

## **ADMINISTRATIVE PANEL DECISION**

Meta Platforms, Inc. v. Maras Latupono  
Case No. D2025-0214

### **1. The Parties**

The Complainant is Meta Platforms, Inc., United States of America (“United States”), represented by Hogan Lovells (Paris) LLP, France.

The Respondent is Maras Latupono, Indonesia.

### **2. The Domain Name and Registrar**

The disputed domain names <facebook-guidelines.com> and <facebook-safe.com> (the “Domain Names”) are registered with Aceville Pte. Ltd. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 20, 2025. On January 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On January 22, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the Domain Names which differed from the named Respondent (Unknown registrant) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 22, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on January 24, 2025.

The Center verified that the Complaint and the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 19, 2025.

The Center appointed Nicholas Smith as the sole panelist in this matter on February 25, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant is a leading provider of online social networking services. Since 2004 the Complainant and its predecessor in title has operated a well-known social media network from its website at "www.facebook.com" (the "Complainant's Website") where it has 3.07 billion monthly active users.

The Complainant is the owner of trademark registrations in various jurisdictions (including the European Union and United States) for marks consisting of the word "facebook" (the "FACEBOOK Mark") including United States registration No. 3,041,791 registered on January 10, 2006.

The Domain Names were registered on April 14, 2024, and June 30, 2024, respectively. The Domain Names are presently inactive but prior to the commencement of the proceedings sub-domains <page.facebook-guidelines.com> and <page.facebook-safe.com> resolved to identical websites (the "Respondent's Website") that reproduced the Meta name and logo and reproduced the FACEBOOK Mark and a logo similar to the Complainant's "F" logo. The Respondent's Website stated that the visitor's Facebook account "violates our terms of service and community guidelines" and that restrictions have been placed on the account. The user is then invited to click on a "request review" button.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Names.

Notably, the Complainant contends that:

- a) It is the owner of the FACEBOOK Mark, having registered the FACEBOOK Mark in various jurisdictions including the United States and European Union. Each of the Domain Names is confusingly similar to the FACEBOOK Mark as each of them reproduces the FACEBOOK Mark in its entirety and adds a descriptive or generic term ("-safe" or "-guidelines").
- b) There are no rights or legitimate interests held by the Respondent in respect of the Domain Names. The Complainant has not granted any license or authorization for the Respondent to use the FACEBOOK Mark. The Respondent is not commonly known by the Domain Names, nor does it use the Domain Names for a bona fide purpose or legitimate noncommercial purpose. Rather the Respondent is using the Domain Names to pass off as the Complainant for commercial gain as part of a phishing scheme to illicitly gain access to Facebook account details including passwords. Such use is not a legitimate use of the Domain Names.
- c) The Domain Names were registered and are being used in bad faith. The Respondent is using the Domain Names to divert Internet users searching for the Complainant to the Respondent's Website as part of a phishing scheme. Such conduct amounts to registration and use of the Domain Names in bad faith.

##### **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## 6. Discussion and Findings

### A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within each of the Domain Names. Accordingly, each of the Domain Names is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, "-safe" or "-guidelines" may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the Domain Names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

### B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Domain Names. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Names such as those enumerated in the Policy or otherwise.

The Panel considers that the record of this case reflects that:

- Before any notice to the Respondent of the dispute, the Respondent did not use, nor has it made demonstrable preparations to use, the Domain Names or names corresponding to the Domain Names in connection with a bona fide offering of goods or services. Paragraph 4(c)(i) of the Policy, and [WIPO Overview 3.0](#), section 2.2.
- The Respondent (as an individual, business, or other organization) has not been commonly known by the Domain Names. Paragraph 4(c)(ii) of the Policy, and [WIPO Overview 3.0](#), section 2.3.
- The Respondent is not making a legitimate noncommercial or fair use of the Domain Names, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue. Paragraph 4(c)(iii) of the Policy, and [WIPO Overview 3.0](#), section 2.4.

- The record contains no other factors demonstrating rights or legitimate interests of the Respondent in the Domain Names.

The Respondent's use of the Domain Names to resolve to a webpage reproducing the Complainant's FACEBOOK Mark and a logo similar to the Complainant's "F" logo, inviting visitors to "request" a review of restrictions placed on their Facebook account, does not amount to use for a bona fide offering of goods or services. Rather, it appears that the purpose behind the Respondent's Website was to encourage visitors, under the impression that they are dealing with the Complainant, to provide their Facebook account details and presumably passwords to the Respondent to enable the Respondent to commit some sort of fraud. Such conduct amounts to phishing, and UDRP panels have held that the use of a domain name for illegal activity such as phishing can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds that the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

The Panel considers that the record of this case reflects that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's Website or location or of a product or service on the Respondent's Website or location. Paragraph 4(b)(iv) of the Policy, and [WIPO Overview 3.0](#), section 3.1.4.

Having reviewed the available record, the Panel finds the Respondent's registration and use of the Domain Names constitutes bad faith under the Policy. The Respondent's Website reproduces the Complainant's FACEBOOK Mark and a logo similar to the Complainant's "F" logo and purports to invite visitors, under the impression that they are dealing with an official website of the Complainant, to "request review" of a decision allegedly limiting their access to their account. However, what likely occurs is that the Respondent seeks to use the Respondent's Website to steal the account details of visitors misled into visiting the Respondent's Website for the purposes of committing fraud. Such conduct is deceptive, illegal, and in previous UDRP decisions has been found to be evidence of registration and use in bad faith. See *FIL Limited v. Withheld for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf / Mark Steven*, WIPO Case No. [D2021-3284](#). See also [WIPO Overview 3.0](#), section 3.4.

The Panel finds that the Complainant has established the third element of the Policy.

### **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Names <facebook-guidelines.com> and <facebook-safe.com> be transferred to the Complainant.

*/Nicholas Smith/*

**Nicholas Smith**

Sole Panelist

Date: March 3, 2025