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BEFORE Mr. GAUTAM PANJWANI, SOLE ARBITRATOR, .IN REGISTRY
NATIONAL INTERNET EXCHANGE OF INDIA (NIXI)
INDRP ARBITRATION

INDRP CASE NO. 2160

DISPUTED DOMAIN NAME: <*whatsappweb.com.in*>

IN THE MATTER OF:

WhatsApp LLC,

1 Meta Way, Menlo Park,

California - 94025,

United States of America

Through its Authorised Representative:

Hogan Lovells Cadwalader (Paris),

LLP 17 avenue Matignon, 75008 Paris, France

Email: domaindisputes@hlc.com | Phone: +33 1 53 67 47 47 ...*Complainant*

Versus

ABU BAKAR Siddique

B 150 Sector 6, Delhi,

Uttar Pradesh 110002,

India ...*Respondent*

GAUTAM PANJWANI ARBITRATOR

EX-PARTE ARBITRAL AWARD DATED 31.10.2026

PRELIMINARY NOTE BY THE SOLE ARBITRATOR

At the outset, it is deemed expedient and appropriate to place on record certain relevant facts and circumstances that have a direct bearing on the timeline of the pronouncement of the present Award.

It is stated that the present Award was required to be passed on or before 15 October 2026. However, during the pendency of these proceedings, the office of the undersigned Sole Arbitrator was being shifted to new premises, which caused considerable disruption to the ordinary conduct of professional work, including the access to and handling of case files and records. As a result of the said shifting process, the Award could not be finalised and pronounced within the originally contemplated period.

It is categorically stated that the delay, if any, in the pronouncement of the present Award is solely and exclusively attributable to the aforesaid shifting of the office, and is not occasioned by, nor attributable to, any laches, negligence, omission, or default on the part of the undersigned Arbitrator. No adverse inference of any nature whatsoever shall be drawn against the undersigned on account of the said delay.

Both parties to the present arbitral proceedings are hereby formally notified and placed on due notice of the aforesaid facts and circumstances.

It is further stated, for the sake of completeness and in the interest of procedural propriety, that notwithstanding the aforesaid force majeure circumstances, the present Award has been passed and pronounced within the extendable period of 30 (thirty) days, as prescribed and contemplated under Rule 5(e) of the .IN Domain Name Dispute Resolution Policy (INDRP) Rules of Procedure, and is therefore in full compliance with the procedural timelines governing the present proceedings.

With that preliminary note, I now proceed to adjudicate the dispute on merits.

GAUTAM PANJWANI

1. INTRODUCTION

1.1. This arbitration arises out of a Complaint filed before the .IN Registry of the National Internet Exchange of India (NIXI) by WhatsApp LLC (the "Complainant") against Abu Bakar Siddique (the "Respondent"), concerning the domain name "whatsappweb.com.in" (the "Disputed Domain Name"). The Complainant claims statutory and common law rights in the trade mark "WHATSAPP" and has filed the Complaint, together with supporting documents, in support of its claims.

1.2. The dispute is governed by the .IN Domain Name Dispute Resolution Policy (the "INDRP Policy"), the INDRP Rules of Procedure (the "INDRP Rules") and the Arbitration and Conciliation Act, 1996.

2. THE PARTIES

The Complainant

2.1. The Complainant is WhatsApp LLC, a limited liability company organised under the laws of the State of Delaware, United States of America, with its principal place of business at 1 Meta Way, Menlo Park, California 94025, United States of America. It was previously known as WhatsApp Inc. As evidenced by the Delaware Certificate of Conversion placed on record as Annex 2, it converted from a corporation to a limited liability company with effect from 1 January 2021, and its name changed from "WhatsApp Inc." to "WhatsApp LLC". The Complainant states that certain trade mark certificates and WHOIS records of older date continue to bear the name "WhatsApp Inc." and its earlier address at 1601 Willow Road, Menlo Park, California, and that these are in the process of being updated.

2.2. The Complainant states that it provides "WhatsApp", one of the world's most popular mobile messaging applications, which was founded in 2009 and acquired by Facebook, Inc. (now Meta Platforms, Inc.) in 2014. It states that the application enables users across the globe to exchange messages free of charge via smartphones; that its main website is available at www.whatsapp.com; and that it operates a browser-based version of the service, "WhatsApp Web", at the sub-domain "web.whatsapp.com". It claims that, as of

GAUTAM PANJWANI

January 2026, the application had over 3 billion monthly active users worldwide.

The Respondent

2.3. The Respondent, Abu Bakar Siddique, is the registrant of the Disputed Domain Name. His recorded postal address is B 150 Sector 6, Delhi, Uttar Pradesh 110002, India, his telephone number is +91.09359101398 and his email address is abubakarsi608@gmail.com, as reflected in the WHOIS record dated 27 July 2026 placed on record by the Complainant (Annex 4) and in the subsequent WHOIS record of the Disputed Domain Name. The Complainant further states that the website at the Disputed Domain Name lists a different email address (abigailjohnsongp@gmail.com) and a telephone number bearing the country code +92 (+92-329-847-2879.

2.4. The Respondent is alleged to have registered the Disputed Domain Name without any authorisation, permission or consent from the Complainant; to have used it for a website that impersonates the Complainant's WhatsApp platform; and to have failed to respond to a cease-and-desist communication addressed to him. Despite service of the proceedings by email and by registered international post, the Respondent failed to enter any appearance or file any response, and the matter accordingly proceeded ex parte vide email dated 22.10.2026

Representation of the Complainant

2.5. The Complainant is represented in these proceedings by Hogan Lovells Cadwalader (Paris) LLP, 17 avenue Matignon, 75008 Paris, France, through its attorneys Mr. David Taylor and Ms. Jane Seager, pursuant to a Power of Attorney for Domain Name Recuperation executed by Mr. Scott Minden, Authorised Representative of the Complainant, at San Francisco, California, on 14 March 2024, specifically authorising the said attorneys to represent the Complainant in disputes concerning domain names under the .IN country-code Top Level Domain, including by submitting a complaint to the .IN Registry - NIXI. A copy of the Power of Attorney has been placed on record as Annex 3 to the Complaint.

3. PROCEDURAL BACKGROUND

3.1. The present dispute pertains to the domain name "whatsappweb.com.in", registered in the name of the Respondent. As per the WHOIS details and material placed on record by the Complainant, the said domain name is registered through Dynadot, LLC (IANA ID 472), an accredited Registrar under the .IN Registry governed by the National Internet Exchange of India (NIXI). The Complainant alleges that the disputed domain name wholly incorporates its well-known trade mark "WHATSAPP" together with the term "web", which corresponds to its "WhatsApp Web" service, and has been registered and used in violation of the .IN Domain Name Dispute Resolution Policy (INDRP).

3.2. As per the records placed on record, the disputed domain name "***whatsappweb.com.in***" was registered on **26 February 2025** and carries a registry expiry date of **26 February 2027**. The Registrant details are those of Abu Bakar Siddique, as recorded in the WHOIS extract at Annex 4 and in the registry WHOIS record (Registrant Create Date: 22 February 2025).

3.3. The updated WHOIS record (last updated 13 August 2026) which forma part of the record, reflects the following statuses: *serverDeleteProhibited*, *serverRenewProhibited* and *serverTransferProhibited*, in addition to the *clientDeleteProhibited*, *clientTransferProhibited* and *clientUpdateProhibited* statuses. The aforesaid status is reflected in the updated WHOIS records dated 13 August 2026 which has been placed on record.

3.4. In the aforesaid circumstances, the Complainant initiated the present proceedings under the .IN Domain Name Dispute Resolution Policy (INDRP) in respect of the disputed domain name and seeks, *inter alia*, transfer of the disputed domain name in its favour, together with costs. The Complainant's case and the grounds relied upon in support of the relief sought are considered in the subsequent sections of this Award.

4. CHRONOLOGY OF THE PROCEEDINGS

4.1. The proceedings in the present matter unfolded as set out in the table below:

S.NO.	DATE	PARTICULARS
1.	**14.08.2026**	I was appointed as Sole Arbitrator by NIXI for adjudication of the present dispute in accordance with the INDRP Policy and the Arbitration and Conciliation Act, 1996.
2.	**01.10.2026**	Intimation of appointment and commencement of proceedings issued to the parties. The Complainant's authorised representative was directed to serve the complete Complaint and all supporting documents upon the Respondent through electronic and physical modes, with proof of service to be placed on record.
3.	**01.10.2026**	The Complaint and Annexures served by email on both email addresses of the Respondent, and copied to NIXI and the Arbitrator (INDRP Case No. 2160).
4.	**17.10.2026**	The Complaint along with Annexures were served upon the Respondent's last known address by registered international post (La Poste, tracking no. RK 52 209 527 8 FR); proof of postal sending placed on record.
5.	**22.10.2026**	The Respondent having failed to enter any appearance or file any response despite effective service of proceedings and expiry of the prescribed period, the matter was proceeded *ex parte*.
6.	**22.10.2026**	Further communication was issued to both parties affording them an opportunity to indicate whether they required an oral hearing in the matter. Both parties were also informed that, in the absence of any response within the stipulated period, the matter would proceed for determination on an *ex parte* basis.

4.2. This Award is accordingly rendered on the basis of the Complaint, the annexures, the documentary evidence placed on record by the Complainant, and other applicable laws and provisions of the INDRP Policy and Rules.

5. THE GOVERNING FRAMEWORK: CLAUSE 4 OF THE INDRP POLICY

5.1. The Complainant has invoked Clause 4 of the INDRP Policy to initiate the present arbitration proceedings. Clause 4 of the INDRP Policy reads as follows:

"*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."

All three conditions as set out above must be cumulatively satisfied for a Complaint to succeed.

6. THE COMPLAINANT'S BUSINESS AND REPUTATION

6.1. The Complainant submits that the trade mark "WHATSAPP" enjoys statutory and common law protection across numerous jurisdictions, including India, the United States and the European Union, and has been extensively used in connection with its instant messaging and calling services, including its "WhatsApp Web" service, which mirrors and synchronises a user's WhatsApp account on a computer browser (Annex 9).

6.2. The Complainant submits that WhatsApp has become one of the fastest growing and most popular mobile applications in the world, with over 3 billion monthly active users, and that it has acquired considerable reputation and goodwill worldwide, including in India. The material placed on record (Annex 6, comprising the Complainant's company information, a Wikipedia entry, press coverage of Meta's 2014 acquisition of WhatsApp, and download-ranking and user-statistics reports) indicates that India is the Complainant's largest market by number of users. These third-party materials are noted as claimed and as placed on record by the Complainant.

GAUTAM PANJWANI

6.3. The Complainant has placed on record WHOIS records for a selection of domain names comprising the WHATSAPP mark (Annex 7), including <whatsapp.com>, <whatsapp.net>, <whatsapp.org>, <whatsapp.info>, <whatsapp.biz>, <whatsapp.me>, <whatsapp.es>, <whatsapp.rs>, <whatsapp.pk>, <whatsapp.com.pk> and the India-specific <whatsapp.co.in>, reflecting registrations made between 2008 and 2017, long before the registration of the disputed domain name.

6.4. The Complainant also maintains an extensive online presence through its official pages on,

- Facebook - Over 46 million followers,
- X about 5.3 million followers,
- YouTube and LinkedIn,

as evidenced by Annex 8.

7. THE COMPLAINANT'S TRADE MARK AND DOMAIN NAME RIGHTS

7.1. The Complainant has placed on record a selection of its trade mark registrations for the mark "WHATSAPP", including, among others:

S. No.	JURISDICTION	TRADEMARK DETAILS
1.	UNITED STATES	WHATSAPP - Registration No. 3,939,463, registered on 5 April 2011 in Class 42, in the name of WhatsApp Inc., identified by the Complainant as its predecessor.
2.	EUROPEAN UNION	WHATSAPP - Registration No. 009986514, filed on 23 May 2011 and registered on 25 October 2011 in Classes 9, 38 and 42, in the name of WhatsApp LLC; valid until 23 May 2031.
3.		Figurative Mark - Telephone logo within a speech bubble, Registration No. 010496602, registered on 18 May 2012; valid until 15 December 2031

4.	**INTERNATIONAL REGISTRATION**	WHATSAPP - International Registration No. 1085539, registered on 24 May 2011 in Classes 9 and 38.
5.	**INDIA**	WHATSAPP - Registration No. 2149059, registered with effect from 24 May 2011 in Classes 9 and 38, in the name of WhatsApp Inc.; certificate sealed on 24 September 2016.
6.		Figurative Mark - Telephone logo, Registration No. 2344423, registered on 7 June 2012, in the name of WhatsApp Inc.

Copies of these registrations are on record as Annex 10.

7.2. The Complainant is the registrant of the domain names listed at paragraph 6.3 above, as evidenced by Annex 7, and conducts its online business principally through "whatsapp.com" and its sub-domain "web.whatsapp.com".

8. ANALYSIS AND FINDINGS

8.1. I have carefully considered the Complaint, the annexures, the WHOIS records, the trade mark registration extracts, and the correspondence placed on record, including the Complainant's cease-and-desist letter of 28 May 2026. Since the Respondent has failed to enter any appearance or file any response despite due service of proceedings and repeated opportunities, the assertions made by the Complainant stand unrebutted on record.

8.2. The present dispute is accordingly examined against the three cumulative requirements under Clause 4 of the INDRP Policy as enumerated herein below:

A. Whether the Disputed Domain Name is confusingly similar to a trade mark in which the Complainant has rights (Clause 4(a));

B. Whether the Respondent has any rights or legitimate interests in the Disputed Domain Name (Clause 4(b)); and

C. Whether the Disputed Domain Name has been registered or is being used in bad faith (Clause 4(c)).

GAUTAM PANJWANI ARBITRATOR

A. Confusing Similarity with the Complainant's Trade Mark (Clause 4(a))

8.3. The Complainant has adduced credible material establishing its statutory rights in the trade mark "WHATSAPP", through registrations in India, the United States, the European Union and under the Madrid system, the earliest of which date back to 2011, together with common law rights arising from extensive use and, as claimed, a global user base exceeding 3 billion. These rights long pre-date the registration of the Disputed Domain Name on 26 February 2025.

8.4. A comparison of the disputed domain name "whatsappweb.com.in" with the Complainant's trade mark "WHATSAPP" demonstrates that the dominant and essential element of the disputed domain name is the trade mark "WHATSAPP", reproduced in its entirety without alteration. The addition of the term "web" does not distinguish the disputed domain name. On the contrary, it corresponds directly to the Complainant's own "WhatsApp Web" service, offered at "web.whatsapp.com" (Annex 9), and thereby heightens the likelihood of confusion, as it reinforces the false impression that the disputed domain name is an official WhatsApp web offering.

8.5. It is a well-established principle of domain name jurisprudence that where a trade mark is recognisable within the disputed domain name, the addition of other descriptive or generic terms does not prevent a finding of confusing similarity. The country-code and second-level extension ".com.in" is a technical registration requirement and is disregarded for the purpose of this comparison, in accordance with consistent practice under the INDRP.

8.6. I am accordingly satisfied that the disputed domain name "whatsappweb.com.in" is confusingly similar to the Complainant's well-known trade mark "WHATSAPP". **The first requirement under Clause 4 of the INDRP Policy stands satisfied.**

B. Absence of Rights or Legitimate Interests of the Respondent (Clause 4(b) and Clause 6)

8.7. The Complainant has categorically stated on record that the Respondent is not its licensee, is not affiliated with it in any way, and has **never been authorised, licensed or permitted**

to use the trade mark "WHATSAPP" in a domain name or otherwise. Nothing on record suggests any relationship, association or affiliation between the Respondent and the Complainant.

8.8. There is no evidence that the Respondent is commonly known by the disputed domain name. The registrant's name, "Abu Bakar Siddique", bears no resemblance to "whatsappweb", and no material indicates that the Respondent owns or has applied for any trade mark rights in "whatsapp", "whatsappweb" or any variation thereof.

8.9. The Complainant has placed on record screen captures of the website to which the disputed domain name resolves (Annex 11). As described in the Complaint and evidenced by those captures, the website:

a. is entitled "WhatsApp" and states that "WhatsApp Web" is the legitimate method of using a WhatsApp account on a computer browser;

b. uses a green and white colour scheme almost identical to the Complainant's, together with modified versions of the Complainant's WhatsApp logo and figurative trade mark, including as a favicon;

c. carries no disclaimer of any lack of relationship with the Complainant, and states in its footer "© 2026 Designed by Whatsapp Web";

d. promotes, on its "Apps" page, modified third-party APK versions of the WhatsApp application (for example, "GB WhatsApp Old Version-Download" and "Blue WhatsApp APK (11.70)") offering functionality not available in the official application; and

e. displays pay-per-click links, commercial advertising banners and pop-up advertisements for third-party goods and services.

8.10 The use of a domain name to host a website that impersonates the complainant and its official service, to mislead Internet users into believing that the site belongs to or is endorsed by the complainant, is not a *bona fide* offering of goods or services and cannot confer rights or legitimate interests on a respondent. Likewise, the use of the domain name

GAUTAM PANJWANI

to display sponsored links and advertisements that capitalise on the reputation of the Complainant's mark does not amount to a *bona fide* offering and does not satisfy Clause 6(a) of the INDRP Policy.

8.11 The promotion of unofficial, modified APK versions of the WhatsApp application under the Complainant's mark is not a legitimate use. Such files are not authorised by the Complainant, are not subject to its security and privacy safeguards, and carry an inherent risk to users. Nor can the Respondent claim a legitimate non-commercial or fair use, since the website carries commercial advertising and is built to create a misleading impression of association with the Complainant

8.12 The Respondent has not responded to the Complainant's cease-and-desist letter of 28 May 2026, nor entered appearance in these proceedings, and has therefore not come forward with any explanation or evidence of rights or legitimate interests, though the burden of production shifts to it once a *prima facie* case is made out.

8.13. I accordingly hold that the Respondent has no rights or legitimate interests in respect of the disputed domain name, none of the circumstances contemplated by Clause 6 of the INDRP Policy being shown. **The second requirement under Clause 4 of the INDRP Policy stands satisfied.**

C. Registration and Use in Bad Faith (Clause 4(c) and Clause 7)

8.14. The trade mark "WHATSAPP" has been in continuous commercial use since 2009, carries registrations in multiple jurisdictions since 2011, and is, on the material placed on record, among the most widely used messaging brands in the world, including in India. It is a coined term with no independent meaning. Given the reputation of the mark, and given that the Respondent purports to be located in India, the Complainant's largest market, it is unlikely that the Respondent was unaware of the Complainant and its trade mark when registering the disputed domain name on 26 February 2025.

8.15. More tellingly, the content of the Respondent's website demonstrates actual knowledge of the Complainant and its mark at the time of registration. The website reproduces the WHATSAPP name, mimics the Complainant's colour scheme and logo, and holds itself out as the "legitimate" WhatsApp Web service. The composition of the domain name, namely the WHATSAPP mark followed by "web", mirrors the Complainant's own "web.whatsapp.com" service. These facts show that the Respondent had the Complainant in mind and intended to create an association with it.

8.16. By using the disputed domain name in this manner, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsement of the website. The presence of pay-per-click links, banners and pop-up advertisements supports the inference of commercial gain. This falls squarely within Clause 7(c) of the INDRP Policy.

8.17. The promotion of unauthorised modified APK versions of the WhatsApp application under the Complainant's mark further disrupts the Complainant's business by diverting users to unofficial applications, and exposes them to risks including the compromise of personal data and the download of malware.

8.18. The Respondent did not reply to the Complainant's cease-and-desist letter, sent on 28 May 2026 to both email addresses associated with the Respondent. The Respondent's silence in the face of that letter, and its complete failure to participate in these proceedings despite service of the Complaint and Annexures by email and their dispatch by registered international post (tracking no. RK 52 209 527 8 FR) on 01.10.2026, independently strengthens the inference of bad faith. A *bona fide* registrant with a legitimate interest in the disputed domain name would ordinarily enter an appearance and place material on record explaining the basis of adoption and use.



8.19. The absence of any disclaimer on the Respondent's website is a further circumstance, though even a disclaimer would not have cured the Respondent's illegitimate use of a domain name that incorporates the Complainant's mark and mimics its service.

8.20. Clause 3 of the INDRP Policy places an obligation on a registrant, such as the Respondent, to represent and warrant, among other things, that the registration of the domain name will not infringe or otherwise violate the rights of any third party, and that the registrant will not knowingly use the domain name in violation of any applicable laws or regulations, it being the sole responsibility of the registrant to determine whether its domain name registration infringes or violates the rights of another.

8.21. Having regard to the entirety of the material on record, I am satisfied that the Respondent registered the disputed domain name, and has since been using it, with the intention of exploiting the reputation and goodwill of the Complainant's well-known trade mark "WHATSAPP", and that such registration and use fall squarely within the mischief addressed by Clause 7 of the INDRP Policy. **The third requirement under Clause 4 of the INDRP Policy stands satisfied.**

From a perusal of the averments and documents placed on record, there is therefore no doubt that the Respondent has registered the disputed domain name in bad faith and to ride upon the goodwill and reputation of the Complainant's WHATSAPP trade mark. I therefore hold that the Respondent's domain name has been registered and is being used in bad faith.

9. THE ESTABLISHED POSITION IN LAW

9.1. I find it appropriate to place on record the decision of the Hon'ble Supreme Court of India in ***Satyam Infoway Ltd. v. Sifynet Solutions (P) Ltd. [(2004) 6 SCC 145],*** wherein the Court observed that the use of the same or similar domain name may lead to a diversion of users, that ordinary consumers seeking to locate the functions available under one domain name may be confused if they accidentally arrive at a different but similar website



offering no such services, and that a domain name may accordingly have all the characteristics of a trade mark and found an action for passing off.

9.2. The disputed domain name incorporates the Complainant's well-known trade mark WHATSAPP in its entirety, coupled with the term "web", which corresponds directly to the Complainant's "WhatsApp Web" service. The composite thus reads as an official WhatsApp offering, heightening rather than dispelling the likelihood of confusion. The Respondent's use of the Complainant's name, colour scheme and modified logos on the associated website makes that confusion all the more likely.

10. DECISION AND AWARD

In view of the pleadings, documents placed on record, and the findings hereinabove, I am satisfied that:

a) The disputed domain name "whatsappweb.com.in" is confusingly similar to the Complainant's well-known and globally recognised trade mark "WHATSAPP";

b) The Respondent has no rights or legitimate interests in respect of the disputed domain name; and

c) The disputed domain name has been registered and is being used in bad faith, in violation of Clause 7 of the INDRP Policy.

In accordance with the INDRP Policy and Rules, I hereby **direct that the disputed domain name "whatsappweb.com.in" be transferred to the Complainant**, WhatsApp LLC.

There shall be no order as to costs.

Date: 31.10.2026

Place: New Delhi



Mr. Gautam Panjwani
Sole Arbitrator
INDRP Arbitrator, .IN Registry / NIXI