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BEFORE THE SOLE ARBITRATOR UNDER THE .IN DOMAIN NAME DISPUTE RESOLUTION POLICY

(Appointed by the National Internet Exchange of India)

ARBITRATION AWARD

Disputed Domain Name: <instaproapk.org.in>

IN THE MATTER OF

Instagram, LLC
1601 Willow Road,
Menlo Park, California 94025,
United States of America

*****Complainant

-----versus-----

White Wolves LLC (as per WHOIS records)

30 N Gould St, Sheridan, WY 82801

United States of America

United States of America
Email: whitewolvesllc@gmail.com

..... Respondent

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- Leena*

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1. The Parties

The **Complainant** in this arbitration proceeding is **Instagram, LLC**, with its principal place of business at 1601 Willow Road, Menlo Park, California 94025, United States of America.

The **Respondent** in this arbitration proceeding is **White Wolves LLC**, of the address: 30 N Gould St, Sheridan, WY 82801, United States of America as per the WHOIS records.

2. The Domain Name, Registrar and Registrant

The present arbitration proceeding pertains to a dispute concerning the registration of the domain name <INSTAPROAPK.ORG.IN> with the .IN Registry. The Registrar of the disputed domain is **Hosting Concepts B.V. dba Openprovider**.

3. Procedural History

The arbitration proceeding is in accordance with the .IN Domain Name Dispute Resolution Policy (INDRP), adopted by the National Internet Exchange of India (NIXI). The procedural history of the matter is tabulated below:

Date	Event
June 2, 2026	NIXI sought consent of Ms. Lucy Rana to act as the Sole Arbitrator in the matter.
June 3, 2026	The Arbitrator confirmed her availability and gave her consent, along with the Statement of Acceptance and Declaration of Impartiality and Independence in compliance with the INDRP Rules of Procedure.
June 6, 2026	NIXI handed over the Domain Complaint and Annexures thereto to the Arbitrator.
June 8, 2026	The Arbitrator directed the Complainant's Counsel to serve a full set of the domain complaint as filed, along with annexures, upon the Respondent by email as well as physical mode (in case Complaint had already not done so) and provide proof of service within seven (07) days. Complainant's Counsel, vide email on the same date, sent a full set of the domain complaint and annexures via email to the Respondent. Further, the Complainant's Counsel confirmed that the domain complaint has been delivered through email to the Respondent and provided a copy of the delivery report as an evidence.
June 9, 2026	The Arbitrator accordingly commenced arbitration proceedings in respect of the matter. Respondent was granted time of fourteen (14) days, to submit a response, i.e. by June 23, 2026.

June 24, 2026	As no response was received from the Respondent within the stipulated time period, in the interests of justice, the Arbitrator granted a final extension of three (03) days to respond to the complaint.
June 29, 2026	As no response was received from the Respondent, the Arbitrator concluded proceedings and reserved the present award.

4. Factual Background – Complainant

Counsel for the Complainant, on behalf of the Complainant in the present matter, has, inter alia, submitted as follows:

- i. That the Complainant is a world-renowned leading online photo-and-video-sharing social networking application. Since its launch in 2010, **Instagram**, commonly abbreviated as "**Insta**", rapidly acquired and developed considerable goodwill and renown worldwide. Acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2012, today **Instagram** is the world's fastest growing photo-and-video-sharing and editing software and online social network, with more than 3 billion monthly active accounts worldwide. In this regard, the Complainant has annexed screen capture of the homepage of their website as Annex 4.
- ii. That, **Instagram** has consistently ranked amongst the top "apps" for mobile devices, including for iOS and Android operating systems. That, Instagram has been the recipient of numerous awards and is currently one of the most downloaded apps worldwide, according to applications information company Data.ai. In 2025, Instagram ranked 8th in Interbrand's Global Brands. In this regard, the Complainant has annexed their company information, including its Wikipedia entry, articles about Meta's acquisition of Instagram in 2012 and mobile application rankings as Annex 5.
- iii. That, **Instagram**'s exponential growth and popularity have been widely reported by specialized technology publications including *Tech Crunch* as well as major international publications such as *The New York Times*, and *The Washington Post* (United States). In this regard, the Complainant has annexed copies of sample press articles about Instagram's launch, rapid growth and international popularity as Annex 6. Further, the Complainant has annexed screen captures of online dictionaries evidencing that the term "INSTA" commonly refers to Instagram as Annex 7.
- iv. That the Complainant's domain names consisting of its trade mark are not only the heart of its business, but also a primary way for its millions of users to avail themselves of its services. That the Complainant is the registrant of numerous domain names consisting of or including its INSTAGRAM trade mark under a wide range of generic Top-Level Domains as well as under numerous country code Top-Level Domains. In this regard, the Complainant has annexed copies of the WhoIs records for their domain names as Annex 8.

- v. That the Complainant has also made substantial investments to develop a strong presence online by being active on various social-media platforms, including Facebook, X (formerly Twitter) and LinkedIn. In this regard, the Complainant has annexed screen captures of their social-media pages as Annex 9.
- vi. That the Complainant has secured ownership of numerous trade mark registrations for **INSTA** and **INSTAGRAM**, as well as figurative trade mark registrations for its Instagram logo, in various jurisdictions, including in India. In this regard, the Complainant has annexed copies of trade mark registrations as Annex 10.

5. Contentions And Legal Grounds Submitted By The Complainant

In support of the requirements under the captioned provisions of the INDRP (combined with the relevant Rules of Procedure) the Complainant has submitted that:

A. The Respondent's domain name "instaproapk.org.in" is identical to a name, trademark/ trade name in which the Complainant has rights

- i. That the Complainant has established its rights in the trade mark **INSTA**.
- ii. That the disputed domain name is confusingly similar to the Complainant's registered trademark **INSTA**.
- iii. That the disputed domain name comprises the Complainant's **INSTA** trade mark with the addition of the terms "pro" and "apk", under the domain extension ".org.in".
- iv. That the addition of the terms "pro" and "apk" does not prevent a finding of confusing similarity with the Complainant's **INSTA** trade mark, which remains clearly recognizable in the disputed domain name. Complainant has placed its reliance on *Instagram, LLC v. Aina Jannat Aina Jannat*, WIPO Case No. D2024-1424 (<instagramproapk.org>), and *Instagram, LLC v. Muhammad Tahir*, INDRP/1968 (<instapro.net.in>).
- v. That it is well established under the Policy that extensions such as ".org.in" may be disregarded when assessing whether a disputed domain name is identical or confusingly similar to a Complainant's trademark. Complainant has placed its reliance on *Google LLC v. Hom Kit Bk Picture*, INDRP/1814 (<simsim.net.in>).

B. The Respondent has no rights or legitimate interests in respect of the domain name

- i. That the Respondent has no rights or legitimate interests in the disputed domain name, as it has no connection or affiliation with the Complainant, has never been authorized to use the Complainant's trademarks or to incorporate the same in the disputed domain

name in any form, and has not been engaged in any official commercial relationship with the Complainant.

- ii. That the Respondent cannot assert that, prior to any notice of the dispute, it was using, or had made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. That the Respondent's website purports to offer for download unauthorized modified APK versions of the Complainant's Instagram application with additional functionality, including the ability to download Instagram content, which does not amount to a bona fide offering of goods or services. Complainant has placed its reliance on *Instagram, LLC v. GB Apps, Apps.Pk*, WIPO Case No. D2024-2405 (<instagramproapp.com>) and *Meta Platforms, Inc. v. Vladimir Shubert*, WIPO Case No. D2024-3370 (<videodownloaderforfb.com>).
- iii. That the Respondent is not commonly known by the disputed domain name. The organization name "White Wolves LLC" (Respondent) bears no resemblance whatsoever to the disputed domain name, and the Respondent has not secured or sought any trade mark rights in the terms "insta", "instapro", "instaproapk" or any variation thereof.
- iv. That the Respondent is not making any legitimate non-commercial or fair use of the disputed domain name. By using the disputed domain name, which comprises the Complainant's **INSTA** trade mark, the Respondent's website features identical and modified versions of the Complainant's logo and figurative trade mark together with a similar pink/purple colour scheme, which shows that the Respondent is exploiting the goodwill and reputation associated with the Complainant's trademarks and creating a false impression of association with the Complainant in order to mislead Internet users. Complainant has placed its reliance on *Instagram, LLC v. Fahad Nawaz, ZeeTv, supra*, and *Instagram, LLC v. Whois Privacy, Private by Design, LLC / Ayesha Karunaratne*, WIPO Case No. D2021-2233 (<downloadgram.com>).

C. The disputed domain name has been registered in bad faith

- i. That the Complainant's **INSTAGRAM** and **INSTA** trademarks are inherently distinctive and well known throughout the world. Given the Complainant's renown and goodwill worldwide, and its trade mark rights established long before the registration of the disputed domain name, the Respondent could not credibly argue that it did not have knowledge of the Complainant's **INSTAGRAM** or **INSTA** trademarks when it registered the disputed domain name in January 2025, by which time the Complainant's application had amassed over 3 billion monthly active accounts.
- ii. That the Respondent's use of the disputed domain name clearly targets the Complainant and strongly suggests that the Respondent intended to create confusion with the Complainant and its trademarks. By using the disputed domain name, the Respondent has intentionally attempted to attract Internet users to its website by creating a

likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation or endorsement of the Respondent's website and the services offered therein.

- iii. That it is likely that the Respondent derives commercial gain, including reputational advantage, from the downloading of the modified APK versions of the Instagram application, and that such use is likely to disrupt the Complainant's business by driving Internet users to a third-party application.
- iv. That the lack of disclaimer on the Respondent's website to clarify the Respondent's lack of relationship with the Complainant further adds to the confusion caused by the disputed domain name and constitutes additional evidence of the Respondent's intentional bad faith conduct. That the Complainant further submits that even if such a disclaimer had been displayed, it would be insufficient to cure the Respondent's bad faith use of the disputed domain name.

6. Reliefs claimed by the Complainant (Paragraphs 10 of the .IN Policy and 3(b)(vii) of the .IN Rules)

The Complainant has requested that the domain name <INSTAPROAPK.ORG.IN> be transferred to them.

7. Respondent's Contentions

As already mentioned in the procedural history of the matter, despite having been duly served with a copy of the Domain Complaint as filed, and thereafter granted adequate time to respond to the same, the Respondent had not submitted any response thereto, or in fact any communication of any kind to the Arbitrator during pendency of arbitral proceedings in the matter.

8. Discussion and Findings

As mentioned in Paragraph 4 of the .IN Domain Name Dispute Resolution Policy, the Complainant is required to satisfy the below three conditions in a domain complaint:

- i. The Registrant's domain name is identical and confusingly similar to a name, trade mark or service mark in which the Complainant has rights; and
- ii. The Registrant has no rights and legitimate interest in respect of the domain name; and
- iii. The Registrant's domain name has been registered or is being used either in bad faith or for illegal/ unlawful purpose.

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i. **The Registrant's domain name is identical or confusingly similar to a name, trade mark or service mark in which the Complainant has rights**
(Paragraph 4(a) of the .IN Domain Name Dispute Resolution Policy)

- In the present domain dispute, the Complainant has furnished information about their trade mark rights over the **INSTA** trademark in several countries of the world, including in India.
- The Complainant has also submitted that the disputed domain name incorporates the Complainant's trademark **INSTA** in its entirety and hence is confusingly similar to the Complainant's trademark.
- The Complainant has also made submissions and provided evidence in respect of its prior adoption and use, as well as reputation in its **INSTA** trademark.
- The Complainant has further submitted that the Respondent has registered the disputed domain name without any meaning or significance independent of the Complainant's registered trademark **INSTA**.
- The Complainant has submitted that mere addition of the terms "pro" and "apk" does not prevent a finding of confusing similarity with the Complainant's **INSTA** trade mark, which remains clearly recognizable in the disputed domain name.
- The Complainant has further submitted that extensions such as ".org.in" may be disregarded when assessing whether a disputed domain name is identical or confusingly similar to a Complainant's trademark.

Thus, in light of the trademark rights presented by the Complainant's and the documents placed on record, the Arbitrator finds that the Complainant has been successful in establishing their rights in **INSTA** trademark. It is well established that trademark registration is recognized as prima facie evidence of rights in a mark. The Complainant, by filing documents showing its ownership over registered **INSTA** trademark, has established its prior rights in the same worldwide.

Further, it has been held by prior panels deciding under the INDRP that there exists confusing similarity where the disputed name incorporates the Complainant's trade mark, such as *Kenneth Cole Productions v. Viswas Infomedia INDRP/093*, *Indian Hotel Companies Limited v. Mr. Sanjay Jha, INDRP/148 <Gingerhotels.co.in>*, *Carrier Corporation, USA v. Prakash K.R. INDRP/238 <Carrier.net.in>*, *M/s Merck KGaA v. Zeng Wei INDRP/323 <Merckchemicals.in>*, *Colgate-Palmolive Company & Anr. v. Zhaxia INDRP/887 <Colgate.in>* and *The Singer Company Limited v. Novation In Limited INDRP/905 <singer.co.in>*. More recently, as held by the INDRP Panel in the matter of *Tata Communications Limited v. Chandan [INDRP/1880]* on August 29, 2024 – “It is well established that the full incorporation of a complainant's trademark in a disputed domain name is sufficient for a finding of identical or confusing similarity”.

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Accordingly, it may be stated that the disputed domain name <INSTAPROAPK.ORG.IN> is confusingly similar to the Complainant's INSTA trademark, and incorporates the same in entirety.

In view of the aforesaid, the Arbitrator accepts that the Complainant's rights in its trademarks, under Paragraph 4(a) of the INDRP has been established.

ii. **The Registrant has no rights and legitimate interest in respect of the domain name (Paragraph 4(b) and Paragraph 6 of the .IN Domain Name Dispute Resolution Policy)**

As per paragraph 6 of the Policy, a Registrant may show legitimate rights and interests in a domain name, by demonstrating any of the following circumstances:

- (a) before any notice to the Registrant of the dispute, the Registrant's 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;*
- (b) the Registrant (as an individual, business, or other organization) has been commonly known by the domain name, even if the Registrant has acquired no Trademark or Service Mark rights; or*
- (c) the Registrant is making a legitimate non-commercial or fair use of the domain name, without the intention of commercial gain by misleadingly or diverting consumers or to tarnish the Trademark or Service Mark at issue.*

In this regard, in the absence of any rebuttal from the Respondent, and in light of the below assertions of the Complainant, the Arbitrator accepts the Complainant's assertion, that the Respondent has no rights or legitimate interests in the disputed domain name in accordance with Paragraph 4(b) of the INDRP.

- The Respondent is not commonly known by the disputed domain name.
- Further, the Complainant has not authorized, licensed or otherwise allowed the Respondent to make any use of its INSTA trademark, in a domain name or otherwise.
- The disputed domain name incorporates the Complainant's trademark INSTA, which clearly evidences that the Respondent is attempting to mislead consumers into believing that it is affiliated with or authorized by the Complainant, thereby creating initial internet confusion.
- The Respondent is not making any legitimate non – commercial or legitimate fair use of the disputed domain name. Therefore, the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services.
- The Respondent's past use of the disputed domain name, which incorporated Complainant's INSTA trade mark, featured identical and modified versions of the Complainant's logo and figurative trade mark together with a similar pink/purple

colour scheme in an unauthorised manner, misleading users into thinking that disputed domain has direct association with the Complainant.

- The disputed domain name is currently non-operational.

As such, Respondent, by choosing not to respond to the Complaint, has failed to satisfy the conditions enshrined in paragraph 6 of the INDR Policy. As held in the prior panel in *Amundi v. GaoGou (INDRP/776)*, the Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests, and once such case is established, then it is the Respondent upon whom there is the burden of proof, to demonstrate rights or legitimate interests in the disputed domain name. In this regard, if the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(b) of the Policy.

In the present domain dispute, the Respondent has not joined the arbitral proceedings, despite being duly served with the domain complaint, and consequently, not come forward with any assertion or evidence to show any bonafides.

Thus, as mentioned above, in view of the lack of assertions on part of the Respondent, coupled with the other contentions put forth by the Complainant, the Arbitrator accepts the Complainant's assertion, that the Respondent has no rights or legitimate interests in the disputed domain name in accordance with Paragraph 4(b) of the INDRP.

iii. The Registrant's domain name has been registered or is being used in bad faith (Paragraph 4(c) and Paragraph 7 of the .IN Domain Name Dispute Resolution Policy)

In this regard, Complainant has *inter alia* contended the below points regarding Respondent's bad faith:

- The Respondent has no prior rights and no authorization to use **INSTA** trademark.
- The Respondent's awareness that **INSTA** trademark is popular and famous worldwide, including in India. As the Complainant has been using the mark INSTAGRAM commonly abbreviated as "**INSTA**" extensively and continuously since the year 2010. Thereby, the Respondent had constructive notice of the Complainant and its rights in **INSTA** trademark.
- The use of the disputed domain name by the Respondent is solely with mala fide intentions in order to deceive people browsing on the Internet into believing that the disputed domain name is associated with the Complainant.
- The Respondent's possession of the disputed domain name is likely to disrupt the Complainant's business by driving Internet users to a third-party application and the Respondent's possession of the disputed domain name clearly satisfies an act of bad faith.
- The Respondent's past use of the disputed domain name which incorporated Complainant's INSTA trade mark, featured identical and modified versions of the

Complainant's logo and figurative trade mark together with a similar pink/purple colour scheme in an unauthorised manner on the disputed domain name, was misleading or was bound to be misled the users into thinking that disputed domain has direct association with the Complainant.

In this regard, it is pertinent to reiterate that the Respondent has not submitted any reply or rebuttal to the Complainant's contentions, or any evidence in support of its bona fide registration or use of the disputed domain name.

In view of the submissions of the Complainant, specifically regarding the relevance of paragraph 7 (b) and (c) of the .IN Policy in the present domain dispute, the Arbitrator finds that the Respondent's registration and use of the disputed domain name prima facie appears to constitute conduct as mentioned in paragraph 7 (b) and (c) of the Policy, namely:

"(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".

"(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".

In view of the aforesaid, the Arbitrator concludes that the Complainant has satisfactorily proved the requirements of Paragraph 4(c) and Paragraph 7 of the INDRP.

9. Decision

Based upon the facts and circumstances, the Arbitrator allows the prayer of the Complainant and directs the .IN Registry to transfer the domain <INSTAPROAPK.ORG.IN> to the Complainant.

The Award is accordingly passed and the parties are directed to bear their own costs.



Lucy Rana, Sole Arbitrator

Date: July 31, 2026.

Place: New Delhi, India.