

BEFORE BHARAT S KUMAR, SOLE ARBITRATOR
 .IN REGISTRY
 NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)
 INDRP ARBITRATION
 INDRP Case No. 2114
 DISPUTED DOMAIN NAME: < insta-pro.net.in >
 ARBITRATION AWARD DATED JUNE 13, 2026

IN THE MATTER OF:

INSTAGRAM, LLC

1601 Willow Road

Menlo Park, California 94025

United States of America

Complainant

VERSUS

AARON CHOI

139 N Hobart Blvd

Veera Desai Road, Andheri West

Los Angeles

California 90004

United States of America

Respondent

1. The Parties in the proceeding:

The Complainant in this administrative proceeding is Instagram, LLC, an American company with its principal place of business at 1601 Willow Road, Menlo Park, California, 94025, United States of America (United States).

The complainant has authorized Mr. David Taylor / Ms. Jane Seager from Hogan Lovells (Paris) LLP, 17 Avenue Matignon, 75008 Paris, France as its authorized

A handwritten signature in blue ink is written over a circular blue stamp. The stamp contains the text "Arbitrator" at the top and bottom, and "Bharat S Kumar" in the center.

representative in the present proceedings. In support of the same, the complainant has placed an Power Of Attorney dated May 15th, 2025 from Mr. Scott Minden, Director and Associate General Counsel of the complainant. A copy of the authority letter has been filed with this present complaint as **Annexure 2**.

The Respondent in the present proceedings is **Aaron Choi**, having his address at 139 N Hobart Blvd, Veera Desai Road, Andheri West, Los Angeles, California 90004, United States of America. The complainant has also filed the publicly-available WHOIS record, for the domain name <insta-pro.net.in>, as **Annexure 3**.

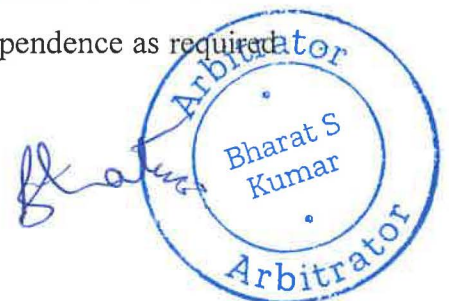
2. **Domain Name and Registrar:-**

The disputed domain name is <insta-pro.net.in>. The domain name was registered on September 26th, 2025. The registrar with which the domain name is registered is Porkbun LLC: 650 Greystone Park NE, Atlanta GA 30324, United States Telephone: +15038508351. The email address of the registrar is, info@porkbun.com .

3. **Procedural History:**

3.1 This arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy (the "Policy") adopted by the National Internet Exchange of India ("NIXI") and the INDRP Rules of Procedure (the "Rules"). The arbitration proceeding is approved in accordance with the Indian Arbitration and Conciliation Act, 1996. By registering the disputed domain name with a NIXI accredited Registrar, the respondent agreed to the resolution of disputes pursuant to the said Policy and the Rules.

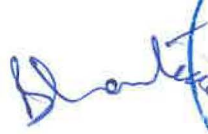
3.2 The complaint was filed by the complainant with NIXI against the respondent. On 13.04.2026, to ensure compliance, I had submitted statement of acceptance and declaration of impartiality and independence as required



by the Arbitrator's Empanelment Rules (Rule 5). On 15.04.2026, I was appointed as the sole arbitrator to decide the disputes between the parties. NIXI notified both the parties of my appointment as arbitrator *via* email dated 15.04.2026. NIXI had also served by email an electronic copy of the complainant with annexures, on the respondent at the email addresses of the respondent, calculatorweb.net@gmail.com, whilst appointing me as an arbitrator.

3.3 On 15.04.2026, I had issued notice to the respondent and directed the complainant to serve the complete paperbook on the respondent, i.e. the complaint which was filed by the complainant and the complete annexures. The service was done by the complainant's counsel, Ms. Ying Lou, through email on 16.04.2026, on the email address present through a WHOIS lookup, i.e. calculatorweb.net@gmail.com. Ms. Lou and Ms. Seager had also shared the confirmation of the service on the respondent with me on 16.04.2026 and confirmed that no emails bounced (came back/rejected). That, all my emails also did not bounce back, implying a delivery of the emails. **Pertinently, in my email dated 16.04.2026 to both the complainant and the respondent, I had requested for a confirmation of my appointment. Ms. Seager, the complainant's counsel confirmed my appointment in the very same email.**

3.4 It may be noted that I had on 15.04.2026, also granted the respondent a time period of 15 days, to file a response (statement of defense) to the complaint, from my email and the delivery of service of the complete paperbook. That pursuant to no response from the respondent for 15 days after service of the complaint and the documents (annexures), I had on 01.05.2026 sent an email to the respondent apprising it of its rights to file a defence (response). In the interest of justice, I had granted 8 more days to the respondent to file a response to the complaint, with documents, if any. That on 10.05.2026, finally, owing to no response by the respondent, I had closed its right to file






a response and proceeded *ex-parte*. That in the same email, I had also asked the complainant's counsel whether they wish to seek any personal hearing, to which they declined the same vide email dated 11.05.2026 and requested that the complaint further proceed on merits.

3.5 That, all the communications to the complainant, respondent and NIXI by this tribunal have been through email. None of the emails sent on calculatorweb.net@gmail.com have bounced or returned. I therefore hold that the service is complete as per the INDRP rules as all correspondences effectively took place on calculatorweb.net@gmail.com.

Respondent being proceeded *ex-parte*:

3.6 I wish to highlight Clause 13(b) of the INDRP Rules of procedure requires that the arbitrator shall at all times treat the parties with equality and provide each one of them with a fair opportunity to present their case. Clause 17 of the INDRP Rules of procedure grant the power to an arbitrator to proceed *ex-parte*, in the event any party breaches the provisions of INDRP rules and/or directions of the arbitrator.

3.7 The respondent has been given a fair opportunity to represent itself, respond to the complainant's assertions & contentions and counter the same, if it so wishes to. However, there has been no response by the respondent, despite effective service. It is noteworthy that Clause 18 of the INDRP Rules of procedure mandate that an arbitrator shall decide a complaint on the basis of the pleadings submitted and in accordance with the Arbitration & Conciliation Act, 1996 amended as per the Arbitration and Conciliation (Amendment) Act, 2015 read with the Arbitration & Conciliation Rules, Dispute Resolution Policy, the Rules of Procedure and any by-laws, and guidelines and any law that the arbitrator deems to be applicable, as amended from time to time. In these circumstances this tribunal proceeds to decide the complaint on merit in accordance with said act, policy and rules on



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respondent's failure to submit a response, despite having been given sufficient opportunity and time to do so and represent itself. As a result of the aforementioned, the respondent is proceeded *ex-parte*.

4. **Legitimate rights under which a complainant can approach NIXI:**

4.1 The complainant has invoked Clause 4 of the INDRP policy to initiate the arbitration proceeding. Clause 4 reads as under:

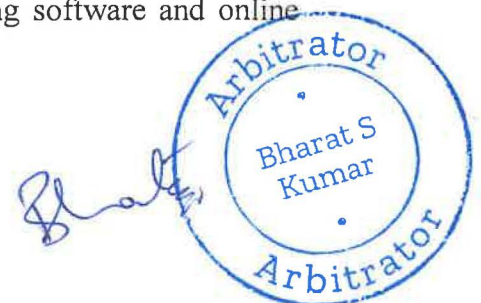
4. Any Person who considers that a registered domain name conflicts with his/her legitimate rights or interests may file a Complaint to the .IN Registry on the following premises:

- (a) the Registrant's domain name is identical and/or confusingly similar to a Name, Trademark or Service Mark etc. in which the Complainant has rights; and*
- (b) the Registrant has no rights or legitimate interests in respect of the domain name; and*
- (c) the Registrant's domain name has been registered or is being used either in bad faith or for illegal/unlawful purpose.*

The complainant therefore has to satisfy this arbitral tribunal on all the three aforementioned clauses/conditions, i.e 4 (a), (b) and (c).

5. **Case of the complainant**

5.1 The complainant avers that it is a world-renowned leading online photo and video sharing social-networking application. It avers that, since its launch in 2010, Instagram rapidly acquired and developed considerable goodwill and reputation worldwide. It is further states that, it was acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012 and today Instagram is the world's fastest growing photo and video sharing and editing software and online



social network, with more than 2.4 billion monthly active accounts worldwide. It is further averred that Instagram has consistently ranked amongst the top applications ("apps") for mobile devices, including for iOS and Android operating systems. That, Instagram is currently the most downloaded application worldwide, according to The Financial Times. In support of its contentions, the complainant has attached a screen capture of the homepage of the complainant's website as **Annexure 4**. Further, the complainant has also attached copies of Instagram's company information, including its Wikipedia entry, articles about Meta's acquisition of Instagram in 2012 and mobile application rankings, and Interbrand's Best Global Brands 2025, as **Annexure 5**.

5.2 The complainant further avers that Instagram's exponential growth and popularity, including in India, has been widely reported by specialized technology publications including *Tech Crunch* as well as major international publications such as *The New York Times* (United States) and *Datareportal*. In support of the same, the complainant has also filed copies of Instagram's launch and rapid growth and international popularity, as **Annexure 6**.

5.3 The complainant also avers that reflecting its global reach, it is also the owner of numerous domain names comprising the INSTAGRAM trade mark under generic Top-Level Domains (TLDs). In support of the same, the complainant has also filed copies of the WHOIS records for a selection of the its domain names as **Annexure 7**.

5.4 In support of its endeavours to affirm a strong presence online, the complainant avers that it has also made substantial investments by being active on various social-media platforms. In support of the same, the complainant has also filed screen captures of its social-media pages as **Annexure 8**.



The complainant's statutory claims pertaining to trademark "Instagram":

5.5 The Complainant claims that it has secured ownership of numerous trade mark registrations for INSTAGRAM and INSTA, as well as figurative trade mark registrations for its celebrated Instagram logo,  in various jurisdictions, including the following:

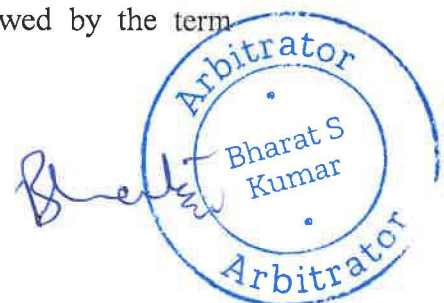
- Indian Trade Mark No. 3101498, INSTA, registered on 5 December 2017;
- United States Trademark Registration No. 5,061,916, INSTA, registered on 18 October 2016;
- European Union Trade Mark No. 014810535, INSTA, registered on 23 May 2018;
- Indian Trade mark No. 2645896, INSTAGRAM, registered on 19 December 2013;
- Pakistani Trade Mark No. 398679, INSTAGRAM, registered on 30 July 2018
- United States Trademark Registration No. 4,146,057, INSTAGRAM, registered on 22 May 2012;
- Indian Trade Mark No. 3042394, INSTAGRAM, registered on 27 August 2015;
- European Union Trade Mark No. 14493886, INSTAGRAM, registered on 24 December 2015;
- Pakistani Trade Mark No. 398679, INSTAGRAM, registered on 1 May 2017;
- International Registration No. 1129314, INSTAGRAM, registered on 15 March 2012;
- United States Trademark Registration No. 4,146,057, INSTAGRAM, registered on 22 May 2012; and
- Indian Trade mark No. 3257847, , registered on 12 May 2016;

In support of the aforementioned averments, the complainant has also filed trademark registrations at **Annexure 9**.

6. The dispute raised before this tribunal – case of the complainant:

The Domain Name and associated website

6.1 The complainant claims that it was recently made aware of the disputed domain name, comprising its INSTA trade mark followed by the term



(hyphen) "pro", under the domain extension ".net.in". It further avers that the domain name resolves to a website (the **Respondent's website**) that purports to offer for download a modified APK version of Instagram known as "Insta Pro APK". This unauthorised third party developed software purportedly provides functionalities that go beyond those offered in the official Instagram app. It avers that for instance, the respondent's website states:

"The biggest attraction of InstaPro is the opportunity to download photos, reels and videos to your phone. The official Instagram app that relies on third-party tools. But his mod version has a built-in download option."

6.2 The complainant also states that addition to Insta Pro APK, the Respondent's website also promotes other modified Instagram applications, including "AeroInsta", "GB Instagram" and "Instander APK". The complainant also avers that the respondent's website prominently references the its INSTAGRAM trade mark and its distinctive logo and figurative mark, displays a modified version of that logo (including as a favicon), and adopts a pink-to-purple gradient colour scheme closely resembling that used by the complainant on its homepage, as follows:

Complainant's logo and figurative trade mark



Logo on the Respondent's website, including as a favicon



Complainant's gradient colour scheme



Colour scheme used on the Respondent's website



6.3 The complainant states that apart from the two email addresses as noted above (i.e., contact@insta-pro.net.in and support@insta-pro.net.in), the Respondent's website does not provide any other contact details.

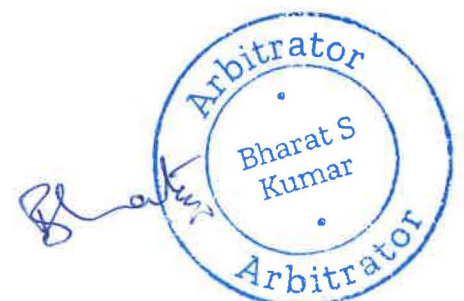
6.4 The complainant states that there is a disclaimer displayed on the "About Us" page:

"We are not affiliated with Meta or Instagram. **Insta-Pro.net.in** is an independent platform created for educational and utility purposes – committed to helping users unlock Instagram's full potential without unnecessary limits or distractions."

It has filed screen captures of the respondent's website are provided as **Annexure 10**.

Complainant's notice to the respondent:

6.5 The complainant states that on 26th January 2026, its lawyers sent a cease-and-desist notice in relation to the domain name and the other two related domain names to the respondent using the email addresses listed on the respondent's website. It avers that no response was received. In support of its assertions, it has filed the copy of the notice as **Annexure 11**.



Prior cases against the respondent – “Aaron Choi”

6.6 To further its case, the complainant has at paragraph 23 also mentioned of similar of its cases against the same respondent. It avers that "Aaron Choi" has been named as a respondent in a prior UDRP proceeding brought by the 'complainant's related company', WhatsApp, LLC, **where the panel ordered the transfer of all disputed domain names**; see *WhatsApp LLC v. White Wolves LLC, Aaron Choi*, WIPO Case No. D2025-3500 (<gbwatsapp.download> et al.).

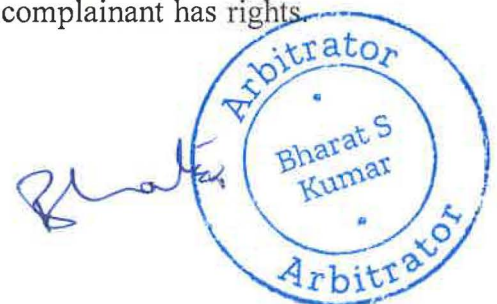
6.7 Further , the complainant also relies on the Uniform Domain Name Dispute Resolution Policy (UDRP) and UDRP-based decisions, as well as the WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("**WIPO Overview 3.1**"), given the similarities of the UDRP with the .IN Policy; *LEGO Juris A/S v. Robert Martin*, INDRP/125 (<lego.co.in>), where it states the panel referred to prior UDRP decisions to support its findings.

7. Analysis

7.1 It is pertinent to note that Paragraph 4 of the INDRP Domain Name Dispute Resolution Policy, mentions about class of disputes, which grants any person who considers that a registered domain name conflicts with his/her legitimate rights or interests, the right to file a complaint with the .IN Registry. There are 3 conditions which an aggrieved right holder may file the complaint under. The complainant has in the present complaint mentioned that its rights under all the three conditions have been violated:

- i. Condition 4(a) - The Registrant's domain name is identical and/or confusingly similar to a name, trademark or service mark in which the complainant has rights;

The complainant has stated in the complaint that the disputed domain name is confusingly similar to a trade mark in which the complainant has rights.



The complainant avers that the disputed domain name incorporates the term "insta", which is not only the complainant's INSTA trade mark but also the dominant part of its INSTAGRAM trade mark, with the addition of a hyphen and the dictionary term "pro" under the country code extension ".net.in" for India. It further avers that the term "pro", together with a hyphen, does not prevent a finding of confusing similarity with the Complainant's trade marks; see WIPO Overview 3.1, section 1.8, as well as Instagram, LLC v. *Muhammad Tahir*, INDRP/1968 (<instapro.net.in>) and *BATNESTO LTD V. IAN CHRIS JULIO ESTHER*, INDRP/2051 (<melbet.com.in>).

The complainant further states that with regard to the ".net.in" domain extension, it is well established under the .IN Policy that such domain extension may be disregarded when assessing whether a domain name is identical or confusingly similar to a complainant's trade mark. Basis the aforementioned, the complainant asserts that the disputed domain name is confusingly similar to the complainant's trade mark in accordance with paragraph 4(a) of the .IN Policy.



I have gone through the pleadings and documents filed by the complainant. With regard to the fulfilment of paragraph 4(a) of the INDRP policy, it is evident that the complainant has been continuously and extensively using the registered trademark INSTAGRAM in the course of trade and commerce since its launch in the year 2010. The complainant has also registered its trademark(s) INSTAGRAM and INSTA across myriad jurisdictions including in India. Its statutory rights thus, in the trademark INSTAGRAM and INSTA are well established. It is pertinent to note that the disputed domain name insta-pro.net.in was registered on September 26, 2025, much later than the adoption and registration of the complainant's registered trademark, INSTAGRAM.



It is noteworthy that a perusal of the disputed domain name 'insta-pro.net.in' of the registrant/respondent shows that the respondent has used the complainant's trademark 'INSTA' in its entirety and merely added a word "pro", further to it. The disputed domain name 'insta-pro.net.in' is identical to the 'INSTA' and 'INSTAGRAM' trademark(s) of the complainant. It is well established that the mere addition of a TLD such as "net.in" and even a suffix, such as 'pro' to a trademark(s), are not significant in distinguishing a domain name. In *Instagram, LLC. v. pinoy tvshows*, WIPO Case No. D2023-3723 (<instagrampro.app>): where it was held that

"While the addition of other terms (here, 'pro') may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy."

It has been held by prior panels deciding under the INDRP, such as in *Kenneth Cole Productions v. Viswas Infomedia INDRP/093*, that there is confusing/deceptive similarity where the disputed domain name wholly incorporates a complainant's trade mark. It is further noteworthy that, a TLD/ccTLD such as "**net.in** " is an essential part of domain name. Therefore, it cannot be said to distinguish the respondent's domain name 'insta-pro.net.in' from the complainant's trademark(s) INSTAGRAM and INSTA. In **Satyam Infoway Ltd vs Siffynet Solutions Pvt. Ltd AIR 2004 SC 3540**, the Hon'ble Supreme Court of India stated that the law pertaining to the Trademark Act, 1999 shall be applicable to domain names in India. The Hon'ble Supreme Court of India also observed that domain names have the same characteristics of a trademark and thus act as a source and business identifier. In *M/s Retail Royalty Company v. Mr. Folk Brook INDRP/705*, wherein on the basis of the complainant's registered trademark and domain names for "AMERICAN EAGLE", having been created by the complainant much before the date of creation of the disputed domain name <americaneagle.co.in> by the respondent, it was held that:



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"The disputed domain name is very much similar to the name - and trademark of the complainant. The Hon'ble Supreme Court of India has recently held that the domain name has become a business identifier. A domain name helps identify the subject of trade or service that an entity seeks to provide to its potential customers. Further that there is a strong likelihood that a web browser looking for AMERICAN EAGLE products in India or elsewhere would mistake the disputed domain name as of the complainant. "



The complainant has rights in the trademark(s) INSTAGRAM and INSTA by way of trademark registrations across myriad jurisdiction, and by virtue of use in the course of trade, as part of their company. Pertinently, the use is much prior to the date on which the respondent created the impugned domain <insta-pro.net.in> incorporating the complainant's trademark and trade name INSTAGRAM and INSTA in totality and as a whole.

The respondent has not filed any response to the assertions put forth by the complainant. The averments of the complainant thus remain unrebutted.

In view of the above facts and submissions of the complainant, on perusal of the documents filed and annexed with the complaint, I therefore hold that the disputed domain name <insta-pro.net.in> of the registrant (respondent) is identical and/or confusingly similar to the trademarks INSTAGRAM and INSTA of the complainant.

- ii. Condition no.4 (b) the Respondent (Registrant) has no rights or legitimate interest in respect of the domain name:

The complainant asserts that the respondent is unable to invoke any of the circumstances set out in Paragraph 6 of the .IN Policy to

demonstrate rights or legitimate interests in the domain name. The complainant avers that the core factor in assessing whether the respondent's use of a domain name is fair, is whether it falsely suggests affiliation with the trade mark owner. Further, it avers that prior UDRP panels have found that where a domain name consists of a trade mark together with an additional term, such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trade mark owner; (WIPO Overview 3.1, section 2.5.1).

To further its claims, the complainant states that despite the disclaimer, the respondent's website makes prominent references to the complainant's INSTAGRAM trade mark, features a modified version of its distinctive logo and figurative trade mark and adopts a pink-to-purple gradient colour scheme suggestive of the complainant's branding. As a result, the complainant submits that the respondent is using the Disputed Domain Name, which is confusingly similar to the complainant's trademarks, to exploit the goodwill and reputation associated with the complainant's trade marks by creating a false impression of association with the complainant. It relies on: *Facebook, Inc. v. Batyi Bela, Whois privacy services, provided by DomainProtect, WIPO Case No. D2020 2683 (<fbvideo.com>)*

And

Instagram LLC v. GB Apps, INDRP/1890 (<instapro.com.in>):

"The inclusion of the well-known mark 'INSTA' in the Disputed Domain Name reflects the malafide intention of the Respondent to use the Disputed Domain Name for earning profits. Such a conduct demonstrates anything but a legitimate interest in the domain name."

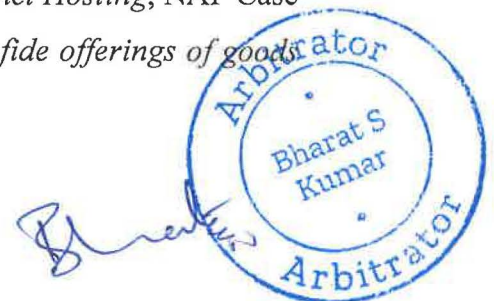


The complainant also states that it has not authorised, licensed or otherwise allowed the respondent to make any use of its INSTA or INSTAGRAM trade mark(s), in a domain name or otherwise. It avers that the lack of such prior authorisation would be sufficient to establish a prima facie case regarding the respondent's lack of rights or legitimate interests in the disputed domain name.

I agree with the assertions put forth by the complainant. I believe that the complainant has established its rights in the trademark(s) INSTA and INSTAGRAM. The mere fact that the disputed domain name is registered does not imply that the respondent has any rights or legitimate interests in them. In *Deutsche Telekom AG v. Phonotic Ltd.* (WIPO Case No. D2005-1 000), it has been held that “*Registration of a domain name in itself does not establish rights or legitimate interests for purposes of paragraph 4(a)(ii) of the Policy*”. Therefore, any use of the disputed domain name by the respondent is not a legitimate, non-commercial or fair use. The respondent thus has no rights or legitimate interests in, the disputed domain name.

There is no quarrel in mentioning that 'INSTAGRAM' is extremely well known, across India and the world over. The same can be said for “INSTA” too as it’s known to be an acronym of the INSTAGRAM application. The adoption of words/marks, “INSTA” and/or “INSTAGRAM”, therefore in the disputed domain name affirms the malafide intention of the respondent to make use of and ride on the coat tails of the complainant for earning commercial benefits. Such a conduct demonstrates anything, but a legitimate interest in the domain name.

In the *Sports Authority Michigan, Inc. v. Internet Hosting*, NAF Case No. 124516, it was held ‘*It is neither a bona fide offerings of goods*



or services, nor an example of a legitimate non-commercial or fair use under Policy 4(c)(i) and (iii), when the holder of a domain name that is confusingly similar to an established mark uses the domain name to earn a profit without approval of the holder of the mark".

It is reiterated that the respondent (registrant) has not filed any response to counter the complainant's assertions, despite service. **Further, the complainant had even sent a prior notice to the respondent, which believably has no response either.** The respondent has thus failed to satisfy the conditions contained in clauses 6 (a),(b) and (c) of INDRP Policy. It is pertinent to note that the respondent (registrant) has no rights or legitimate interest in respect of the disputed domain name. Significantly, the respondent has never been identified with the disputed domain name or any variation thereof. The respondent's (Registrant) use of the disputed domain name will inevitably create a false association and/or affiliation with the complainant and its extensively known trademark/label marks, INSTAGRAM and INSTA.

Therefore, in view of the submissions made in the complaint and on perusal of the accompanying documents, I am of the opinion that the respondent has no rights or legitimate interests in respect of the disputed domain name. Accordingly, condition 4(b) of the INDRP policy is decided in the favour of the complainant.

- iii. Condition 4(c): The Registrant's domain name has been registered or is being used in bad faith:

To look into condition 4 (c) of the INDRP policy, clause 7 is to be looked into. Clause 7 of the INDRP policy states as under:



For the purposes of Clause 4(c), the following circumstances, in particular but without limitation, if found by the Arbitrator to be present, shall be evidence of the Registration and use of a domain name in bad faith:

- (a) circumstances indicating that the Registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant, who bears the name or is the owner of the Trademark or Service Mark, or to a competitor of that Complainant, for valuable consideration in excess of the Registrant's documented out-of-pocket costs directly related to the domain name; or*
- (b) the Registrant has registered the domain name in order to prevent the owner of the Trademark or Service Mark from reflecting the mark in a corresponding domain name, provided that the Registrant has engaged in a pattern of such conduct; or*
- (c) by using the domain name, the Registrant has intentionally attempted to attract Internet users to the Registrant's website or other on-line location, by creating a likelihood of confusion with the Complainant's name or mark as to the source, sponsorship, affiliation, or endorsement of the Registrant's website or location or of a product or service on the Registrant's website or location; or*
- (d) The Registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor.*

It is pertinent to reiterate that the complainant is vested with statutory rights across myriad jurisdictions in its INSTAGRAM and INSTA trademark(s), including in India. **The use of the trademark INSTAGRAM has been from year 2010.** The respondent's registration of a disputed domain name wholly incorporating the complainant's trademark is most certainly to ride on the



complainant's commercial success which its INSTAGRAM and INSTA trademark has attained over the past several years.

It is also noteworthy that the actions of the respondent seem to fall squarely within subclause (c) hereinabove. A testament to the same are the cases mentioned by the complainant in paragraph 23 of its complaint wherein the very same respondent has engaged in surreptitiously registering and using the complainant's related company's trademark, WHATSAPP.

Given the enormous success of the complainant's business model, its celebrated trademarks INSTAGRAM and INSTA, being known all across the world, there seems to be no reason for the respondent to adopt an identical name/ mark with respect to the impugned domain name.

The complainant is correct in stating that the unauthorized downloading of Instagram content using such APK version of it's Instagram application also places the privacy and security of Instagram users at risk, as content downloaded may be stored and later used by third parties for unauthorized purposes. For the same, it relied on *Meta Platforms, Inc. v. Muhammad Shahbaz*, WIPO Case No. D2024 0288 (<facebookvideodownloader.live>).

This adoption by the respondent, of course seems to create a deliberate and false impression in the minds of users that the respondent is somehow associated with or endorsed by the complainant. A case by a previous panel, *Mls Merck KGaA v Zeng Wei JNDRP/323*, can be referred wherein it was stated that:

"The choice of the domain name does not appear to be a mere coincidence, hut a deliberate use of a well-recognized mark..."



such registration of a domain name, based on awareness of a trademark is indicative of bad faith registration. "

From a perusal of the averments and documents filed herewith, there is therefore no doubt that the respondent has got the Disputed Domain Name registered in bad faith and to ride on the complainant's INSTAGRAM and INSTA trademarks' goodwill and reputation. The actions of the respondent are this in contravention with paragraph 4(c) of the INDRP policy. I therefore hold that the respondent's domain name has been registered in bad faith.

Decision

In view of the foregoing, I hold that the disputed domain name, <insta-pro.net.in> is identical and/or confusingly similar to the complainant's 'INSTAGRAM' and 'INSTA' trademarks. I further hold that the respondent has no rights or legitimate interests in respect of the disputed domain name and that the same was registered in bad faith by the respondent.

In accordance with the INDRP Policy and Rules, I direct that the disputed domain name registration be transferred to the complainant.
No order as to costs.

Date: 13.06.2026

Place: New Delhi



Bharat S. Kumar

Sole Arbitrator
Kumar