose.

The Complainant also relies upon various precedents of cases which goes in their favour.

DECISION:

On the basis of the submissions made herein by the Complainant in their Domain Complaint read along with their documents and the findings of the Tribunal, it is hereby held that the Complainant has been able to establish and prove his case on merits in his favour. It is accordingly, ordered that the domain **gbwhatsappro.com.in** be transferred to the Complainant.

Parties are to bear their own Costs.

NIXI is also requested to facilitate transfer of the domain in favour of the Complainant as per the INDRP Policy and Rules of Procedure.



PUNEET DHAWAN

INDEPENDENT ARBITRATOR

Date: 31.07.2026

Place: Delhi