

ADMINISTRATIVE PANEL DECISION

Equinor ASA v. ADAUCTO RODRIGUES P FILHO

Case No. D2024-4944

1. The Parties

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

Respondent is Adaucto Rodrigues P Filho, Brazil.

2. The Domain Name and Registrar

The disputed domain name <eqnr.tech> (hereinafter “Disputed Domain Name”) is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 29, 2024. On November 29, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On December 2, 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 (Private Protect, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on December 2, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on December 2, 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 Respondent of the Complaint, and the proceedings commenced on December 3, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 23, 2024. Respondent sent an email communication to the Center on December 4, 2024.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on December 30, 2024. 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

Complainant is a Norwegian corporation that currently operates in more than 30 countries, including Brazil, to develop oil, gas, wind, and solar energy resources. It is listed at the New York Stock Exchange under the stock ticker abbreviation “EQNR”.

Complainant owns registrations for the trademark EQUINOR in many jurisdictions, including:

- European Union Trademark Registration No. 017900772 (registered January 18, 2019)
- United States of America Trademark Registration No. 6436681 (registered on August 3, 2021)

Complainant owns many domain names, including <equinor.com>, also operating the domain name <equinor.com.br>.

The Disputed Domain Name was registered November 21, 2024. Although no longer active, prior to the institution of these proceedings, it was associated with active content in Portuguese promoting investment opportunities in Brazil. The website published two videos that described the purported ongoing business operations of a company identified as “EQNR”, its ongoing business operations in Brazil, and examples of how to invest in these ventures. As supporting evidence, Complainant submitted screenshots from these videos, one of which included text (translated here into English) nearly identical to statements published on Complainant’s official website, including the phrase: “EQNR is an international energy company committed to long-term value creation in a low-carbon future.” The webpage also includes an image of the Norwegian flag and text reading “Based in Norway” (English translation of Portuguese text). There is also an image of an offshore oil rig labeled “Roncador Oil Field”, in which Complainant has an interest.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

B. Respondent

On December 4, 2024, the Center received an email communication from Respondent stating only “F[***] you”.

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 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.

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 that the Mark is recognizable within the Disputed Domain Name. Complainant alleges and Respondent does not deny that “EQNR”, which is Complainant’s stock ticker for on the New York Stock exchange, is an “official abbreviation” for Complainant’s Mark. Accordingly, the Panel finds, as have several prior panels,¹ that the Disputed Domain Name is confusingly similar to the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. See also *Chargepoint, Inc v. li hong*, WIPO Case No. [D2023-2706](#) (disputed domain name based on complainant’s stock ticker “CHPT” was recognizable as abbreviation of complainant’s trademark CHARGEPOINT); *American Farm Bureau Federation v. Portfolio16 Management Ltd.*, WIPO Case No. [D2023-1310](#) (“Prior panels have found that an abbreviation in a domain name can be confusingly similar to a trademark from which the abbreviation derives.”).

The finding of confusing similarity will not surprise Respondent because that is what he intended when he selected the Disputed Domain Name. In the sections below, the Panel finds that Respondent intended the “EQNR” be understood as a reference to Complainant. Although the content of Respondent’s website is normally disregarded when assessing confusing similarity under the first element of the Policy, the Panel may consider Respondent’s intent as reflected on the website associated with the Disputed Domain Name. See [WIPO Overview 3.0](#), section 1.15 (“In some instances, panels have however taken note of the content of the website associated with a domain name to confirm confusing similarity whereby it appears *prima facie* that the respondent seeks to target a trademark through the disputed domain name.”); *American Farm Bureau Federation*, *supra*.

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 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 that Complainant has established a *prima facie* case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. Respondent has not rebutted 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.

¹ *Equinor ASA v. Taylor Eq*, WIPO Case No. [D2024-4506](#) (EQNR has “ 4 out of the 7 letters” and therefore sufficiently recognizable within EQUINOR); *Equinor ASA v. Weiss Grams, NIL*, WIPO Case No. [D2024-0580](#) (EQNR was an abbreviation or acronym for trademark EQUINOR); *Equinor ASA v. Sophia*, WIPO Case No. [D2024-3616](#) (EQUINOR “easily recognizable” within disputed domain name <eqnr-usdt.com.); *Equinor ASA v. Taylor Eq*, WIPO Case No. [D2024-4195](#) (EQNR is “official abbreviation” of EQUINOR); *Equinor ASA v. Sophia*, WIPO Case No. [D2024-3440](#) (EQNR “comprises a contraction” of EQUINOR).

The Panel finds that Respondent is impersonating Complainant, as evidenced by the assertion on the website associated with the Disputed Domain Name that “EQNR is an international energy company committed to long-term value creation in a low-carbon future . . . based in Norway”, graphically emphasized with the image of the Norwegian flag. Impersonation of Complainant can never confer rights or legitimate interests on Respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel finds that Respondent registered the Disputed Domain Name in bad faith. Respondent's actual knowledge of Complainant may be inferred from its selection of the “EQNR”, which is a sequence that has no meaning other than as a reference to Complainant. Actual knowledge may also be inferred from Respondent's impersonation of Complainant.

The Panel also finds bad faith use. Respondent is using the Disputed Domain Name fraudulently to encourage Internet users to invest in the Respondent by trading off of the Complainant's reputation. This is bad faith use. Policy 4(b)(iv).

The Panel finds that 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 <eqnr.tech> be transferred to Complainant.

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: January 13, 2025