

ADMINISTRATIVE PANEL DECISION

Equinor ASA v. Sophia, Sophia
Case No. DCC2024-0038

1. The Parties

The Complainant is Equinor ASA, Norway, represented by Rouse AB (Valea AB trading as Rouse AB), Sweden.

The Respondent is Sophia, Sophia, United States of America (“US”).

2. The Domain Name and Registrar

The disputed domain name <eqniuoro.cc> is registered with Dominet (HK) Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 12, 2024. On December 18, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 25, 2024, 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 (N/A) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 26, 2024, 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 December 27, 2024.

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 January 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 6, 2025.

The Center appointed Oleksiy Stolyarenko as the sole panelist in this matter on February 7, 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 Equinor ASA, a Norwegian energy company with operations in more than 30 countries, focusing on oil, gas, wind, and solar energy. Previously the Complainant was known as Statoil ASA, originally founded in 1972. Statoil had grown up along with the emergence of the Norwegian oil and gas industry dating back to the late 1960s.

The Complainant has rights over the EQUINOR mark registered in numerous jurisdictions worldwide, including the following:

- European Union Trade Mark Registration No. 017900772 for EQUINOR registered on January 18, 2019 for goods and services in classes 1, 2, 4, 6, 7, 9, 16, 17, 19, 25, 28, 35, 36, 37, 39, 40, 41, and 42; and
- US Trademark Registration No. 6436681 for EQUINOR registered on August 3, 2021 for goods and services in classes 1, 2, 4, 6, 7, 9, 16, 17, 19, 25, 28, 35, 36, 37, 39, 40, 41, and 42.

In addition, the Complainant claims it is the owner of more than 100 domain name registrations throughout the world containing the EQUINOR mark distributed among generic Top-Level Domains (“gTLD”) and country-code Top-Level Domains (“ccTLDs”), including the domain name which is used to resolve to its official website “www.equinor.com”.

The EQUINOR mark is used in connection with energy-related goods and services

The Complainant has intensively used these trademarks since their registration and has a strong presence online.

The disputed domain name was registered on December 1, 2024. The Complainant has filed evidence showing that the Respondent was using the disputed domain name for a cryptocurrency-related website displaying the Complainant’s EQUINOR trademark that later changed to an inactive website.

According to the Registrar information, the Respondent is an individual located in the US.

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 disputed domain name.

Notably, the Complainant contends that it has established rights in the EQUINOR trademark. The EQUINOR trademark is distinctive and well known in connection with the Complainant’s broad energy operations, encompassing oil, gas, wind, and solar energy.

The Complainant pioneered a shift from conventional oil and gas activities to broader energy solutions, making substantial investments to develop and protect the EQUINOR brand worldwide. The disputed domain name, <eqniuoro.cc>, consists of an obvious misspelling of the Complainant’s EQUINOR mark, whereby some letters are transposed (“n” and “u”) and an additional letter “o” is added. Therefore, the EQUINOR trademark remains clearly recognizable in the disputed domain name.

The Respondent has no rights or legitimate interests in the disputed domain name and registered the disputed domain name years after the Complainant’s announcement of its name change and global rollout of

the EQUINOR mark. The Complainant has not authorized the Respondent to use the EQUINOR trademark. The Respondent is not commonly known by the disputed domain name and is not using it in connection with any bona fide offering of goods or services.

The Respondent was fully aware of the Complainant's reputation and the Complainant's rights in the EQUINOR trademark when the Respondent registered the disputed domain name. The Respondent used the disputed domain name to display a cryptocurrency-related website prominently featuring the Complainant's mark—an apparent attempt to mislead Internet users into believing the site is endorsed by or affiliated with the Complainant. Such use indicates registration and use in bad faith.

Accordingly, the Complainant seeks that the disputed domain name be transferred to the Complainant.

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 Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel agrees with the Complainant, that the disputed domain name features the Complainant's EQUINOR trademark, but with the letters "n" and "u" transposed and an additional "o" added and combined with the ccTLD ".cc."

Domain names that consist of a common, obvious, or intentional misspelling of a trademark are considered by panels to be confusingly similar to the relevant mark for purposes of the first element. See section 1.9 of the [WIPO Overview 3.0](#).

The ccTLD is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. See section 1.11.1 of the [WIPO Overview 3.0](#). Therefore, the Panel disregards the ccTLD for the purposes of this comparison.

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 disputed domain name. 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 disputed domain name such as those enumerated in the Policy or otherwise.

According to the Complainant, the Respondent is not authorized or licensed to use the EQUINOR trademark in the disputed domain name or on the corresponding website.

Moreover, given that the disputed domain name consists of a misspelling of the Complainant's trademark, the Panel struggles to conceive of any legitimate interests of the Respondent in the disputed domain name.

The disputed domain name consisting of inherently misleading typographical errors signals the Respondent's intent to falsely attribute the disputed domain name to the activities of the Complainant, seeing as Internet users will likely be misled into believing that the disputed domain name is operated by the Complainant.

The Complainant has provided evidence confirming that the website previously exhibited at the disputed domain name was devoted to cryptocurrency trade prominently featuring the Complainant's mark without authorization.

Taking into account the reputation of the Complainant's EQUINOR trademark, the composition and previous use of the disputed domain name, and in the absence of evidence to the contrary, the Panel finds that the Respondent is not involved in a bona fide offering of goods or services (under paragraph 4(c)(i) of the Policy) and the Respondent's activities do not fall under a legitimate noncommercial or fair use (under paragraph 4(c)(iii) of the Policy).

The Panel did not find any evidence that the Respondent is commonly known by the disputed domain name and concludes that the Respondent is not commonly known by the disputed domain name under paragraph 4(c)(ii) of the Policy.

The Panel finds 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

As the Panel established above, the Complainant's EQUINOR trademark was used in commerce well before the registration of the disputed domain name on December 1, 2024. The Complainant's EQUINOR trademark thus predates registration of the disputed domain name by several years.

Previous UDRP panels have recognized that intentionally misspelling a well-known trademark may confirm the registrant's awareness of the trademark and its associated goodwill. The Panel considers that the well-

known character of the EQUINOR trademark is established based on evidence of the Complainant's use, its extensive international presence, and the prior reputation inherited from its predecessor mark, STATOIL.

The Panel finds it is more likely than not that the Respondent knew of the Complainant's EQUINOR trademark when registering the disputed domain name. This conclusion is supported by the Complainant's global online presence and the obvious misspelling in the disputed domain name. The Respondent not only included a typosquatted version of the Complainant's well-known mark in the disputed domain name, but also created a cryptocurrency website featuring the Complainant's mark, evidently to mislead Internet users into believing that the Complainant is behind or affiliated with the site.

Furthermore, the Respondent failed to submit a response to disprove the Complainant's allegations or to provide any evidence of a good-faith use or legitimate interests in the disputed domain name. The Panel concludes that the Respondent's intent in registering the disputed domain name, which reproduces (albeit misspells) the Complainant's well-known trademark, has always been to capitalize on the goodwill of the Complainant's brand.

Here, the evidence of the cryptocurrency content further strengthens the finding that the Respondent is attempting to profit from the Complainant's reputation.

Given the totality of the circumstances discussed above, the current inactive website does not prevent a finding of bad faith under the doctrine of passive holding (see section 3.3 of the [WIPO Overview 3.0](#)). Rather, the Panel finds that the change in use reinforces the finding that there was no good faith intention behind the registration and prior use of the disputed domain name.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 disputed domain name <eqniuoro.cc> be transferred to the Complainant.

/Oleksiy Stolyarenko/

Oleksiy Stolyarenko

Sole Panelist

Date: March 6, 2025