



Domain Name Dispute Resolution Center (DNDRC)

Arbitration and Mediation Center

COMPLAINT PANEL DECISION

Case No. 2025-0028

Also in PDF C2025-0028

1. The Complainant

The Complainant is Meta Platforms, Inc. 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 names upon which the Complaint is based on, are; <facebookvideodownloader.net.pk> and <facebookvideodownloader.org.pk>, hereinafter referred to as the Disputed Domain Names [DDNs].

PKNIC has informed DNDRC that the DDNs are registered by GB Plus, with the contact name being GB Plus, with their address being Lahore and that the email address provided at the time of registration of the DDNs is gbplus.orgapk@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 29 August 2025. An administrative review of the Complaint was conducted and completed on 30 August 2025, following which the Complainant was notified of the compliance review's completion and the subsequent procedural requirements on 30 August 2025.

Upon the Complainant's fulfillment of the procedural requirements on 09 September 2025, DNDRC formally requested the Respondent's registration details from PKNIC on 12 September 2025. PKNIC provided the requested details on 14 September 2025.

DNDRC issued a formal notification of the dispute to the Respondent on 17 September 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. A reminder was sent to the Respondent to submit the Response Form on 20 September 2025. A second reminder was sent to the Respondent to submit the Response Form on 26 September 2025.

The Complaint along with all relevant material was referred to the appointed arbitrator for review and decision on 03 October 2025. The arbitrator completed the review and issued a decision on 20 October 2025. DNDRC, following the completion of the procedural obligations, transmitted the decision to the concerned parties on 22 October 2025.

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

Factual Background

4. Parties Contentions

(a) Complainant

The Complainant's brief contentions are reproduced below:

The Complainant

- 1. The Complainant, Meta Platforms, Inc., (Meta) is a United States social technology company, and operates, inter alia, Facebook, Instagram, Meta Quest (formerly Oculus) and WhatsApp. The Complainant, formerly known as Facebook Inc., announced its change of name to Meta Platforms Inc on 28 October 2021, and this was publicised worldwide.*

*Copies of the Complainant's press release "Introducing Meta: A Social Technology Company", together with the "Meta Reports Second Quarter 2024 Results" press release, Meta Platforms Wikipedia page, and press articles from international publications regarding the Complainant's launch of the Meta brand are provided as **Annex 5**.*

*Screen captures of the Complainant's webpage <https://about.meta.com> are provided as **Annex 6**.*

Facebook

2. *Founded in 2004, the Complainant's Facebook platform (**Facebook**) is a leading provider of online social-media and social-networking services. Facebook's mission is to give people the power to build community and bring the world closer together. People use Facebook's services to stay connected with friends and family, to discover what's going on in the world, and to share and express what matters to them.*

*A screen capture of Facebook's homepage at www.facebook.com is provided as **Annex 7**.*

3. *Since its launch in 2004, Facebook rapidly developed considerable renown and goodwill worldwide. Today, Facebook has over 3 billion monthly active users and 2.11 billion daily active users on average worldwide (as of December 2023). Facebook is currently ranked as the 16th app by downloads for iOS phones worldwide, according to applications information company Data.ai. In 2024, the FACEBOOK brand ranked 21st in Interbrand's Best Global Brands report.*

*Facebook's company information, Interbrand's Best Global Brands for 2024, Facebook's Wikipedia entry and press articles on Facebook's rapid growth and popularity worldwide, are provided as **Annex 8**.*

*Copies of the WhoIs records for selected domain names comprising the Complainant's FACEBOOK trademarks are provided as **Annex 9**.*

*Screen captures of the Complainant's social-media pages are attached at **Annex 10**.*

The Domain Names and the associated website

4. *The Complainant was alerted to the fact that its FACEBOOK trademark with additional terms "video" and "downloader" had been registered under the ccTLDs ".net.pk" and ".org.pk" by the Respondent on 29 December 2023 (**Annex 2**).*
5. *The Domain Names used to redirect to the website at <https://fbdown.net.in/>, entitled "FBDown", that purported to offer tools that enabled Internet users to download content from Facebook (**Annex 3**).*

More specifically, the Respondent's website stated:

"Try downloading videos while using Facebook but face restrictions. Your issue may be resolved most effectively with FBDown.Net.in. It is an internet tool that is available to you without charge. Installing any apps or making any payments is not required. Moreover, using this internet service doesn't require registration or membership. With this user-friendly tool, downloading any Facebook video is a breeze."

6. *The Respondent's website made prominent reference to the Complainant's FACEBOOK trademarks, and used variations of the Complainant's figurative trademarks, including in the favicon, as follows:*

	
Complainant's figurative trademarks	Logo appearing on the Respondent's website

7. *Moreover, the Respondent's website featured a blue and white colour scheme that was very similar to the colour scheme used on the Complainant's Facebook platform.*
8. *Further, the Respondent's website did not provide a disclaimer clarifying its relationship (or absence of relationship) with the Complainant. The Respondent's website stated at the bottom of the homepage:*

"Copyright © 2024 FBDown.Net.In All Rights Reserved."

In addition, Respondent's website stated:

"Never associate our trademark Facebook Video Downloader™ with and never confuse our Facebook Video Downloader™ with any other individual(s), entity(ies), application(s), website(s), goods or services of other individuals and entities if not belong to Facebook Video Downloader."

9. *The Domain Names are no longer pointing to the Respondent's website because the Complainant successfully obtained a favourable decision in the INDRP proceedings concerning the domain name <fbdown.net>, to which the Domain Names previously redirected (Meta Platforms, Inc. v. Malika BZDRR, INDRP Case No. 1974 (<fbdown.net>) provided as **Annex 11**). As a result of this decision, the Respondent's website was taken down, and therefore the Domain Names currently resolve to an inactive website.*

*A current screen capture of the inactive website at the Domain Names is provided as **Annex 12**.*

10. *The Complainant submits the present Complaint requesting transfer of the Domain Names 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 Names to the Complainant.

(b) Respondent

The Respondent did not make a submission.

11. 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.

12. Discussion and Findings

In the landmark case of *Standard Chartered PLC v. Hosting Campus Domain* (case no. C2007-0001) available on the DNDRC website (http://www.dndrc.com/cases_resolved/pdf/c2007-0001.pdf), the Panel laid down the following four heads under which to analyze cases, under the Internet Domain Registration Policy version 4.4 (2019-08-19) and the UDRP:

- a. *Illegality, unlawfulness or otherwise invalidity of the Application & Registration (a criteria in terms of the PKNIC - Internet Domain Registration Policy June 20, 2006 version 4.1 in addition to the criteria of the UDRP)*
- b. *Identical or confusing similarity to a trademark or service mark in which the Complainant has rights (a UDRP criteria)*
- c. *Legitimate interest in Domain Name (a UDRP criteria)*
- d. *Registration and use in bad faith (a UDRP criteria)*

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

- i. *Illegality, unlawfulness or otherwise invalidity with respect to the Application & Registration (a PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) criteria).*
- ii. *Identical or confusing similarity with a trademark or service in which the Complainant has rights (a UDRP criteria).*
- iii. *Legitimate interest in the domain name (a UDRP criteria).*
- iv. *Registration and use of the domain name in bad faith (a UDRP criteria).*

I. Illegality, unlawfulness or otherwise invalidity of the Application & Registration

The PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) states that it creates an exception for, and thus excludes the registration of a domain name that:

- a. *infringes upon a registered tradename,*
- b. *is not bona fide as recognized by international best practice,*
- c. *in the opinion of PKNIC, a contravention of the latest version of the Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/ Anti-Terrorism Act, 1997/any applicable criminal law,*
- d. *has been declared by a Criminal Court of appropriate jurisdiction to have contravened the latest version of Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/Anti-Terrorism Act, 1997/any applicable criminal law), or*
- e. *in the opinion of PKNIC is not appropriate for registration.*

As per the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19),

If a party claims that a domain name already registered with PKNIC violates their registered tradename, an obvious derivation of their registered company name is not bona fide as recognized by international best practice, and is a contravention in the opinion of PKNIC to be a contravention of the latest version of the Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/ Anti-Terrorism Act, 1997/any applicable criminal law, PKNIC reserves the right to cancel, or transfer the domain to the claiming party as per the ICANN's Uniform Domain Name Dispute Resolution Policy [UDRP] (with PKNIC amendments) or as per the orders of a court judgment in Pakistan.

Therefore, for the purpose of assessing illegality, unlawfulness or otherwise invalidity of the Application & Registration of the DDNs, the application and registration of the DDNs shall be assessed in consideration of the following criteria:

- i. Whether the DDNs infringe upon a registered trade name / trade mark?
- ii. Whether the application and/or registration of the DDNs are bona fide?
- iii. Whether the application and/or registration of the DDN contravenes the Pakistan Penal Code, 1860 (the "Penal Code") or any applicable criminal law?

The Complainant has submitted the following:

7 COMPLAINT:

This Complaint is based on the following trade mark registrations (Annex 4):

- i. *Pakistani Trademark Registration No. 248352, FACEBOOK, Registered on 31 March 2008 (class 45);*
- ii. *United States Trademark Registration No. 3041791, FACEBOOK, registered on 10 January 2006 (first use in commerce in 2004) (class 38);*
- iii. *European Union Trademark No. 6455687, FACEBOOK, registered on 7 October 2008 (classes 09, 39 and 42);*
- iv. *International Registration No. 1075094,  , registered on 16 July 2010;*
- v. *United States Trademark Registration No. 4978379,  , registered on 14 June 2016.*

The Respondent has not submitted a response.

The Panel deduces that the Complainant has established registered trademark rights; however, a finding of illegality would require evidence that the DDNs infringe upon those rights. While, the DDNs incorporates the entire trademark in it, the Complainant has not advanced any submissions addressing whether the suffixes of; “video”, “downloader”, “.org”, “.net” and “.pk” in the DDNs, prevent or diminish a finding of infringement or illegality.

In the absence of such contentions, the Panel does not find sufficient basis to conclude illegality and therefore proceeds to assess the Complaint under the three cumulative criteria set forth in the UDRP.

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

The Complainant has made the following submissions:

- 17. The first element of paragraph 4(a) of the Policy requires a complainant to establish first, that it has rights in a trademark or service mark, and secondly, that the disputed domain name is identical or confusingly similar to that trademark or service mark.*
- 18. The Complainant owns numerous trademark registrations for FACEBOOK in jurisdictions throughout the world, including in Pakistan (Annex 4). The Complainant has therefore established trademark rights in FACEBOOK for the purposes of paragraph 4(a)(i) of the Policy.*
- 19. The Domain Names were registered under the ccTLDs ".net.pk" and ".org.pk" and incorporate the FACEBOOK trademark with the addition of the descriptive terms "video" and "downloader".*
- 20. The Complainant submits that the presence of its FACEBOOK trademark in the Domain Names is sufficient to establish confusing similarity between the Domain Names and the Complainant's trademark. See WIPO Overview 3.0, section 1.7:*
- 21. The Complainant submits that the addition of the descriptive terms "video" and "downloader" to its FACEBOOK trademark does not prevent a finding of confusing similarity with the Complainant's FACEBOOK trademark, which remains clearly recognizable as the leading element in the Domain Names. See WIPO Overview 3.0, section 1.8 and Meta Platforms, Inc.,*

Instagram, LLC v. Sonia Webster, tan alisa, tencent WIPO Case No. D2024-0691 (<facebookvideodownloader.org> et al.).

22. *The addition of the extensions ".net.pk" and ".org.pk" may be disregarded for the purposes of assessment under the first element, as it is a standard requirement of registration; see WIPO Overview 3.0, section 1.11.1.*
23. *For reasons set out above, the Complainant submits that the Domain Names are confusingly similar to the Complainant's FACEBOOK trademark, in accordance with paragraph 4(a)(i) of the Policy.*

The Respondent has not submitted a response.

The complainant has contended, firstly, that the DDNs are confusingly similar to the Complainant's trademark. The Panel, to determine whether that is the case here, employs the test set out in WIPO Overview 3.0. Specifically Section 1.7 of the WIPO Overview which states that incorporating the entirety of a registered trademark, is one of the indicators of confusing similarity.

For further clarification the Panel takes the suffixes of "org", "net" and "pk", respectively, into consideration. The Panel recognizes that the above-mentioned suffixes were necessary for registration in the relevant jurisdiction and can be excluded during consideration of the DDNs. Nevertheless, the test in Section 1.8 of the WIPO Overview 3.0 will be applied here for the additions of; "video" and "downloader", to evaluate and reinforce the finding of confusing similarity between the mark and the domain names.

The Panel notes *Meta Platforms, Inc., Instagram, LLC v. Sonia Webster, tan alisa, tencent (WIPO Case No. D2024-0691)* to highlight that such additional terms do not prevent a finding of confusing similarity. The judgment states; *"Although the addition of other terms ("video" and "downloader") may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the marks for the purposes of the Policy"*.

Therefore, the Panel concludes that the DDN is confusingly similar to the Complainant's trademark in which the Complainant holds complete legal rights, without any vagueness.

III. 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\(a\)\(ii\)](#)."

The Complainant has made the following submissions:

24. *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 Names.*

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

25. *The Respondent is not a licensee of the Complainant, nor has the Respondent been authorized by the Complainant to make any use of its FACEBOOK trademark, in a domain name or otherwise.*
26. *As detailed above, the website to which the Domain Names resolved purported to offer a free tool that enabled Internet users to download content from the Complainant's Facebook platform (**Annex 3**).*
27. *Prior UDRP panels have recognized that service providers using a domain name that contains a third-party trademark may be making a bona fide offering of goods or services and thus have a legitimate interest in such domain name. Whether or not this is the case is typically measured against the list of factors set out in Oki Data Americas, Inc. v. ASD, Inc., WIPO Case No. D2001-0903 (<okidataparts.com>) (the **Oki Data Criteria**):*
- i.) the respondent must actually be offering the goods or services at issue;*
 - ii.) the respondent must use the site to sell only the trademarked goods or services;*
 - iii.) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and*
 - iv.) the respondent must not try to "corner the market" in domain names that reflect the trademark.*

See WIPO Overview 3.0, section 2.8.

28. *As a preliminary matter, the Complainant submits that the Respondent is unable to be viewed as a bona fide service provider as it does not provide sales or repairs in relation to a product provided by the Complainant. Rather, the Respondent was making unauthorised use of the Complainant's FACEBOOK trademarks to market its own ancillary services outlined above. Nevertheless, even if one is to apply the Oki Data criteria, the Complainant submits that the Respondent does not satisfy the Oki Data criteria, as follows:*

i.) *The Respondent was not providing sales or repairs in relation to a product provided by the Complainant. Rather, the Respondent was making unauthorized use of the Complainant's trademarks (in the Domain Names and on the Respondent's website) to market its own ancillary services in relation to the Complainant. In addition, the use of such tools to download content from the Complainant's Facebook platform may put the security of Facebook users at risk.*

iii.) *The Respondent's website did not accurately and prominently disclose its lack of relationship with the Complainant. In fact, by featuring the copyright notice "Copyright © 2024 FBDown.Net. In All Rights Reserved." and by using a blue and white colour scheme very similar to that of the Complainant's Facebook platform as detailed above, the Respondent's website suggested that the Respondent was affiliated with the Complainant, which was not the case.*

29. *Further, the Respondent's use of the Domain Names as described above violated the Meta Developer Policies by going beyond the limits placed on the functionality of the Facebook platform, and facilitates breach of the Facebook Terms of Service.*

30. *In particular, the Complainant notes that the Respondent's website included the following text referring to the circumvention of the limits that the Complainant has placed on the functionality of its Facebook platform:*

"Try downloading videos while using Facebook but face restrictions. Your issue may be resolved most effectively with FBDown.Net.in."

31. *The tools for the unauthorised downloading of content from Facebook also place the security of Facebook users at risk, as content scraped from the Facebook platform may be stored and later used for unauthorised purposes by third parties. Prior UDRP Panels have found that such use of a domain name does not constitute use of the domain name in connection with a bona fide offering of goods or services. See Facebook, Inc. v. Domain Administrator, PrivacyGuardian.org / Hernando Sierra, WIPO Case No. D2018-1145 (<dlfacebook.com> et al.)*
32. *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

33. *The Respondent cannot legitimately claim that it is commonly known by the Domain Names, in accordance with paragraph 4(c)(ii) of the Policy.*
34. *According to the publicly-available WhoIs record, the identity of the owner of the Domain Names is unknown.*
35. *To the best of the Complainant's knowledge, there is no evidence of the Respondent having obtained or applied for any trademark registration or similar right for "facebook" or "facebookvideodownloader", as reflected in the Domain Names.*
36. *The Respondent's use of the Domain Names as detailed above does not support any reasonable claim of being commonly known by the Domain Names, nor does it give rise to any reputation in the Domain Names themselves, independent of the Complainant's trademark rights.*

The Respondent is not making a legitimate noncommercial or fair use of the Domain Names

37. *Nor is the Respondent currently making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers within the meaning of paragraph 4(c)(iii) of the Policy.*

38. *As detailed above, the Domain Names comprise the Complainant's FACEBOOK trademark, followed by the terms "video" and "downloader" which may be read as referring to the downloading of content shared on the Complainant's Facebook platform. The Complainant submits that the nature of the Domain Names themselves is such that they carry a risk of implied affiliation with the Complainant, and therefore cannot give rise to a claim of legitimate noncommercial or fair use.*
39. *Moreover, as detailed above, the Domain Names resolved to a website that purported to offer a tool that enabled Internet users to download content from Facebook and which featured a modified version of the Complainant's logo, including as the favicon, as well as a blue and white colour scheme that was very similar to the blue and white colour scheme of the Complainant's Facebook platform. Prior UDRP panels have held that the use of domain names to offer tools to download content from the Complainant's platforms does not constitute legitimate or fair use of a domain name; see Instagram, LLC v. Domains By Proxy, LLC / Ahmed Hemaïd, WIPO Case No. D2021-1439 (<instagram-downloader.net>).*
40. *The Complainant submits that the Respondent's current non-use of the Domain Names in connection with an active website does not support a finding of legitimate noncommercial or fair use; see Teachers Insurance and Annuity Association of America v. Wreaks Communications Group, WIPO Case No. D2006-0483 (<tiaa-cref.net>).*
41. *For the foregoing reasons, the Complainant submits that it has established a prima facie showing that the Respondent lacks rights or legitimate interests in the Domain Names. Accordingly, the burden of production shifts to the Respondent to come forward with evidence to rebut the Complainant's case. In the absence of 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 a response.

The Complainant asserts that the Respondent lacks any legitimate interest in the DDNs, noting that the Respondent neither holds genuine DDNs for legitimate and fair use, nor any rights to use the Facebook mark.

Here, the Complainant has to prove that the Respondent lacks any legitimate or fair use of the DDNs. However that results in the difficult task of proving a negative and so, this Panel judges this portion of the criteria on whether the Complainant has made out, prima facie, a case that the

Respondent lacks legitimate use, successfully proving which, would result in the burden of proof, shifting onto the Respondent (See WIPO Overview 3.0 Section 2.1).

The Complainant has successfully proven, under Paragraph 4(c) of the UDRP Policy that the Respondent lacks legitimate interest in the usage of the DDNs. Firstly, the Complainant has not authorized or inferred any rights onto the Respondent, making the existence of the circumstance that the Respondent was offering any goods and services through the DDNs on bona fide grounds, redundant.

Secondly, the Respondent is not commonly known by the DDNs or the trademark. In fact, an internet search of the DDNs, returns with no results or the webpage fails to load, on the other hand the Complainant holds a genuine mark of one of the most reputable and visited social media sites in the world corroborating to a finding of the Respondent lacking legitimate interest.

Lastly, the DDNs allegedly, contained links, tools and tutorials to help users in downloading an application which can purportedly helping in downloading content that is shared and is available on the actual Facebook platform, according to the Annexures provided by the Complainant, which further amplifies the Complainant's argument. (See *Facebook, Inc. v. Domain Administrator, PrivacyGuardian.org / Hernando Sierra, WIPO Case No. D2018-1145*).

Due to the above reason(s), the burden of proof has now shifted to the Respondent to prove that the DDNs were created with legitimate interest. The Respondent has not provided any argument or evidence to prove the above, and so the Panel decrees that the Respondent lacks legitimate interest and the Complainant has effectively satisfied the second prong of the criteria.

IV. Registration and use in bad faith

The Complainant has made the following submissions:

42. *Paragraph 4(b) of the Policy lists four factors which, in particular but without limitation, may be evidence of registration and use of a domain name in bad faith for the purposes of paragraph 4(a)(iii) of the Policy.*
43. *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 explained in more detail below.*

Registration in bad faith

44. *The Complainant's FACEBOOK trademark is highly distinctive and famous throughout the world. It has been continuously and extensively used since 2004 in connection with the Complainant's social network, having rapidly acquired considerable goodwill and reputation worldwide (Annex 10).*
45. *Prior UDRP panels have repeatedly recognized the strength and renown of the Complainant's FACEBOOK trademark and have ordered the transfer of disputed domain names containing the trademarks to the Complainant. See Meta Platforms, Inc. v. Yuriy Zagursky, WIPO Case No. D2022-3055 (<facebook-help.live>).*
46. *Moreover, the Respondent's prior knowledge of the Complainant and its trademark rights as well as the Respondent's intent to target the Complainant when registering the Domain Names may be inferred from the content of the Respondent's website, which offered tools for the illegitimate downloading of Facebook content, made explicit reference to the Complainant's Facebook platform, and featured a modified version of the Complainant's logo, including as the favicon, as well as a blue and white colour scheme that was very similar to that of the Complainant's Facebook platform, as detailed above (Annexes 3 and 4). See Meta Platforms, Inc. v. Saida Yakubova, WIPO Case No. D2023-1029 (<myfbdownloader.com>).*
47. *The Complainant submits that the Respondent registered the Domain Names, without authorization to make use of the Complainant's trademarks, with a view to pointing the Domain Names to websites that purport to provide tools for the unauthorised downloading of Facebook content, in bad faith.*

Use in bad faith

48. *As detailed above, the Respondent was using the Domain Names to purport to offer tools that enabled Internet users to download content from Facebook. Prior UDRP panels have held that the unauthorised automated downloading of content from the platforms of the Complainant may place the privacy and security of users of such platforms at risk and amounts to bad faith. See Meta Platforms Inc. v Muhammad Shahbaz, WIPO Case No. D2024-0288 (<facebookvideodownloader.live>).*
49. *Moreover, in light of the nature of the Domain Names, which comprise the Complainant's FACEBOOK trademark together with the terms "video" and "downloader", the use of a blue*

*and white colour scheme that was very similar to the blue and white colour scheme of the Complainant's Facebook platform and the use of a variation of the Complainant's logo, including as the favicon (**Annexes 3 and 4**), the Complainant submits that the Respondent was seeking to target the Complainant's trademark to create an impression of association with the Complainant, to divert traffic to the Domain Names and to offer an unauthorized, illegitimate tool to Internet users and disrupt the Complainant's business. See *Meta Platforms, Inc., Instagram, LLC v. Registration Private, Domains By Proxy, LLC / Saint Nicholas, and Host Master, 1337 Services LLC, WIPO Case No. D2022-2184 (<instadownloader.org> et al.)*.*

50. *The lack of disclaimer on the Respondent's website to clarify the Respondent's relationship (or lack thereof) with the Complainant added to the confusion caused by the Domain Names and constituted additional evidence of the Respondent's bad faith conduct; see WIPO Overview 3.0, section 3.7. Moreover, the Complainant submits that even if such disclaimer was featured on the Respondent's website, it would not have been sufficient to cure the Respondent's illegitimate use of the Domain Names; see *Instagram, LLC v. Protection of Private Person / Yurii Shemetilo / Olha Shostak, WIPO Case No. D2022-2832 (<instastories.online> et al.)*.*
51. *The Complainant submits that the fact that the Domain Names no longer resolve to an active webpage (**Annex 12**) does not prevent a finding of bad faith, nor does it eliminate the Respondent's prior bad faith use of the Domain Names as described in detail above.*
52. *In view of the above, the Complainant asserts that the Domain Names were registered and are being used in bad faith, in accordance with paragraph 4(a)(iii) of the Policy.*

The Respondent has not submitted a response.

The Panel applies the test of whether the Respondent was aware of the Complainant's mark and registered the DDN to target the Complainant. Here, the Panel notes the global recognition and the worldwide recognition of the Complainant's mark, so much so that the Panel finds it highly improbable that the Respondent, in registering a .pk domain, would be unaware of the Complainant's trademark. The Panel therefore finds that the Respondent targeted the Complainant's trademark at the time of registration (See WIPO Overview Section 3.2.2).

Moreover, in accordance with Paragraph 4(b)(iv) of the UDRP Policy, a Respondent has registered and is using the DDNs in bad faith where there are signs that a likelihood of confusion is being

created in order to lure internet users or frequent customers of the trademark towards the domain name, so that their own goods and services can be promoted.

In this case, the use of the trademark in its entirety, coupled with the incorporation of the Complainant's blue and white colour scheme and a favicon which almost exactly resembles the Facebook logo, exposes the Respondent's intent of promoting their own tools and services to users who are unsure about the source, sponsorship and the affiliation of the DDNs with the trademark. (See *Meta Platforms, Inc., Instagram, LLC v. Registration Private, Domains By Proxy, LLC / Saint Nicholas, and Host Master, 1337 Services LLC, WIPO Case No. D2022-2184 <instadownloader.org> et al.*).

Prior decisions have also taken into consideration, the potential risks of letting users access and use unauthorized third party tools and software to download content from Facebook, and other social media platforms directly, when deciding whether a domain name was made in bad faith. Such content could also be stored and later used for illegal and unauthorized purposes by third parties. (See *Meta Platforms Inc. v Muhammad Shahbaz, WIPO Case No. D2024-0288 <facebookvideodownloader.live>*).

The Panel deduces that the fact that the DDNs are no longer leading to an actual website, is not enough to rectify a finding of bad faith nor does it eliminate any of the evidence(s) provided above, which adequately unveil that the Respondent had bad faith at the time of creation and usage of the DDNs.

The Panel finds that the Respondent registered and is using the DDNs in bad faith.

6 Decision

Upon reviewing the contentions and information provided by the Complainant above, the Panel acknowledges that the "Facebook" mark is registered and owned by the Complainant and the Respondent has no trademark rights over it.

The continuous use of these DDNs may adversely affect the business and could jeopardize the reputation of the complainant by amounting to confusion of ownership of the DDNs even if they might be situated in different and separate jurisdictions.

The equitable and complete use of the Complainant's rights, requires them to exercise sole ownership and control of any associated domain names and/ or trademarks/ logos of Facebook, in order to prevent any confusion and ambiguity for users and the public, in general.

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

1. The Respondent's registration of the DDNs does not violate the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19);
2. The DDNs are confusingly similar to the registered trademark of the Complainant;
3. The Respondent has no legitimate interest in the DDNs;
4. The DDNs were registered and are being used in bad faith.

Pursuant to Section 4 of the Policy, the Panel, therefore, recommends that PKNIC transfer the registration of the DDNs <facebookvideodownloader.net.pk> and <facebookvideodownloader.org.pk> to the Complainant, as prayed, within 48 hours of receipt of this decision either by email or through the website where it will be uploaded, www.dndrc.com/cases_resolved/, whichever is earlier. The Complainant shall also be at liberty to contact PKNIC for implementation of this decision.

Arbitrator: Ardavan D. Solan

Sole Panelist

Date: 20 October 2025