

ADMINISTRATIVE PANEL DECISION

Equifax Inc. v. 杨智超 (Zhichao Yang)

Case No. D2025-0418

1. The Parties

The Complainant is Equifax Inc., United States of America (“United States” or “US”), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

The Respondent is 杨智超 (Zhichao Yang), China.

2. The Domain Names and Registrar

The disputed domain names <mequifax.com>, <myequifax.com>, <mymyequifax.com>, and <mywequifax.com> are registered with Alibaba Cloud Computing (Beijing) Co., Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on February 1, 2025. On February 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 5, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 5, 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 amendment to the Complaint in English on February 5, 2025.

On February 5, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain names is Chinese. On February 5, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in English and Chinese of the Complaint, and the proceedings commenced on February 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 27, 2025.

The Center appointed Tao Sun as the sole panelist in this matter on March 4, 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 incorporated in the United State in 1913, with a predecessor dating back to 1899. It is a global provider of information solutions and human resources business process outsourcing services for businesses, governments, and consumers. Among its many services, the Complainant offers a credit reporting service that provides consumers with a summary of their credit history, and certain other information, reported to credit bureaus by lenders and creditors.

The Complainant operates or has investments in 24 countries in North America, Central and South America, Europe, and Asia Pacific region, with approximately 11,000 employees. It is a member of Standard & Poor's (S&P) 500 Index, and its common stock is traded on the New York Stock Exchange (NYSE) under the symbol EFX.

The Complainant owns, among others, the following registered trademarks:

- (i) the US registration No. 1027544 EQUIFAX in class 36, registered on December 16, 1975;
- (ii) the US registration No. 1045574 EQUIFAX in class 35, registered on August 3, 1976; and
- (iii) the Chinese registration No. 6513509 EQUIFAX in class 36, registered on March 28, 2010.

The Complainant owns the domain name <equifax.com>, which was created on February 21, 1995, and uses it as its primary website "www.equifax.com".

The disputed domain names were registered on October 13, 2019 for <mequifax.com>, August 4, 2020 for <myequifax.com> and <mywequifax.com>, and May 18, 2021 for <myequifax.com>, respectively. According to the evidence submitted by the Complainant, the disputed domain names are being used in connection with a pay-per-click ("PPC") or monetized parking page that includes links for various services including "Credit Freeze," "Credit Report," "Free Credit Report," and "Identity Theft Protection."

The Respondent is reportedly a Chinese individual. He is also the respondent of other UDRP cases (e.g., *Equifax Inc. v. Zhichao Yang*, WIPO Case No. [D2024-4866](#); *Equifax Inc. v. 杨智超 (Yang Zhi Chao)*, WIPO Case No. [D2023-1172](#); *Equifax Inc. v. Zhichao Yang, 杨智超 (Zhichao Yang), 林彦晓 (Yan Xiao Lin)*, WIPO Case No. [D2021-3287](#); and *Equifax Inc. v. 杨智超 (Zhichao Yang)*, WIPO Case No. [D2021-3318](#)) filed by the Complainant based upon the EQUIFAX trademark. In all of these cases, the complaints were supported by panels and the disputed domain names were ordered to be transferred to the Complainant.

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 names.

Notably, the Complainant contends that:

(i) Each of the disputed domain names contains the EQUIFAX trademark in its entirety, simply adding the letters or words “m,” “c,” “w,” and/or “my.” The EQUIFAX trademark is recognizable in each of the disputed domain names and the inclusion of the letters or words “m,” “c,” “w,” and/or “my” does nothing to diminish confusing similarity. Therefore, each of the disputed domain names is identical or confusingly similar to the Complainant’s EQUIFAX trademark.

(ii) The Complainant has never assigned, granted, licensed, sold, transferred, or in any way authorized the Respondent to register or use the EQUIFAX trademark in any manner. By using each of the disputed domain names in connection with a PPC or monetized parking page, the Respondent has failed to create a bona fide offering of goods or services under the Policy. Further, because multiple security vendors have reported that each of the disputed domain names is associated with malicious, phishing and/or suspicious activities, the Respondent clearly has not used the disputed domain names in connection with a bona fide offering of goods or services. To the Complainant’s knowledge, the Respondent has never been commonly known by any of the disputed domain names and has never acquired any trademark or service mark rights in the disputed domain names. Accordingly, the Respondent has no rights or legitimate interests in respect of the disputed domain names.

(iii) The disputed domain names were registered and are being used in bad faith. The EQUIFAX trademark is clearly famous and/or widely known and therefore the mere registration of the disputed domain names that are confusingly similar to EQUIFAX trademark can by itself create a presumption of bad faith. The Respondent is a serial cybersquatter who has lost numerous proceedings under the Policy, including the cases that were filed by the same Complainant as in this proceeding and also involving the same EQUIFAX trademark. Further, panels have repeatedly held that using a domain name in connection with a monetized parking page under the circumstances present here constitutes bad faith. The websites in connection with the disputed domain names are reported by multiple security vendors as being associated with malicious, phishing, and/or suspicious activities also suggest bad faith.

B. Respondent

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

6. Discussion and Findings

6.1. Preliminary Issues: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the facts that disputed domain names are in Latin scripts, and the contents on the websites associated with the disputed domain names are in English, suggesting that the Respondent is capable of communicating in English in this case.

The Respondent did not make any submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties’ ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 4.5.1).

Having considered all the matters above, and noting that the Center sent the emails in Chinese and English regarding the notification of the Complaint which includes information on the language of the proceeding, the Respondent did not make any comments on the language of the proceeding, and did not file any response, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Substantive Issues

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 names. [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.

As the Complainant correctly pointed out, each of the disputed domain names contains the EQUIFAX trademark in its entirety, which can be easily recognized within them. Therefore, the disputed domain names should be considered confusingly similar with the Complainant's trademark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms "m," "my," "c," "mymy," and/or "myw." 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 disputed 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 disputed domain names. The Complainant has asserted that it has never assigned, granted, licensed, sold, transferred, or in any way authorized the Respondent to register or use the EQUIFAX trademark in any manner. According to the evidence submitted by the Complainant, the disputed domain names were resolved to the websites with "related search" links to "My Equifax," "Equifax Credit Report," "Free Credit Report," "Identity Theft Protection," and/or "All Three Credit Report and Score." Such uses of the disputed domain names to host a parked page do not represent a bona fide offering of goods or services where such links compete with or capitalize on the reputation and goodwill of the Complainant's mark or otherwise mislead Internet users, especially when the "searched" items are closely related to the Complainant's business such as credit report services. [WIPO Overview 3.0](#), section 2.9.

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.

The Panel therefore 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.

In the present case, the Complainant's EQUIFAX trademark is inherently distinctive and has acquired high reputation through use. The disputed domain names contain the entirety of the Complainant's EQUIFAX trademark with the addition of "m," "my," "c," "mymy," and/or "myw". Therefore, the disputed domain names are confusingly similar to the widely-known EQUIFAX mark and were registered by the Respondent who has no relationship with the Complainant, which can by itself create a presumption of bad faith.

[WIPO Overview 3.0](#), section 3.1.4.

Furthermore, the fact that the disputed domain names are resolved to the parking websites with links to services competing with the Complainant without the authorization of the Complainant can also prove that the Respondent has attempted to attract Internet users to its websites by creating a likelihood of confusion with the Complainant's EQUIFAX trademark. Such uses undoubtedly constitute bad faith under the Policy.

[WIPO Overview 3.0](#), section 3.1.4.

In addition, the Respondent had registered many other domain names containing the Complainant's EQUIFAX trademark, some of which had been ordered to be transferred to the Complainant through UDRP proceedings. As such, the Panel finds that the Respondent is engaged in a pattern of abusive domain name registrations incorporating the Complainant's trademark, and this case is a continuation of that bad faith pattern.

The Respondent's failure to file any response also supports a finding of bad faith.

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 names <mequifax.com>, <myequifax.com>, <mymyequifax.com>, and <mywequifax.com> be transferred to the Complainant.

/Tao Sun/

Tao Sun

Sole Panelist

Date: March 18, 2025