

## **ADMINISTRATIVE PANEL DECISION**

Equinor ASA v. Christopher Alexia, Ephrata  
Case No. D2024-5244

### **1. The Parties**

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

The Respondent is Christopher Alexia, Ephrata, United States of America (“United States”).

### **2. The Domain Name and Registrar**

The disputed domain name <equinorr.online> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 20, 2024. On December 20, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 20, 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 (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 23, 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 5, 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 Registration Reg. 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

- United States Registration Reg. 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 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 <equinorr.online> was registered on December 10, 2024. According to the Complainant, the Respondent is using the disputed domain name for a website offering investment opportunities, creating confusion with the EQUINOR trademark.

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

#### **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.

The Complainant contends that it has established rights in the EQUINOR trademark by virtue of longstanding use and registration in numerous jurisdictions worldwide. The trademark EQUINOR is distinctive and well-known in connection with the Complainant’s broad energy operations, including oil, gas, wind, and solar power.

The Complainant formerly operated under the name STATOIL and, in 2018, publicly announced its official rebranding to EQUINOR, inheriting the strong reputation associated with the STATOIL mark. The Complainant has made substantial investments to develop and protect the EQUINOR brand globally.

The disputed domain name <equinorr.online> consists of the Complainant's EQUINOR trademark in its entirety, plus the additional letter "r." According to the Complainant, this extra letter does not avoid confusion; instead, it amounts to a misspelling of "EQUINOR" that remains clearly recognizable in the disputed domain name. The Complainant asserts that Internet users will wrongly assume a connection with or endorsement by the Complainant.

The Respondent has no rights or legitimate interests in the disputed domain name and registered <equinorr.online> several years after the Complainant's widely publicized name change from STATOIL to EQUINOR. The Complainant has not authorized the Respondent to use the EQUINOR mark. The Respondent is not commonly known by the disputed domain name, and there is no evidence that the disputed domain name is used in connection with a bona fide offering of goods or services.

The Respondent was fully aware of the Complainant's reputation and trademark rights in the EQUINOR mark when the Respondent registered the disputed domain name. The Complainant states that the disputed domain name has been used for an "investment website," prominently featuring references to the Complainant's CEO and corporate profile in a misleading way. The Complainant contends that such use demonstrates an intent to capitalize on the Complainant's goodwill and amounts to registration and use in bad faith.

Accordingly, the Complainant seeks a decision 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 entirety of the mark is reproduced 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 <equinorr.online> features the Complainant's EQUINOR trademark with addition of letter "r" at the end of the disputed domain name. The resulting misspelling of "EQUINOR" is combined with the generic Top-Level Domain (gTLD) ".online." The EQUINOR mark remain clearly recognizable within the disputed domain name.

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. [WIPO Overview 3.0](#), section 1.9.

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

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

The Complainant has provided evidence confirming that the website that was deployed in connection with the disputed domain name was devoted to “investment”, prominently featuring the Complainant’s mark and a photo of the Complainant’s CEO without authorization.

Under such circumstances, any use of the disputed domain name by the Respondent only increases the possibility of the Internet users’ to falsely attribute the disputed domain name to the activities of the Complainant, seeing as such Internet users will likely be unaware of the typographical variation in the disputed domain name as compared to the Complainant’s trademark.

The Respondent did not submit a Response or attempt to demonstrate any rights or legitimate interests in the disputed domain name, and the Panel draws adverse inferences from this failure, where appropriate, in accordance with the Rules, paragraph 14(b).

Taking into account the reputation and long period of use of the Complainant’s EQUINOR trademark, and in the Complainant’s corresponding domain name and website, 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 does not fall under a legitimate noncommercial 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.

Panels have held that the use of a domain name for impersonation/passing off, or other types of fraud can never confer rights or legitimate interests on a 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 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 has established above, the Complainant's EQUINOR trademark was used in commerce well before the registration of the disputed domain name on December 10, 2024. The Complainant's trademark predates the Respondent's registration of the disputed domain name by several years.

Previous UDRP panels have acknowledged that a well-known mark, in combination with an intentional misspelling or extra letter, strongly indicates the respondent's awareness of the complainant's rights. Here, the Panel considers that the Complainant's EQUINOR trademark is inherently distinctive and enjoys widespread international recognition in the energy sector.

The Panel therefore finds with a high degree of certainty that the Respondent knew of the Complainant's EQUINOR trademark when registering the disputed domain name. This is supported by the Respondent's selection of <equinorr.online>, which wholly incorporates the Complainant's known trademark and merely appends an additional "r," thereby creating a likelihood of confusion. Such registration long after the Complainant secured its rights in the EQUINOR mark underscores the Respondent's bad faith intent.

Furthermore, the Respondent has not submitted a response to rebut the Complainant's allegations or to demonstrate any good faith use or legitimate interest. Evidence on the record shows that the disputed domain name was actively used for an "investment" website referring to the Complainant's mark and CEO, bolstering the conclusion that the Respondent is intentionally seeking to capitalize on the Complainant's goodwill.

Panels have held that the use of a domain name for illegitimate activity, in this case, potential phishing, impersonation/passing off, or other types of fraud constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. 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 <equinorr.online> be transferred to the Complainant.

*/Oleksiy Stolyarenko/*

**Oleksiy Stolyarenko**

Sole Panelist

Date: March 4, 2025