

ADMINISTRATIVE PANEL DECISION

Equifax Inc. v. Host Master, Transure Enterprise Ltd
Case No. D2024-4983

1. The Parties

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

The Respondent is Host Master, Transure Enterprise Ltd, United States.

2. The Domain Name and Registrar

The disputed domain name <requifax.com> is registered with Above.com Pty Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 3, 2024. On December 3, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 6, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 6, 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 7, 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 December 9, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 29, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 2, 2025.

The Center appointed Ik-Hyun Seo as the sole panelist in this matter on January 8, 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

Incorporated in 1913, the Complainant is a global provider of information solutions and human resources business process outsourcing services for businesses, governments and consumers. The Complainant offers a credit reporting service that provides consumers with a summary of their credit history, and 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 the Asia Pacific, and employs approximately 11,000 people worldwide. The Complainant is a member of Standard & Poor's 500 Index and is traded on the New York Stock Exchange, and in 2023, its total annual revenues were USD 5.3 billion. The Complainant has trademark registrations for the mark EQUIFAX worldwide including the following in the United States: U.S. Reg. No. 1,027,544 registered on December 16, 1975; U.S. Reg. No. 1,045,574 registered on August 3, 1976; and U.S. Reg. No. 1,644,585 registered on May 14, 1991. The Complainant uses the domain name <equifax.com> for its website.

The Respondent appears to be an entity with an address in the United States.

The disputed domain name was registered on June 22, 2011 and is being used to redirect visitors to a website for a third party, a direct competitor of 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 name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the Complainant's EQUIFAX mark in which the Complainant has rights since it wholly incorporates Complainant's EQUIFAX mark in its entirety and merely adds the letter "r" at the beginning. The Complainant also contends that the disputed domain name represents typosquatting since it is an intentional misspelling of the Complainant's EQUIFAX mark.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant also contends that the disputed domain name redirects visitors to a website for a third party, one of the Complainant's primary competitors, which does not give the Respondent legitimate interests in the disputed domain name, and is not bona fide offering of goods or services.

Finally, the Complainant contends that the disputed domain name was registered and used in bad faith. The Complainant contends that the Complainant's EQUIFAX mark is famous and that the Respondent's registration of the disputed domain name which is confusingly similar to the Complainant's mark is evidence of bad faith. Further, the Complainant contends that by redirecting visitors to a website for a third party, one of the Complainant's primary competitors, the Respondent created a likelihood of confusion with the EQUIFAX trademark which constitutes bad faith.

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. Specifically, the disputed domain name is composed of the Complainant's trademark EQUIFAX and the single letter "r" is added to the beginning, and for this reason, the misspelling appears intentional and may be a form of typosquatting under [WIPO Overview 3.0](#), section 1.9.

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.

Further, the disputed domain name redirects visitors to the website for a third party, one of the Complainant's primary competitors, and Panels have found that such use does not give rise to a claim of rights or legitimate interests. [WIPO Overview 3.0](#), section 2.5.3.

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.

In the present case, the Panel notes that based on the fame of the Complainant's trademark, it is highly unlikely for the Respondent to have registered the disputed domain name by chance. Further, based on the typosquatting nature of the disputed domain name, the Panel finds that the Respondent most likely was aware of the Complainant and its trademark when registering the disputed domain name.

Further, Panels have found that the mere registration of a domain name that is confusingly similar to a famous trademark by an unaffiliated entity can by itself create a presumption of bad faith –particularly for a domain name like the disputed domain name which has a typo. Panels have also found that redirecting a domain name to a competitor's website – like in this case – is intentionally attempting to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark, and that it represents use in bad faith. [WIPO Overview 3.0](#). Section 3.1.4.

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 <requifax.com> be transferred to the Complainant.

/Ik-Hyun Seo/

Ik-Hyun Seo

Sole Panelist

Date: January 20, 2025