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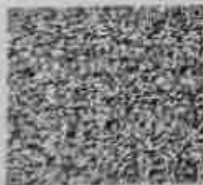
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V. P. PATHAK
H.J.S.
Former Judge
Sole Arbitrator

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**BEFORE THE .IN REGISTRY OF INDIA
INDRP CASE NO. 2143
IN THE MATTER OF AN ARBITRATION UNDER THE .IN DOMAIN NAME
DISPUTE RESOLUTION POLICY; THE INDRP RULES OF PROCEDURE
AND THE ARBITRATION CONCILIATION ACT, 1996**

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VP Pathak
V. P. PATHAK
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AND THE ARBITRATION CONCILIATION ACT, 1996**

WhatsApp LLC
1 Meta Way
Menlo Park
California 94025
United States of America

...(Complainant)

Versus

Kavita Jain
Virtual Revolt Software
Goregaon(W) Mumbai
Mumbai
Maharashtra 400064
India

...(Respondent)

**DISPUTE RELATING IN THE DOMAIN DISPUTE NAME
www. whatsappexpert.in**

Award Dated- 8.07.2026

**BEFORE V.P. PATHAK
SOLE ARBITRATOR
AT NEW DELHI**

⇒ **DISPUTED DOMAIN NAME & REGISTRAR-**

The disputed domain name is registered through the Registrar of the disputed domain name GoDaddy.com, LLC, which is accredited with the .IN registry and is listed on the website of the .IN registry.

⇒ **ARBITRATION TRIBUNAL-**

1. The Complainant has filed this Complaint for the disputed domain name, to be transferred to it. To decide this Complaint, NIXI has appointed the undersigned as Arbitrator. A consent letter with a declaration of impartiality by the undersigned to decide this case was sent to NIXI on 5.06.2026. The NIXI on 9.06.2026, appointed the undersigned as Arbitrator to proceed with the case.
2. The Tribunal primarily ordered the Complainant on 9.06.2026, to send the soft & hard copy of the Complaint along with Annexure's to the Respondent & to send the Postal Slip of the same to the Tribunal. The Complainant on 11.06.2026, had sent the hard & soft copy, respectively, along with other documents to the Respondent

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by Courier, the receipt of which was sent to the Tribunal as well on the same day by the Complainant.

3. As per **Rule 5 of the INDRP Rules** the Tribunal issued a notice dated 12.06.2026 calling upon the Respondent to file its reply on the Complaint within fifteen days from the date of receipt of the notice and rejoinder within fifteen days thereafter, but the Respondent did not reply by 27.06.2026.
4. Since, no reply was filed by the Respondent so, in the interest of justice, the Tribunal gave an extension to the Respondent of 5 days till 3.07.2026, but there was still no response even though the Complainant had sent a hard copy of the Complaint to the Respondent.
5. The Tribunal is constituted under the INDRP Policy and Rules. Under rule 13, the arbitration proceedings must be conducted according to the Arbitration and Conciliation Act, 2019 (as amended up to date) read with the Arbitration & Conciliation Act, Rules, Dispute Resolution Policy and its by-laws, and guidelines, as amended from time to time.
6. As mentioned above, the Respondent has not replied to any of the notices hence, this Tribunal is bound to proceed Ex Parte against the Respondent.

⇒ **PARTIES TO ARBITRATION-**

7. The Complainant is WhatsApp LLC, a limited liability company incorporated under the laws of the United States of America and having its principal place of business at 1 Meta Way, Menlo Park, California 94025, United States of America. The Complainant is the proprietor and operator of one of the world's most popular mobile messaging applications, providing instant messaging and communication services to billions of users across the globe.
8. The Complainant was founded in 2009 and was acquired by Meta Platforms, Inc. (formerly Facebook, Inc.) in 2014. The messaging platform enables users to exchange text messages, voice messages, images, videos, documents and other forms of communication through internet-enabled devices. The Complainant submits that its services have acquired immense goodwill and reputation internationally, including in India.
9. Since its launch, the Complainant has become one of the world's leading messaging platforms with billions of users worldwide. The Complainant owns numerous trademark registrations for the mark WhatsApp in several jurisdictions, including India, and claims extensive goodwill and reputation arising from the continuous and widespread use of the said mark in relation to its communication services.
10. The Complainant has filed the present Complaint challenging the registration of the domain name " whatsappexpert.in" under the .IN Domain Name Dispute Resolution Policy (INDRP) and the Rules framed thereunder. The Complainant has preferred this Arbitration by raising the present dispute seeking appropriate relief in respect of the disputed domain name.
11. **Rule 2 of the INDRP Rules of Procedure** provides for communication/services of Complaint. It lays down that when forwarding a Complaint, including any annexes, electronically to the Respondent, it shall be the responsibility of the Complainant to

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employ reasonably available means calculated to achieve actual notice to the Respondent.

12. Since, the Respondent has failed to submit any reply despite service of the Complaint and subsequent notices issued by this Tribunal, the present matter is being decided ex parte on the basis of the pleadings, documents and material available on record.

⇒ **FACTS OF THE CASE-**

• **Complainant:**

13. The Complainant, WhatsApp LLC, is the proprietor of one of the world's leading mobile messaging applications, which was founded in 2009 and acquired by Meta Platforms, Inc. (formerly Facebook, Inc.) in 2014. The Complainant's official website is available at www.whatsapp.com.
14. Since its launch, the Complainant has acquired immense goodwill and reputation worldwide with billions of active users. The Complainant has also developed a substantial online presence through its official website and various social media platforms. **ANNEXURE A**
15. The Complainant is the proprietor of numerous trademark registrations for the mark WhatsApp in several jurisdictions, including India. The Complainant submits that the mark has acquired substantial reputation and exclusively identifies the Complainant and its services. **ANNEXURE B**
16. The Complainant is also the owner of several domain names incorporating the trademark WHATSAPP under various generic Top-Level Domains (gTLDs) and country-code Top-Level Domains (ccTLDs), including its principal domain name www.whatsapp.com, which was registered on 04.09.2008, much prior to the Respondent's registration of the disputed domain name. **ANNEXURE C**
17. The Complainant submits that it became aware of the disputed domain name "WhatsAppexpert.in", which was registered by the Respondent on **9.02.2025**. Upon further investigation, the Complainant found that the Respondent had adopted the disputed domain name despite the Complainant's longstanding rights in the trademark WhatsApp. **ANNEXURE D**
18. The Complainant has further placed on record screenshots and other material relating to the Respondent's website, which according to the Complainant displays modified versions of the WhatsApp logo and figurative mark, refers to itself as a "Meta Verified Tech Provider", and offers WhatsApp marketing services through various subscription plans. The Complainant alleges that such use is unauthorized and creates an impression of association with the Complainant. **ANNEXURE E**
19. The Complainant further submits that prior to initiating the present proceedings, efforts were made to resolve the dispute, however, no satisfactory response was received from the Respondent. The Complainant has therefore approached this Tribunal seeking appropriate relief under the INDRP. **ANNEXURE F**

• **Respondent:**

20. The Respondent has not filed any reply, explanation, or justification in response to the Complaint, despite due service of notice. The Respondent has therefore failed to rebut the Complainant's assertions or establish any rights or legitimate interests in the disputed domain name. Accordingly, the averments made by the Complainant and the documentary evidence placed on record remain unrebutted and have to be considered on their own merits.

⇒ CONTENTIONS OF PARTIES-

• Complainant:

21. The Complainant contends that it is the proprietor of the well-known trademark WhatsApp and numerous trademark registrations worldwide, including in India. It submits that the mark has acquired extensive goodwill and reputation through continuous and widespread use in relation to its messaging application and associated services.
22. The Complainant submits that it is the proprietor of the domain name "whatsapp.com" and various domain names incorporating the trademark WhatsApp under different gTLDs and ccTLDs. It is contended that the disputed domain name "whatsappexpert.in" incorporates the Complainant's trademark in its entirety and that the addition of the descriptive term "expert" and the ccTLD ".in" does not distinguish the disputed domain name from the Complainant's trademark.
23. The Complainant further contends that the Respondent has adopted the disputed domain name to operate a website offering WhatsApp marketing services through various subscription plans. According to the Complainant, the Respondent's website prominently displays modified versions of the Complainant's logo and figurative trademark, references the Complainant's services, and uses the description "Meta Verified Tech Provider", thereby creating a false impression of association or endorsement.
24. The Complainant submits that the Respondent's website contains a non-functional disclaimer and fails to prominently disclose the absence of any relationship with the Complainant. It is further alleged that the Respondent continues to commercially exploit the goodwill associated with the WhatsApp trademark by offering paid services through the disputed domain name. **ANNEXURE D**
25. The Complainant contends that it has never authorised, licensed or otherwise permitted the Respondent to use the trademark WhatsApp or to register the disputed domain name. It is submitted that the Respondent is neither commonly known by the disputed domain name nor has it acquired any independent rights or legitimate interests therein.
26. The Complainant further submits that prior to initiating the present proceedings, a cease and desist letter dated **24.02.2026** and a Registrar abuse notice dated **10.04.2026** were issued to the Respondent. However, no response was received, compelling the Complainant to initiate the present proceedings. **ANNEXURE E**
27. The Complainant also relies upon previous decisions involving the Respondent and submits that the Respondent has engaged in a pattern of registering domain names incorporating the trademarks WhatsApp and Instagram, thereby demonstrating a pattern of conduct inconsistent with bona fide registration and use. **ANNEXURE F**
28. In support of its contentions, the Complainant has relied upon, inter alia, *WhatsApp LLC v. Leadiac Marketing Leadic Marketing Agency* (INDRP/1776), *Instagram LLC v. Muhmmmad Asif* (INDRP/1975), *Wacom Co. Ltd. v. Liheng* (INDRP/634), *Oki Data Americas, Inc. v. ASD, Inc.*, and *WhatsApp Inc. v. Domain Administrator, See PrivacyGuardian.org, Go-go Taxi Carl Jones*, WIPO Case No. D2019-1788. The Complainant submits that the aforesaid decisions reaffirm the settled principles governing protection of well-known trademarks, confusing similarity, bona fide use, and bad-faith registration and use of domain names, which are equally applicable to the facts of the present dispute.
29. The Complainant further submits that the principles governing protection of trademarks and domain names have also been recognized in *Yahoo! Inc. v. Akash Arora & Anr.*, *Rediff Communication Ltd. v. Cyberbooth & Anr.*, *Morgan Stanley v. Bharat Jain*,

Google India Pvt. Ltd. v. Gulshan Khatri, *Instagram LLC v. Ding Riguo* (INDRP/1183), *Wacom Co. Ltd. v. Liheng* (INDRP/634), and *Momondo A/S vs. Ijorghe Ghenrimopuzulu*, INDRP Case No. 882. The Complainant further submits that Clause 3(d) of the INDRP requires a Respondent not to knowingly use a domain name in violation or abuse of any applicable laws or regulations, an obligation which forms an integral part of the INDRP framework, as observed in *Momondo A/S vs. Ijorghe Ghenrimopuzulu*, INDRP Case No. 882. According to the Complainant, the principles laid down in the aforesaid decisions are applicable to the facts of the present dispute.

30. Thus, the Complainant accordingly seeks appropriate relief under the INDRP, including cancellation of the disputed domain name, removal of the Respondent's registration rights therein, and such further directions as may be necessary to prevent misuse or unauthorized transfer of the disputed domain name.
31. Thus, the Complainant prays for directions to the .IN Registry of NIXI to transfer the disputed domain name "whatsappexpert.in" to the Complainant."

- **Respondent:**

32. The Respondent has not filed any reply. In the absence of any rebuttal, the Complainant's assertions remain uncontroverted, and adverse inference is liable to be drawn against the Respondent.

⇒ **ANALYSIS-**

According to the above-mentioned facts of the case, the Tribunal must decide the following points-

- A. Whether the Respondent's domain whatsappexpert.in is identical and confusingly similar to the trademark or service mark in which the Complainant has rights.?**

The Complainant has placed sufficient material on record to establish its statutory as well as common-law rights in the trademark "WhatsApp". The record further demonstrates that the Complainant has been using the said mark extensively in relation to its messaging and communication services and has established a significant online presence through its official domain name "whatsapp.com", which was registered on 04.09.2008, much prior to the registration of the disputed domain name which was on 9.02.2025. The disputed domain name "whatsappexpert.in" incorporates the Complainant's trademark WhatsApp in its entirety. The addition of the dictionary term "expert" does not distinguish the disputed domain name from the Complainant's trademark; rather, it is likely to create an impression that the Respondent possesses specialised knowledge of, or is officially associated with, the Complainant's services. Further, the suffix ".in", being a country-code Top-Level Domain (ccTLD), is merely a technical requirement of registration and does not diminish the confusing similarity between the disputed domain name and the Complainant's trademark.

The principles governing confusing similarity in domain name disputes have been recognized in *WhatsApp LLC v. Leadiac Marketing Leadic Marketing Agency* (INDRP/1776), *Instagram LLC v. Muhmmmad Asif* (INDRP/1975), *Yahoo! Inc. v. Akash Arora & Anr.* and *Rediff Communication Ltd. v. Cyberbooth & Anr.* The aforesaid decisions reiterate that incorporation of a complainant's trademark in its entirety within a disputed domain name is sufficient to establish confusing similarity, notwithstanding the addition of descriptive expressions or

technical suffixes. The Tribunal also notes that in *WhatsApp LLC v. GB Apps* (INDRP Case No. 1906, Award dated 27.02.2025), involving the domain name *downloadgbwhatsapp.com.in*, it was held that incorporation of the well-known trademark WHATSAPP in a disputed domain name was sufficient to create confusing similarity and justify transfer under the INDRP. Although each dispute must be decided on its own facts, the principles enunciated therein are equally applicable to the present case. In conclusion, the disputed domain name is confusingly similar to the Complainant's trademark WhatsApp and is likely to create an impression of association or affiliation with the Complainant.

B. Whether the Respondent has rights claims, or legitimate interests in respect of the disputed domain name.?

The Complainant has established a prima facie case that the Respondent has no rights, claims or legitimate interests in respect of the disputed domain name. There is nothing on record to indicate that the Respondent is commonly known by the name "WhatsApp" or "whatsappexpert", nor is there any material to suggest that the Respondent has acquired any independent trademark or trade name rights in the said expression. The Complainant has specifically asserted that no licence, permission or authorization was ever granted to the Respondent to use its trademark in any manner. Once such a prima facie case is established, the burden shifts upon the Respondent to demonstrate some plausible right or legitimate interest in the disputed domain name. This principle has been consistently recognized under the INDRP, including in *Instagram LLC v. Ding Riguo* (INDRP/1183) and *Wacom Co. Ltd. v. Liheng* (INDRP/634).

In the present case, despite due service of the Complaint and notice of these proceedings, the Respondent has chosen not to appear or file any material in support of its registration. The Respondent has therefore failed to discharge the burden of establishing any rights or legitimate interests in respect of the disputed domain name.

C. Whether the Respondent's domain name is registered or is being used in absolute bad faith?

The facts and circumstances of the present case clearly indicate that the disputed domain name has been registered and is being used in bad faith. The Respondent registered the disputed domain name on **09.02.2025**, long after the Complainant had established substantial goodwill and reputation in the trademark WhatsApp and had acquired an online presence through its official domain name "whatsapp.com", which was registered on **04.09.2008**. The Tribunal further finds that the Respondent has not merely adopted the Complainant's trademark as part of the disputed domain name but has also used the disputed domain name to operate a website offering paid WhatsApp marketing services. The website prominently displays modified versions of the Complainant's logo and figurative trademark, refers to itself as a "Meta Verified Tech Provider", and lacks any effective disclaimer clarifying the absence of affiliation with the Complainant. Such conduct is likely to mislead internet users into believing that the Respondent's website is authorised, endorsed or otherwise associated with the Complainant.

The Respondent neither replied to the cease and desist communications issued by the Complainant nor appeared before this Tribunal to justify its adoption and use of the disputed domain name. The Complainant's case also finds support in *Morgan Stanley v. Bharat Jain and Momondo A/S vs. Ijorghe Ghenrimopuzulu*, INDRP Case No. 882. In conclusion, the Respondent's registration and use of the disputed domain name "whatsappexpert.in" has

been registered and is being used in bad faith and that the requirements of the INDRP stand satisfied in favour of the Complainant. The Respondent has not merely adopted the Complainant's trademark as part of the disputed domain name but has also used the disputed domain name in a manner calculated to reinforce an impression of association with the Complainant's business and services.

⇒ **CONCLUSION-**

33. Considering the pleadings, documents and material placed on record, this Tribunal is of the view that the Complaint has merit and deserves to be allowed. The Complainant has successfully established prior statutory and common-law rights in the trademark WhatsApp, which substantially pre-date the Respondent's registration of the disputed domain name.
34. The disputed domain name "whatsappexpert.in" incorporates the Complainant's trademark WhatsApp in its entirety. The Respondent has failed to establish any rights or legitimate interests in the disputed domain name, and the material on record further supports a finding of bad-faith registration and use.
35. The Respondent's use of the disputed domain name in connection with a website prominently displaying the Complainant's trademark, modified logo and references associated with the Complainant's business, coupled with the absence of any response to the present proceedings, reinforces the conclusion that the disputed domain name was adopted without the knowledge of the Complainant's rights and goodwill. Accordingly, the Complainant has successfully satisfied all the requirements prescribed under the INDRP.
36. It is further clarified that the presence of a generic or country-code top-level domain, whether ".com", ".org", or ".in", is merely a technical requirement of domain name registration and does not, by itself, confer any distinctiveness or legitimacy upon the registrant. In the present case, the use of the suffix ".co.in" does not alter the identity of the disputed domain name nor diminish the likelihood of confusion arising from the incorporation of the Complainant's trademark.
37. In view of the foregoing, this Tribunal holds that the disputed domain name **whatsappexpert.in** is confusingly similar to the Complainant's trademark **WhatsApp**, that the Respondent has no rights or legitimate interests therein, and that the said domain name has been registered and used in bad faith.
38. Accordingly, the **Complaint is allowed** and the disputed domain name "whatsappexpert.in" is directed to be transferred in favour of the Complainant.

⇒ **ORDER-**

1. The .IN Registry of NIXI is directed to transfer the disputed domain name "whatsappexpert.in" to the Complainant forthwith. Registry to do the needful.
2. Parties to bear their own costs.
3. This Award is passed today at New Delhi on 8.07.2026.

V. P. PATHAK
H.J.S.
Former Judge
Sole Arbitrator
V.P. Pathak
Sole Arbitrator
Date- 8.07.2026