

ADMINISTRATIVE PANEL DECISION

Equinor ASA v. equinor103@gmail.com, equinnor
Case No. D2023-1462

1. The Parties

The Complainant is Equinor ASA, Norway, represented by Valea AB, Sweden.

The Respondent is equinor103@gmail.com, equinnor, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <equinor.com> is registered with Hostinger, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 4, 2023. On April 5, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 6, 2023, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Domain Admin, Registrant Organization: Privacy Protect, LLC (PrivacyProtect.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 6, 2023, 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 amendment to the Complaint on April 14, 2023.

The Center verified that the Complaint together with the amendment to the 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 April 18, 2023. In accordance with the Rules, paragraph 5, the due date for Response was May 8, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 16, 2023.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on June 12, 2023. 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 operates in the field of energy in more than 30 countries worldwide. It changed its name from Statoil to Equinor in 2018. The Complainant owns many trademark registrations for EQUINOR such as:

- European Union trademark registration No. 017900772 registered on January 18, 2019.
- Norwegian trademark registration No. 298813 registered on March 14, 2018.

The disputed domain name was registered on April 1, 2023, and resolves to a webpage, which claims to be a company for construction, oil and gas, and engineering. After the filing of the Complaint, the disputed domain name no longer resolves to an active website.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights. The disputed domain name incorporates the Complainant's trademark with the addition of the letter "u". The Complainant's trademark remains recognizable. The generic Top-Level Domain ("gTLD") ".com" is not relevant in the assessment of confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant did not authorize the Respondent to use its trademark in the disputed domain name nor is the Complainant affiliated with the Respondent. The Respondent is not using the disputed domain name in connection with a legitimate noncommercial or fair use. The Respondent is not commonly known by the disputed domain name. The Respondent is not using the disputed domain name in connection with a *bona fide* offering of goods or services.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Respondent knew of the Complainant's well-recognized trademark. The disputed domain name was registered five years after the change of name took place in 2018. The Respondent is attempting to falsely suggest a connection to the Complainant. The trademark EQUINOR appears on the website to which the disputed domain name resolves. The website describes the operations in a way that is similar to the way the Complainant does. Under the "Contract" tab, the Complainant's full name and address are inserted except the email address. The website offers investment plans related to oil and gas, which is the field of the Complainant. The MX-records have been activated, which means potentially phishing emails can be sent. The Respondent has intentionally attempted to attract Internet traffic, for commercial gain by creating a likelihood of confusion with the Complainant's trademark.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant owns trademark registrations for EQUINOR. The Panel is satisfied that the Complainant has established its ownership of the trademark EQUINOR.

The disputed domain name incorporates the Complainant's trademark EQUINOR with a typo by adding the letter "u". This is a typical case of typosquatting, which is designed to confuse users (*Redbox Automated Retail, LLC d/b/a Redbox v. Milen Radumilo*, WIPO Case No. [D2019-1600](#)). The gTLD ".com" can be

ignored when assessing confusing similarity as it is viewed as a standard registration requirement. Consequently, the Panel finds that the disputed domain name is identical or confusingly similar to the trademark of the Complainant and that the Complainant has satisfied paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make at least a *prima facie* showing that a respondent does not have any rights or legitimate interests in the disputed domain name. Once such showing is made, the burden of production shifts to the respondent. In the instant case, the Complainant asserts that the Respondent is not authorized by the Complainant to use its trademark. The Complainant further asserts that the Respondent is not using the disputed domain name for a *bona fide* offering of goods or services, and the Respondent is not commonly known by the disputed domain name. Therefore, the Complainant has established a *prima facie* case and the burden of production shifts to the Respondent to show that it has rights or legitimate interests.

The Respondent has not provided any evidence to show that it has any rights or legitimate interests in the disputed domain name. Accordingly, the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The website of the Respondent shows the trademark of the Complainant, which indicates that the Respondent is trying to pass off as being connected with the Complainant. Also, the website of the Respondent refers to oil and gas, which is the field in which the Complainant operates. Additionally, the disputed domain name was registered five years after the use and registration of the Complainant's trademark. The Panel finds that the Respondent registered the disputed domain name in the knowledge of the Complainant's trademark and business with the intention of taking unfair advantage of the Complainant's goodwill attaching to that trademark. It is the Panel's view that the Respondent has used the Complainant's trademark in order to create confusion in the minds of consumers for the purpose of attracting Internet traffic for commercial gain.

Lastly, typosquatting may be an indication of bad faith (*ESPN, Inc v. XC2*, WIPO Case No. [D2005-0444](#)). In the present case, the typosquatting indicates that the Respondent was aware of the Complainant's trademark and has added the letter "u" in order to confuse Internet users and attract Internet traffic.

Accordingly, the Panel finds that the Complainant has satisfied paragraph 4(a)(iii) 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 disputed domain name, <equuinor.com> be transferred to the Complainant.

/Nayiri Boghossian/

Nayiri Boghossian

Sole Panelist

Date: June 21, 2023