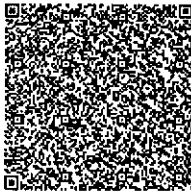


Government of National Capital Territory of Delhi

Certificate No.	: IN-DL93380287885856Y
Certificate Issued Date	: 07-Sep-2026 04:00 PM
Account Reference	: IMPACC (IV)/ dl818003/ DELHI/ DL-STD
Unique Doc. Reference	: SUBIN-DL81800386712994846880Y
Purchased by	: PRASHANT KUMAR
Description of Document	: Article 12 Award
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: PRASHANT KUMAR
Second Party	: Not Applicable
Stamp Duty Paid By	: PRASHANT KUMAR
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



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BEFORE THE .IN REGISTRY OF INDIA

INDRP CASE NO. 2129

**IN THE MATTER OF AN ARBITRATION UNDER THE .IN DOMAIN NAME
DISPUTE RESOLUTION POLICY; THE INDRP RULES OF PROCEDURE AND
THE ARBITRATION AND CONCILIATION ACT, 1996**

FINAL AWARD

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3. In case of any discrepancy please inform the Competent Authority.

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**BEFORE THE .IN REGISTRY OF INDIA
NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)**

INDRP CASE NO. 2129

**IN THE MATTER OF AN ARBITRATION UNDER THE .IN DOMAIN NAME
DISPUTE RESOLUTION POLICY; THE INDRP RULES OF PROCEDURE AND
THE ARBITRATION AND CONCILIATION ACT, 1996**

IN THE MATTER OF:

INSTAGRAM, LLC

1601 Willow Road

Menlo Park, California 94025

United States of America

...Complainant

Versus

MONU SAGAR

Bike Point Monu Sagar 01

Pithoragar, Uttarakhand 262501

India

...Respondent

A DISPUTE RELATING TO THE DOMAIN NAME <SSSINSTAGRAM.IN>

FINAL AWARD

Dated: September 07, 2026

Place: Noida, Uttar Pradesh


PRASHANT KUMAR
SOLE ARBITRATOR

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I. PARTIES TO THE ARBITRATION

1. The Complainant is Instagram, LLC, an American company with its principal place of business at 1601 Willow Road, Menlo Park, California 94025, United States of America, being represented by Mr. David Taylor and Ms. Jane Seager of Hogan Lovells (Paris) LLP, bearing address 17 avenue Matignon, 75008 Paris, France, pursuant to a notarised Power of Attorney dated May 15, 2025 executed by Mr. Scott Minden, Director and Associate General Counsel of the Complainant.
2. The Respondent is Monu Sagar, based at Bike Point Monu Sagar 01, Pithoragar, Uttarakhand 262501, India, with the email addresses monusagar00@gmail.com and monusagar247@gmail.com, and telephone number +91.7351595048, as disclosed in the WHOIS record furnished by the .IN Registry. The Respondent is the registrant of the disputed domain name <sssinstagram.in>.

II. APPLICABLE LAW AND JURISDICTION

The .IN Domain Name Dispute Resolution Policy

3. The present arbitration proceeding is under and in accordance with the .IN Domain Name Dispute Resolution Policy ("the Policy") which was adopted by the National Internet Exchange of India ("NIXI") and sets out the legal framework for resolution of disputes between a domain name registrant and a Complainant arising out of the registration and use of an .IN Domain Name. By registering the domain name <sssinstagram.in> with the NIXI accredited Registrar, the Respondent has agreed to the resolution of disputes under the .IN Dispute Resolution Policy and Rules framed thereunder. The Policy and the INDRP Rules of Procedure ("the Rules") were approved by NIXI in accordance with the Arbitration and Conciliation Act, 1996.

Filing of the Complaint and the Constitution of the Arbitral Tribunal

4. The Complaint was filed by the Complainant under the .IN Domain Name Dispute Resolution Policy ("INDRP") against the Respondent, seeking the transfer of the disputed domain name <sssinstagram.in> to the Complainant. Following which, the .IN

Registry sought the consent of Mr. Prashant Kumar (the undersigned), a listed .IN Dispute Resolution Arbitrator under Rule 5(a) of the Rules, to act as Arbitrator in the present matter.

5. By his Statement of Acceptance and Declaration of Impartiality and Independence dated May 22, 2026, Mr. Prashant Kumar accepted appointment as Sole Arbitrator under Rule 5(b) of the Rules in respect of the Complaint filed by Instagram, LLC against Monu Sagar, the Respondent, regarding the disputed domain name <sssinstagram.in>.
6. Thereafter, on June 02, 2026, the Arbitral Tribunal issued the Notice of Arbitration to the Respondent under Rule 5(c) of the Rules.
7. The Arbitral Tribunal has therefore been constituted properly and in accordance with the Arbitration and Conciliation Act, 1996, the INDRP Policy and the Rules as amended from time to time. No party has objected to the constitution and jurisdiction of the Arbitral Tribunal or to the arbitrability of the dispute.

III. PROCEDURAL HISTORY

8. The Sole Arbitrator, Mr. Prashant Kumar, was appointed by NIXI vide email dated May 28, 2026, in respect of the Amended Complaint filed by Instagram, LLC concerning the disputed domain name <sssinstagram.in>.
9. On June 02, 2026, the Arbitral Tribunal issued the Notice of Arbitration to the Respondent by email under Rule 5(c) of the Rules. Pursuant to Rule 3(d) of the Rules, the Complainant was directed to serve copies of the Complaint along with all supporting documents upon the Respondent, both electronically and physically, within seven (7) days and to furnish proof of such service and delivery. The Respondent was directed to file a reply within seven (7) days of the Notice, failing which the Complaint would be decided on merits, with all proceedings governed by the INDRP Rules of Procedure and the policies of the .IN Registry.

10. Thereafter, by Procedural Order No. 2 (Case Management Directions) dated June 17, 2026, the Arbitral Tribunal noted that it had received an email from counsel for the Complainant dated June 07, 2026, confirming service of the Complaint and annexures upon the Respondent by courier, post and email. The Arbitral Tribunal further recorded that no reply or communication had been received from the Respondent, despite due service and despite the Respondent's receipt, through NIXI, of soft copies of the Complaint and the complete set of supporting documents.
11. In view of the Respondent's failure to file any Statement of Defence despite due service, the Arbitral Tribunal, by the said Procedural Order No. 2 dated June 17, 2026, directed that the proceedings shall continue *ex parte* against the Respondent, based on the pleadings and evidence on record filed by the Complainant, and that the Tribunal would proceed to consider the Complaint for the purpose of passing a suitable Award. The parties were informed that the matter stood reserved for Award.
12. The publicly-available WHOIS record for the disputed domain name, dated April 29, 2026, disclosed only the Respondent's State (Uttarakhand, India), the remainder being redacted. Following the filing of the Complaint, NIXI furnished the complete WHOIS record disclosing the Respondent's full contact details, namely Monu Sagar, Bike Point Monu Sagar 01, Pithoragar, Uttarakhand 262501, India, email addresses monusagar00@gmail.com and monusagar247@gmail.com, and telephone number +91.7351595048.
13. Prior to the commencement of arbitration, the Complainant's lawyers had, on April 01, 2026, sent a cease and desist letter to the Respondent by email, to which no response was received.
14. No reply, Statement of Defence, or other communication has been received from the Respondent at any stage of these proceedings, notwithstanding due service of the Complaint and annexures and due notice of these proceedings. Accordingly, in accordance with Rule 17 of the Rules, the Arbitral Tribunal proceeds to decide the Complaint *ex parte* on the basis of the pleadings and evidence placed on record by the Complainant.

IV. COMPLAINANT'S CONTENTIONS

15. The Complainant is a world-renowned leading online photo and video sharing social networking application. Since its launch in 2010, the Complainant has rapidly acquired and developed considerable goodwill and renown worldwide. Having been acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012, the Complainant's Instagram platform today is the world's fastest growing photo and video sharing and editing software and online social network, with more than 3 billion monthly active accounts worldwide.
16. The Complainant's application has consistently ranked amongst the top mobile applications for iOS and Android operating systems, and is presently the most downloaded application worldwide. The Complainant's exponential growth and popularity, including in India, has been widely reported by specialised technology publications and major international publications alike.
17. The Complainant is the registrant of numerous domain names consisting of or including its INSTAGRAM trade mark under a wide range of generic and country-code top-level domains, and maintains a prominent presence on various social media platforms, including Facebook, X (formerly Twitter) and LinkedIn.
18. The Complainant has secured ownership of numerous trade mark registrations for INSTAGRAM, as well as figurative trade mark registrations for its Instagram logo, in various jurisdictions, including Indian Trade Mark No. 2645896, INSTAGRAM, registered on December 19, 2013; European Union Trade Mark No. 1129314, INSTAGRAM, registered on March 15, 2012; United States Trademark Registration No. 4146057, INSTAGRAM, registered on May 22, 2012; and Indian Trade Mark No. 3257847 (figurative mark), registered on May 12, 2016.
19. With respect to the disputed domain name <sssinstagram.in>, the Complainant submits that it recently became aware of the said domain name, which was registered on October 12, 2025 and comprises the Complainant's INSTAGRAM trade mark in its entirety, preceded by the letters "sss", under the ccTLD ".in".

20. The Complainant submits that the disputed domain name resolves to a website entitled "sss Instagram" which purports to offer a free tool for downloading Instagram content, including photos, videos, Reels, stories and highlights, by prompting internet users to enter an Instagram URL. The Respondent's website features a pink/purple gradient colour scheme similar to that of the Complainant's platform, makes prominent reference to the Complainant's INSTAGRAM trade marks, and displays versions of the Complainant's figurative logo, subject only to a disclaimer-like statement ("We are not affiliated with Instagram") placed inconspicuously at the bottom of the homepage under the "About" tab.
21. On April 01, 2026, the Complainant's lawyers sent a cease and desist letter to the Respondent by email, to which no response was received.
22. The Complainant has advanced the following legal grounds to support its case:
 - A. Identical or Confusingly Similar Domain Name
 - i. the disputed domain name incorporates the Complainant's INSTAGRAM trade mark in its entirety, with the mere addition of the letters "sss";
 - ii. the addition of such letters does not prevent a finding of confusing similarity, and the ccTLD ".in" is to be disregarded in the comparison; and
 - iii. the Complainant's INSTAGRAM trade mark remains clearly recognisable within the disputed domain name.

Therefore, as per the Complainant, the disputed domain name is confusingly similar to the Complainant's well-known INSTAGRAM trade mark.

B. No Rights or Legitimate Interests of Respondent

- i. the Respondent has no affiliation or relationship with the Complainant;
- ii. the Complainant has never authorised, licensed or otherwise permitted the Respondent to use its INSTAGRAM trade mark, in a domain name or otherwise;

- iii. the Respondent is not commonly known by the disputed domain name, and the identity of the Respondent, "Monu Sagar", bears no resemblance to it;
- iv. the Respondent's website purports to offer a tool for the unauthorised downloading of Instagram content, which does not amount to a bona fide offering of goods or services, does not satisfy the Oki Data criteria, violates the Meta Developer Policies, and facilitates breach of the Instagram Terms of Use; and
- v. such use does not constitute a legitimate non-commercial or fair use, as the Respondent's website creates a false impression of association with the Complainant and misleadingly diverts internet users.

Thus, as per the Complainant, the Respondent lacks any right or legitimate interest in the disputed domain name.

C. Bad Faith Registration and Use

- i. the Complainant's INSTAGRAM trade mark is inherently distinctive and internationally well known, and was extensively used and registered long prior to the registration of the disputed domain name on October 12, 2025;
- ii. the Respondent's intent to target the Complainant is evident from the content of the Respondent's website, which makes explicit reference to Instagram and reproduces the Complainant's colour scheme and figurative trade mark;
- iii. the Respondent's use of the disputed domain name to provide a tool for the unauthorised downloading of Instagram content, in violation of the Meta Developer Policies and the Instagram Terms of Use, places the security of Instagram users at risk and constitutes use in bad faith; and
- iv. the Respondent's failure to respond to the Complainant's cease and desist letter is further evidence of bad faith.

23. Therefore, as per the Complainant, the Complaint rests on the three elements under Paragraph 4 of the INDRP Policy, namely that the disputed domain name is confusingly similar to the Complainant's registered INSTAGRAM trade mark, that the Respondent has no rights or legitimate interests in the disputed domain name, and that the disputed domain name was registered and is being used in bad faith.

24. The Complainant has accordingly prayed that a suitable award be passed directing transfer of the disputed domain name <sssinstagram.in> to the Complainant.

V. RESPONDENT'S CONTENTIONS

25. Despite due service of the Complaint and annexures, and due notice of these proceedings, the Respondent has not filed any Statement of Defence or made any communication with the Arbitral Tribunal at any stage. Accordingly, by Procedural Order No. 2 dated June 17, 2026, the Arbitral Tribunal directed that the proceedings shall continue ex parte against the Respondent, based on the pleadings and evidence of the Complainant.
26. The Hon'ble Supreme Court of India in *Sudha Agrawal vs. Xth Additional District Judge and Others, (1996) 6 SCC 332*, held that even in an uncontested matter the petitioner's case must stand on its own legs and cannot derive any advantage from the absence of the defendant. Accordingly, notwithstanding the Respondent's default, the Complainant must still establish each of the three essential elements contained in Paragraph 4 of the Policy.

VI. DISCUSSION AND FINDINGS

27. A Complainant who alleges that a disputed domain name conflicts with its legitimate rights or interests must establish the following three elements required by Paragraph 4 of the INDRP Policy, namely:
- a. the Respondent's domain name is identical and/or confusingly similar to the trademark or service mark in which the Complainant has rights;
 - b. the Respondent has no rights or legitimate interests in respect of the domain name; and
 - c. the Respondent's domain name has been registered or is being used in bad faith.
28. Accordingly, the Arbitral Tribunal shall deal with each of the three elements as under:

- A. Whether the disputed domain name <sssinstagram.in> is identical and/or confusingly similar to the trademark or service mark of the Complainant?
29. The Complainant has provided extensive evidence establishing its rights in the trademark INSTAGRAM, which has been in continuous use since the Complainant's launch in 2010 and has acquired substantial goodwill and international renown, including in India. The Complainant holds registrations for the trademark INSTAGRAM in numerous jurisdictions, including Indian Trade Mark No. 2645896 registered on December 19, 2013, United States Trademark Registration No. 4146057 registered on May 22, 2012, European Union Trade Mark No. 1129314 registered on March 15, 2012, and a figurative trade mark under Indian Trade Mark No. 3257847 registered on May 12, 2016.
30. The disputed domain name <sssinstagram.in> incorporates the Complainant's trademark INSTAGRAM in its entirety, with the mere addition of the letters "sss" as a prefix, under the ccTLD ".in". It is a well-established principle, affirmed by Indian Courts and INDRP/UDRP panels alike, that where a domain name incorporates the entirety of a prior existing mark, deceptive similarity is to be presumed, and that the addition of a few letters or a descriptive term does not prevent a finding of confusing similarity where the trade mark remains recognisable within the domain name. Reference may be made to *Instagram, LLC v. Fahad Nawaz, ZeeTv, WIPO Case No. D2025-0362* (<sssinstagram.pro>), and *Instagram LLC v. Muhammad Asif, INDRP/1975* (<apkinstapro.in>). The ccTLD ".in" is to be disregarded when assessing identity or confusing similarity.
31. In view of the above, the Arbitral Tribunal finds that the disputed domain name <sssinstagram.in> is confusingly similar to, and clearly incorporates in its entirety, the Complainant's prior adopted, used and registered well-known trademark INSTAGRAM. Accordingly, the requirement of the first element under Paragraph 4(a) of the INDRP Policy is satisfied.
- B. Whether the Respondent has no rights or legitimate interests in respect of the disputed domain name?

32. To satisfy Paragraph 4(b) of the INDRP Policy, the Complainant must show that the Respondent has no rights or legitimate interests in the disputed domain name under Paragraph 6 of the Policy. The Complainant has made out a prima facie case of lack of rights or legitimate interests, the burden of rebuttal of which falls upon the Respondent.
33. The Respondent is not affiliated with the Complainant in any manner and has never been authorised, licensed or otherwise permitted by the Complainant to use its INSTAGRAM trade mark, or to register any domain name incorporating that trade mark. There is no evidence that the Respondent has been commonly known by the disputed domain name; on the contrary, the Respondent's disclosed identity, "Monu Sagar", bears no resemblance to the disputed domain name whatsoever.
34. The disputed domain name resolves to a website that purports to offer a free tool to download content, including photos, videos, Reels, stories and highlights, from the Complainant's Instagram platform. Such use does not amount to a bona fide offering of goods or services. Applying the Oki Data criteria (*Oki Data Americas, Inc. v. ASD, Inc., WIPO Case No. D2001-0903*), the Respondent fails to satisfy the requirement that it actually offer the trade marked goods or services, that it use the site to sell only the trade marked goods or services, and that it accurately and prominently disclose its lack of relationship with the Complainant. The disclaimer-like statement on the Respondent's website ("We are not affiliated with Instagram") is placed inconspicuously at the bottom of the homepage, under the "About" tab, and does not cure the misleading impression created by the prominent references to the Complainant's trade mark, the reproduction of the Complainant's figurative logo, and the use of a colour scheme similar to that of the Complainant. Reference may be made to *Instagram, LLC v. Fahad Nawaz, ZeeTv*, supra, and *Instagram, LLC v. dileep yadav, WIPO Case No. D2023-3227* (<instagramproapk.com>).
35. Further, the Respondent's use of the disputed domain name to facilitate the unauthorised downloading of Instagram content violates the Meta Developer Policies and facilitates breach of the Instagram Terms of Use, and places the security of Instagram users at risk, as such downloaded content may be stored and later used for unauthorised purposes. Such use does not constitute a legitimate non-commercial or fair use of the disputed domain name. Reference may be made to *Instagram, LLC v. Faheem*

Lashari, WIPO Case No. D2024-2912 (<snapinstagram.net>), and *Instagram, LLC v. Van Nam Tran, University*, WIPO Case No. D2024-1576 (<downloadgram.pro> et al.).

36. The Complainant's trademark INSTAGRAM predates the registration of the disputed domain name <sssinstagram.in> by well over a decade. Given the Complainant's globally well-known mark, the Respondent cannot conceivably have any legitimate reason to adopt the Complainant's trademark in the disputed domain name without authorisation from the Complainant.
37. Accordingly, this Arbitral Tribunal finds that the Complainant has established a prima facie case, which stands unrebutted in the absence of any response from the Respondent, that the Respondent has no rights or legitimate interests in respect of the disputed domain name <sssinstagram.in>. The requirement of the second element under Paragraph 4(b) of the INDRP Policy is satisfied.

C. Whether the disputed domain name was registered or is being used in bad faith?

38. The Complainant's trademark INSTAGRAM is a globally well-known and widely recognised mark that has been in continuous and extensive use since 2010, with more than 3 billion monthly active accounts worldwide. Given the overwhelming international reputation of the Complainant's mark, it is inconceivable that the Respondent was unaware of the Complainant's rights when registering the disputed domain name on October 12, 2025.
39. In addition, the following circumstances establish bad faith on the part of the Respondent:
 - i. the Respondent registered the disputed domain name without any authorisation, licence or other right from the Complainant, incorporating the Complainant's well-known INSTAGRAM trade mark in its entirety;
 - ii. the Respondent's intent to target the Complainant is manifest from the content of the Respondent's website, which purports to offer a tool to download content from

Instagram, makes explicit reference to the Complainant's platform, reproduces versions of the Complainant's figurative logo, and adopts a colour scheme similar to that of the Complainant, thereby creating a misleading impression of association with the Complainant;

- iii. the Respondent's use of the disputed domain name to facilitate the unauthorised downloading of Instagram content goes beyond the technical limits placed on the Complainant's platform, violates the Meta Developer Policies, and facilitates breach of the Instagram Terms of Use, thereby placing the privacy and security of Instagram users at risk; and
 - iv. the Respondent failed to respond to the Complainant's cease and desist letter dated April 01, 2026, which is further evidence of bad faith.
40. It is apparent that the Respondent's actions are intended to: (a) unlawfully capitalise on and ride upon the hard-earned reputation and goodwill of the Complainant's well-known trademark; (b) deceive and mislead unwary internet users into believing that the disputed domain name and the associated website are connected to, sponsored by, or affiliated with the Complainant; and (c) make unlawful gains by misappropriating the Complainant's trademark and misusing its platform. Such conduct is mala fide and constitutes bad faith under Paragraph 4(c) of the INDRP Policy.
41. On a careful consideration of the above findings, the Arbitral Tribunal holds that the disputed domain name <sssinstagram.in> has been registered with an opportunistic and mala fide intention and is being used in bad faith. Accordingly, the third element under Paragraph 4(c) of the INDRP Policy is satisfied.

VII. DISPOSITIONS

The Arbitral Tribunal holds that the disputed domain name <sssinstagram.in> is identical and/or confusingly similar to the well-known trademark INSTAGRAM owned and registered by the Complainant, Instagram, LLC. The Respondent has no rights or legitimate interests in the disputed domain name <sssinstagram.in>, and the same has been registered and is being

used in bad faith. All three elements set out in Paragraph 4 of the INDRP Policy have been established by the Complainant.

The Arbitral Tribunal accordingly directs that:

The disputed domain name <sssinstagram.in> be transferred to the Complainant, Instagram, LLC, having its principal place of business at 1601 Willow Road, Menlo Park, California 94025, United States of America.

There shall be no order as to costs.

Place: Noida

Date: September 07, 2026



Prashant Kumar

Sole Arbitrator

The Arbitral Tribunal