

Domain Name Dispute Resolution Center (DNDRC)

Arbitration and Mediation Center

COMPLAINT PANEL DECISION

Case No. 2026-0021

Also in PDF C2026-0021

1. The Complainant

The Complainant is WhatsApp, 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 <gbwhatsapp.biz.pk>, hereinafter referred to as the Disputed Domain Name [“the DDN”].

PKNIC has informed DNDRC that the DDN is registered by Tuaashiqui, with the contact name being Mudasir Ejaz, with their address being Taunsa sharif, 32100, Pakistan and that the email address provided at the time of registration of the DDN is mypersonalnamecheap@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 01 May 2026. DNDRC completed an administrative review of the Complaint and communicated the same to the Complainant on 04 May 2026.

Upon the Complainant’s fulfillment of the procedural obligations on 07 May 2026, DNDRC formally requested the Respondent’s registration details from PKNIC on 14 May 2026. PKNIC provided the requested details on 15 May 2026.

DNDRC issued a formal notification of the dispute to the Respondent on 15 May 2026, 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 panelist for review and decision on 15 June 2026. The panelist completed the review and issued a decision on 09 July 2026. DNDRC, following the completion of the procedural obligations, transmitted the decision to the concerned parties on 10 July 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 panelist 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, **WhatsApp, LLC (WhatsApp)**, is a provider of one of the world's most popular mobile messaging applications (apps). Founded in 2009 and acquired by Meta Platforms, Inc. (formerly Facebook, Inc.) (Meta) in 2014, WhatsApp allows users across the globe to exchange messages for free via smartphones, including iPhone and Android. Its main website, available at www.whatsapp.com, also allows Internet users to access its messaging platform.*
- 2. Since its launch in 2009, WhatsApp has become one of the fastest growing and most popular mobile applications in the world, with over 2.95 billion monthly active users worldwide in June 2024. WhatsApp has acquired considerable reputation and goodwill worldwide, including in Pakistan. WhatsApp is the 1st most downloaded application in Pakistan and 4th in the world.*

*Screen captures of the Complainant's website and copies of information on the Complainant, including its Wikipedia entry, press articles on Meta's acquisition of WhatsApp, its application ranking and rapid growth and popularity worldwide, including in Pakistan, are provided as **Annex 4**.*

3. *Reflecting its global reach, the Complainant is the owner of numerous domain names comprising its WHATSAPP trademark under a wide range of generic Top-Level Domains (gTLDs) as well as under numerous country code Top-Level Domains (ccTLDs). For instance, <whatsapp.com>, <whatsapp.net>, <whatsapp.org>, <whatsapp.pk>, and <whatsapp.com.pk> (Pakistan).*

*Copies of the WhoIs records for selected domain names comprising the Complainant's WHATSAPP trademark are provided as **Annex 5**.*

The Domain Name and the Respondent's website

4. *The Domain Name incorporates the Complainant's WHATSAPP trademark, preceded by the letters "gb", under the extension ".biz.pk".*
5. *The Domain Name resolves to a website that purports to offer for download an unauthorized modified APK4 version of the Complainant's WhatsApp application.*

*Screen captures of the website to which the Domain Name currently resolves are provided as **Annex 6**.*

6. *The Respondent's website is titled "GBWhatsApp" and features the following text:*

"GBWhatsApp is a modified version of the original WhatsApp messaging application. It [...] offers many cool features and customization options that are not available in the official WhatsApp application."

7. *The Respondent's website features a list of comparisons between the modified APK version of WhatsApp offered for download therein and the "Official WhatsApp" application, as well as a step-by-step guide to download the unauthorized modified APK version of the WhatsApp application. The unauthorized APK version of WhatsApp available for download at the Respondent's website enables users to download status updates, send larger files and view messages even after they have been deleted by the sender.*

8. *The Respondent's website features a favicon that is a modified version of the Complainant's telephone logo and figurative trademark, as well as a logo that is a modified version of the Complainant's telephone logo and figurative trademark, as follows:*

Complainant's logo and figurative trademark	Favicon and logo on the Respondent's website
	 

9. *The Respondent's website features a disclaimer tab stating that the website is not officially affiliated with the Complainant and the use of the unauthorized modified version of the official WhatsApp application may violate the WhatsApp Terms of Service.*
10. *On 10 June 2025, the Complainant's lawyers, in an attempt to resolve the matter amicably, sent a cease and desist letter via email to the email address on the website at the Domain Name. The Complainant's lawyers received a bounceback email stating that the original email could not be delivered.*
Copies of the cease and desist letter and the bounceback email received are provided as Annex 7.
11. *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 identical or confusingly similar to the Complainant's trademark**
Policy, paragraph 4(a)(i); Rules, paragraphs 3(b)(viii), (b)(ix)(1))
12. *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.*
13. *The Complainant owns numerous trademark registrations for WHATSAPP in jurisdictions throughout the world, including in Pakistan (Annex 3). The Complainant has therefore established trademark rights in WHATSAPP for the purposes of paragraph 4(a)(i) of the Policy.*
14. *The Domain Name comprises the Complainant's WHATSAPP trade mark, preceded by the letters "gb", under the domain extension ".biz.pk".*
15. *As stated in WIPO Panel Views on Selected UDRP Questions, Third Edition, as updated5 (the WIPO Overview 3.1), section 1.8:*

"Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. The nature of such additional term(s) may however bear on assessment of the second and third elements."

16. *The Complainant submits that the addition of the letters "gb" does not prevent a finding of confusing similarity with the Complainant's WHATSAPP trademark, which remains clearly recognizable in the Domain Name. See WhatsApp LLC v. Registration Private, Domains By Proxy, LLC / Muhammad Asif, WIPO Case No. D2022-3170 (<gbwhatsappdownload.com>).*
17. *The addition of the extension ".biz.pk" may be disregarded for the purposes of assessment under the first element, as it is a standard requirement of registration; see WIPO Overview 3.1, section 1.11.1.*
18. *For reasons set out above, the Complainant submits that the Domain Name is confusingly similar to the Complainant's WHATSAPP trademark, in accordance with 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 WHATSAPP 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 WHATSAPP in jurisdictions worldwide, including Pakistan, thereby establishing trademark rights for the purposes of the Policy. The DDN comprises the Complainant's WHATSAPP trademark in its entirety, preceded only by the letters "gb", under the country-code domain extension ".biz.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 normally sufficient to establish confusing similarity for the purposes of the first element.

The Panel further observes that the addition of the letters "gb" 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 also been applied in *WhatsApp LLC v. Registration Private, Domains By Proxy, LLC / Muhammad Asif*, WIPO Case No. D2022-3170, where the panel found that the addition of the prefix “gb” to the Complainant’s WHATSAPP trademark did not prevent a finding of confusing similarity.

Finally, the Panel notes that the domain extension “.biz.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 WHATSAPP 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 cannot 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 WHATSAPP trademark, in a domain name or otherwise.*
21. *As detailed above, the Respondent's Website purports to offer for download an unauthorized modified version of the WhatsApp application. Prior panels have recognized that resellers or service providers using a domain name containing 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 may be measured against the list of factors set out in Oki Data Americas, Inc. v. ASD, Inc., WIPO Case No. D2001-0903 () (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 a domain name that reflects the trademark. See also WIPO Overview 3.1, section 2.8.*
22. *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 in relation to a product provided by the Complainant. Rather, the Respondent is making unauthorized use of the Complainant's WHATSAPP trademark to offer for download an unauthorized modified version of the Complainant's WhatsApp application. Nevertheless, if one is to apply the Oki Data criteria, the Complainant submits that the Respondent does not satisfy the first and third criteria, as follows:*

- (i) *The Respondent's website purports to offer for download the third-party application GBWhatsApp. Therefore, the Respondent cannot be said to be using the Domain Name to offer the goods or services at issue, namely the WhatsApp application.*
 - (ii) *The Respondent's website does not prominently disclose its lack of relationship with the Complainant. The disclaimer present on the website is placed in a separate tab of the website and is not visible from the homepage. Further, the Respondent's website prominently displays the Complainant's WHATSAPP trademark and the Complainant's logo and figurative trademark and a variation of it as well as a similar green-and-white-themed colour scheme to that used by the Complainant. The Respondent's website is therefore likely to mislead Internet users into believing that it is operated or authorized by the Complainant, which is not the case.*
23. *As detailed above, "GBWhatsApp" is a modified version of the Complainant's WhatsApp application, developed by a third party. The Complainant is committed to maintaining the integrity of its WhatsApp service and does not support such third-party applications. As such, the Respondent is making unauthorized use of the Complainant's trademark in the Domain Name and on the Respondent's website, to offer services that violate the Complainant's Terms of Service. Such use cannot be considered a bona fide offering of goods or services. See WhatsApp, Inc. v. Nasser Bahaj, WIPO Case No. D2016-0581 (<ogwhatsapp.org> et al.). See also WhatsApp, Inc. v. Abdallah Almqbali, WIPO Case No. D2016-1287 (<watsabsplus.com> et al.).*
24. *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

25. *The Respondent cannot legitimately claim that it is commonly known by the Domain Name, in accordance with paragraph 4(c)(ii) of the Policy.*
26. *There is no information regarding the identity of the Respondent in the publicly-available WhoIs record.*
27. *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 "whatsapp", as reflected in the Domain Name.*

28. *The Respondent's use of the Domain Name to promote a third-party application that seeks to trade off the goodwill and reputation associated with the Complainant's WHATSAPP trademark, and facilitate use of services in breach of the Complainant's Terms of Service, 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 legitimate noncommercial or fair use of the Domain Name

29. *Nor is the Respondent currently making 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.*
30. *The Respondent's use of the Domain Name to purport to offer for download an unauthorized modified version of the WhatsApp application does not amount to legitimate noncommercial or fair use; see DNDRC Case No. C2024-0006 (<gbwhatsapp.org.pk>).*
31. *Further, the provision of services that violate the Complainant's Terms of Service does not give rise to rights or legitimate interests in the Domain Name. See WhatsApp LLC v. Furqan Taunsvi, Buch Executive Villas, WIPO Case No. DCC2024-0012 (<gbwhatsapp.cc> et al.).*
32. *The Complainant submits that it has established a prima facie showing that the Respondent lacks rights or legitimate interests in the Domain Name. 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; see WIPO Overview 3.1, section 2.1.*

The Respondent has not submitted any response.

The Complainant asserts that the Respondent has no rights or legitimate interests in the DDN, submitting that the Respondent is neither authorized nor licensed to use the Complainant's WHATSAPP trademark in a domain name or otherwise, and that the Respondent's use of the DDN does not constitute a bona fide offering of goods or services, nor legitimate noncommercial or fair use under paragraph 4(c) of the Policy.

Under established UDRP practice, a complainant is required to establish a *prima facie* case that the respondent lacks rights or legitimate interests in the disputed domain name. Once such a *prima facie* case has been established, the burden of production shifts to the respondent to demonstrate rights or legitimate interests under paragraph 4(c) of the Policy. The Panel finds that the Complainant has successfully established such a *prima facie* case.

Firstly, the Panel notes that the Respondent is not a licensee of the Complainant and has not been authorized to use the Complainant's WHATSAPP trademark in connection with the DDN or otherwise. The Respondent's website associated with the DDN purports to offer for download GBWhatsApp, an unauthorized modified version of the Complainant's WhatsApp application developed by a third party. The Panel finds that such use does not constitute a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy.

In reaching this conclusion, the Panel has considered the principles established in *Oki Data Americas, Inc. v. ASD, Inc.*, *WIPO Case No. D2001-0903*. Although resellers or service providers may, in certain circumstances, establish rights or legitimate interests in a domain name containing a third-party trademark, such use is subject to compliance with the relevant criteria. In this case, the Respondent does not offer the Complainant's genuine WhatsApp application but instead offers an unauthorized modified version developed by a third party. Further, the Respondent's website does not prominently disclose the absence of any relationship with the Complainant. Rather, the website prominently displays the Complainant's WHATSAPP trademark, logo, figurative mark, and a similar green-and-white colour scheme, thereby creating a misleading impression that the website is affiliated with or authorized by the Complainant.

The Panel further notes that previous UDRP panels have held that the unauthorized use of the WHATSAPP trademark to distribute modified versions of the WhatsApp application does not constitute a bona fide offering of goods or services. This approach has been recognized in *WhatsApp, Inc. v. Nasser Bahaj*, *WIPO Case No. D2016-0581*, and *WhatsApp, Inc. v. Abdallah Almqbali*, *WIPO Case No. D2016-1287*.

Secondly, the Panel finds that there is no evidence indicating that the Respondent is commonly known by the DDN or by the Complainant's WHATSAPP trademark within the meaning of paragraph 4(c)(ii) of the Policy. The Respondent's use of the DDN to promote an unauthorized third-party application does not establish any independent reputation or rights in the DDN separate from the Complainant's trademark rights.

Finally, the Panel finds that the Respondent is not making a legitimate noncommercial or fair use of the DDN within the meaning of paragraph 4(c)(iii) of the Policy. The Respondent's use of the DDN to offer for download an unauthorized modified version of the WhatsApp application, particularly where such use is contrary to the Complainant's Terms of Service, cannot be

considered legitimate or fair use. This conclusion is consistent with *DNDRC Case No. C2024-0006* (<gbwhatsapp.org.pk>) and *WhatsApp LLC v. Furqan Taunsvi, Buch Executive Villas, WIPO Case No. DCC2024-0012* (<gbwhatsapp.cc> et al.).

In view of the foregoing, the Panel finds that the Complainant has established a *prima facie* case that the Respondent lacks rights or legitimate interests in the DDN. The burden of production therefore shifted to the Respondent to demonstrate any rights or legitimate interests in the DDN. The Respondent has failed to submit any response 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 that the Complainant has 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))

33. 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.
34. 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.

Registration in bad faith

35. The Complainant's WHATSAPP trademark is inherently distinctive and well known throughout the world in connection with its messaging application, having been continuously and extensively used since the respective launching of its services, and acquiring considerable reputation and goodwill worldwide, including in Pakistan (Annex 4).
36. All the leading search results obtained by typing "WhatsApp" into the Google search engine available at www.google.com and www.google.com.pk refer to the Complainant.

*Copies of the search results obtained by typing "WhatsApp" into the Google search engine available at www.google.com and www.google.com.pk are provided as **Annex 10**.*

37. *Given the Complainant's renown and goodwill worldwide and particularly its popularity and trademark rights established prior to the registration of the Domain Name, the Respondent could not credibly argue that it did not have knowledge of the Complainant's WHATSAPP trademark when it registered the Domain Name in May 2024. See WhatsApp Inc. v. Francisco Costa, WIPO Case No. D2015-0909 (<webwhatsapp.com>, registered in 2012).*
38. *The content of the Respondent's website clearly shows the Respondent's knowledge of the Complainant and its trademarks, making multiple references to the Complainant and purporting to offer for download an unauthorized version of the Complainant's application. Furthermore, the Respondent's website features a modified version of the Complainant's logo and figurative trademark, including as a favicon. The Complainant's WHATSAPP trademark is a coined term, exclusively associated with the Complainant and its messaging services. These factors clearly indicate the Respondent's intent to target the Complainant's trademarks when registering the Domain Name; see WIPO Overview 3.1, section 3.2.1.*

See also WhatsApp Inc., Facebook, Inc. v. Alex Xu, HKITN, WIPO Case No. D2019-1709, (<whatsapp-marketinghk.com> et al.)
39. *The lack of response to the Complainant's lawyers' cease and desist letter is further evidence of bad faith; see Altarea v. Loretta Zayas, WIPO Case No. D2020-2337 (<altaraecogedim.com>).*
40. *The Complainant submits that the Respondent registered the Domain Name not only with full knowledge of the Complainant's rights but also with the intent to attract Internet users to the Respondent's website for the promotion of an unauthorized version of the Complainant's application, in bad faith.*

Use in bad faith

41. *Given the confusing similarity between the Domain Name and the Complainant's WHATSAPP trademark, as well as and the content of the Respondent's website as detailed above, in the absence of a prominent disclaimer regarding the relationship with the Complainant, Internet users are likely to be misled into believing that the Respondent's website is somehow affiliated with or otherwise endorsed by the Complainant, which is not the case.*

42. *The Respondent's website purports to offer for download an unauthorized modified version of the WhatsApp application, developed by a third party. The Complainant submits that by using the Domain Name in this way, the Respondent is intentionally attempting to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the services offered therein, in bad faith pursuant to paragraph 4(b)(iv) of the Policy. See WhatsApp LLC v. Gulsher Khan, WIPO Case No. D2024-0910 (<gbwhatsappdownloadapk.net> et al.).*
43. *It is more likely than not that the owner of such third-party application ultimately derives commercial advantage from the Respondent's unauthorized use of the Complainant's trademark in the Domain Name and on its website. 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 3.1, section 2.5.3.*
44. *Furthermore, the promotion of an unauthorized modified APK version of the WhatsApp application not only violates the WhatsApp Terms of Service but also places the security of WhatsApp users at risk. The Respondent's use of the Domain Name to offer for download an unauthorized APK version of the WhatsApp app using the Complainant's trademark disrupts the Complainant's business by driving WhatsApp users to a third-party application. Prior panels have held that such activities constitute use of a domain name in bad faith. See WhatsApp, LLC v. Adila Ayaz, Freelance, WIPO Case No. D2024-2999 (<gbwhatsapp.Gold> et al.).*
45. *Moreover, the Respondent's website features a modified version of the Complainant's logo and figurative trademark and a similar green-and-white-themed colour scheme (Annex 3 and Annex 6), thereby creating a misleading impression of association with the Complainant in bad faith. See WhatsApp LLC v. Nayan Borse and Mohd Syazuan Saad, Bix Charity Kb, WIPO Case No. D2023-3186 (<easywasap.com> and <whatsapp-ads.com>).*
46. *In view of the above, the Complainant submits 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 not submitted any response.

Under paragraph 4(b)(iv) of the 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 factors indicating bad faith under paragraph 4(a)(iii) of the Policy.

As regards registration in bad faith, the Panel notes that the Complainant's WHATSAPP trademark is inherently distinctive and widely recognized throughout the world in connection with its messaging application. The trademark has been continuously and extensively used since the launch of the Complainant's services and has acquired significant reputation and goodwill worldwide, including in Pakistan. The widespread recognition of the WHATSAPP trademark is further demonstrated by the fact that leading Google search results for the term "WhatsApp" refer directly to the Complainant and its services.

In light of the global recognition and reputation of the WHATSAPP trademark, together with the Complainant's trademark rights predating the registration of the DDN, the Panel finds it implausible that the Respondent registered the DDN without knowledge of the Complainant or its trademark rights. The Respondent's awareness of the Complainant is further established by the content of the website associated with the DDN, which makes repeated references to the Complainant's WHATSAPP trademark and purports to offer for download an unauthorized modified version of the Complainant's WhatsApp application.

The Panel further notes that WHATSAPP is a coined and inherently distinctive mark exclusively associated with the Complainant and its messaging services. The Respondent's use of the Complainant's trademark, together with a modified version of the Complainant's logo and figurative trademark, including as a favicon, demonstrates that the Respondent specifically targeted the Complainant's rights when registering the DDN. This conclusion is consistent with section 3.2.1 of the WIPO Overview 3.0 and prior decisions including *WhatsApp Inc. v. Francisco Costa*, WIPO Case No. D2015-0909, and *WhatsApp Inc., Facebook, Inc. v. Alex Xu, HKITN*, WIPO Case No. D2019-1709.

The Panel further notes that the Respondent failed to respond to the Complainant's cease-and-desist letter. While such failure alone is not determinative of bad faith, it may, in the circumstances of this case, constitute an additional indication supporting a finding of bad faith, consistent with *Altarea v. Loretta Zayas*, WIPO Case No. D2020-2337.

Turning to use in bad faith, the Panel finds that the Respondent is using the DDN to direct Internet users to a website that purports to offer for download GBWhatsApp, an unauthorized modified

version of the WhatsApp application developed by a third party. The Panel considers that the use of a domain name incorporating a well-known trademark to promote an unauthorized version of the trademark owner's software constitutes strong evidence of bad faith use.

The Panel further finds that the Respondent's website prominently displays the Complainant's WHATSAPP trademark, logo, figurative mark, and a green-and-white colour scheme similar to that used by the Complainant. Although the website contains a disclaimer, the disclaimer is not prominently displayed on the homepage and is accessible only through a separate tab. The overall presentation of the website is therefore likely to mislead Internet users into believing that the website is operated by, affiliated with, or endorsed by the Complainant, when no such relationship exists.

By using the DDN in this manner, the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's WHATSAPP trademark as to the source, sponsorship, affiliation, or endorsement of the website and the services offered therein. Such conduct falls within paragraph 4(b)(iv) of the Policy. The Panel further notes that commercial gain under the Policy is not limited to direct monetary profit and may include reputational, traffic-driven, or bargaining advantages, as recognized under section 2.5.3 of the WIPO Overview 3.0.

The Panel also accepts that the Respondent's activities conducted through the DDN are likely to disrupt the Complainant's business by diverting users from the official WhatsApp platform to an unauthorized third-party application that operates contrary to the Complainant's Terms of Service and may compromise users' security. Previous UDRP panels have recognized similar conduct as constituting bad faith use, including *WhatsApp LLC v. Gulsher Khan*, WIPO Case No. D2024-0910, and *WhatsApp LLC v. Adila Ayaz, Freelance*, WIPO Case No. D2024-2999.

In light of the totality of the circumstances, including the distinctiveness of the WHATSAPP trademark, the Respondent's evident knowledge of the Complainant's rights, the unauthorized promotion of a modified WhatsApp application, the misleading presentation of the website, and 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)(iii) 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 “WHATSAPP” 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 recommends that the registration of the DDN <gbwhatsapp.biz.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.

The Respondent may seek leave to appeal under Rule 17 of the [Supplemental Rules](#).

Muhammad Amaan Latif

Sole Panelist

Date: 10 July 2026