

## Decision

[ZA2018-0338]

.ZA ALTERNATE DISPUTE RESOLUTION  
REGULATIONS (GG29405)

### ADJUDICATOR'S SUMMARY DECISION

CASE NUMBER:	ZA2018-0338
DECISION DATE:	02 November 2018
DOMAIN NAME:	whatsapp.co.za
THE DOMAIN NAME REGISTRANT:	Esterno pvt
REGISTRANT'S LEGAL COUNSEL:	None
THE COMPLAINANT:	WhatsApp Inc.
COMPLAINANT'S LEGAL COUNSEL:	Hogan Lovells - David Taylor & Jane Seager
2 <sup>nd</sup> LEVEL ADMINISTRATOR:	ZACR

## 1. The Parties

### Complainant:

#### WhatsApp Inc.

[REDACTED]  
[REDACTED]

United States of America

### Registrant:

#### Esterno pvt

[REDACTED]  
Johannesburg

[REDACTED]  
South Africa

2. The Domain Name: **WHATSAPP.CO.ZA**

3. Notification of Complaint (12 September 2018)

The Adjudicator is satisfied that the Registrant did not submit a response to the dispute in terms of regulation 18(1) and that the Registrant has been notified of the dispute in accordance with regulation 18(4)(a) read with regulation 15(1).

Yes  No

## 4. Rights

The Complainant has, to the reasonable satisfaction of the Adjudicator, shown rights in a name or mark which is identical or similar to the domain name.

Yes  No

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## 5. Abusive Registration

The Complainant has, to the reasonable satisfaction of the Adjudicator, shown that the domain name is an abusive registration in the hands of the Registrant.

Yes       No

## 6. Other factors

The Adjudicator is satisfied that there are no other factors or circumstances present that would render the decision in this matter unfair.

Yes       No

## 7. Comments (Optional)

## 8. Decision

For the foregoing reasons, in accordance with Regulation 9, the Adjudicator orders that the disputed domain name whatsapp.co.za be transferred to the complainant.

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**Andre van der Merwe**  
SAIPL SENIOR ADJUDICATOR  
[www.DomainDisputes.co.za](http://www.DomainDisputes.co.za)