

ADMINISTRATIVE PANEL DECISION

Equinor ASA v. Sophia, Sophia
Case No. D2024-5248

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 ("United States").

2. The Domain Names and Registrar

The disputed domain names <afquinator.com> and <faquinator.com> are 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 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 names. On December 23, 2024, 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 (Not available from registry) 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 ("gTLDs") 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 <faquinor.com> was registered on December 11, 2024, and the disputed domain name <afquinor.com> was registered on December 18, 2024. According to the Complainant, both disputed domain names resolved to unauthorized websites prominently displaying the EQUINOR trademark and offering cryptocurrency-related services.

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 names.

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, which encompass oil, gas, wind, and solar energy.

Formerly operating under the name STATOIL, the Complainant announced its official rebranding to EQUINOR in 2018, inheriting the strong reputation associated with the STATOIL mark. The Complainant has made significant investments to develop and protect the EQUINOR brand worldwide.

The disputed domain names, <faquinor.com> and <afquinor.com>, each incorporate a misspelling or partial rearrangement of the Complainant's EQUINOR trademark, such that the brand remains clearly recognizable to Internet users. According to the Complainant, these altered versions of EQUINOR trademark do not avoid confusion; rather, they are typographical variations likely to mislead users into perceiving a connection or endorsement.

The Respondent has no rights or legitimate interests in the disputed domain names and registered them well after the Complainant's worldwide adoption and use of the EQUINOR mark. The Complainant has not authorized the Respondent's use of the EQUINOR trademark. The Respondent is not commonly known by <faquinor.com> or <afquinor.com>, and there is no bona fide offering of goods or services at these disputed domain names.

The Complainant contends that the Respondent was fully aware of the Complainant's reputation and trademark rights when registering the disputed domain names. The Respondent has linked these disputed domain names to cryptocurrency-themed websites prominently featuring the Complainant's marks, which the Complainant alleges is an intentional attempt to exploit its goodwill. The Complainant thus asserts that such conduct constitutes registration and use in bad faith.

Accordingly, the Complainant seeks a decision that the disputed domain names be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

The Panel notes that according to the Registrar both disputed domain names are registered by the Respondent.

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 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 EQUINOR mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are 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 <afquinor.com> features the Complainant's EQUINOR trademark misspelled where the letter "e" at the beginning of the designation is changed to "af". The resulting misspelling of "EQUINOR" is combined with the gTLD ".com." The EQUINOR mark remain recognizable within the disputed domain name.

Likewise, the Panel agrees with the Complainant, in relation to the disputed domain name <faquinor.com> that features the Complainant's EQUINOR trademark misspelled where the letter "e" at the beginning of the

designation is changed to “fa”. The resulting misspelling of “EQUINOR” is combined with the gTLD “.com.” The EQUINOR mark remain recognizable within the disputed domain name as well.

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 names. 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 names 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 names.

Moreover, given that the disputed domain names consist of misspellings of the Complainant’s trademark, the Panel struggles to conceive any legitimate interests of the Respondent in the disputed domain names.

The Complainant has provided evidence confirming that the websites that were deployed in connection with the disputed domain names were devoted to cryptocurrency-related businesses, prominently featuring the Complainant’s mark.

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

As the Panel established above, the Complainant's EQUINOR trademark was used in commerce well before the registration of the disputed domain names <faquinor.com> and <afquinor.com> on December 11 and December 18, 2024, respectively. The Complainant's EQUINOR mark predates registration of the disputed domain names by many years.

Previous UDRP panels have already recognized the wide reputation of the Complainant's mark, reinforcing its well-known character in the energy sector. The Panel agrees and considers that the Complainant's EQUINOR mark is well-known, and the Complainant has established rights in that mark.

The Panel finds with a high degree of certainty that the Respondent knew of the Complainant's EQUINOR mark when registering the disputed domain names. This conclusion is supported by the mark's recognized status worldwide, the Complainant's strong online presence, and the intentional misspellings ("faquinor," "afquinor") in the disputed domain names. Also, the disputed domain names are associated with subdomains, which feature the EQUINOR trademark alongside several images showing, such as: the Complainant's office building, where the EQUINOR trademark is prominently displayed, employees of the Complainant's, and flags containing the EQUINOR trademark. The Respondent clearly targeted the Complainant's trademark and its reputation and customers.

Furthermore, the Respondent failed to submit any response or provide evidence of a legitimate interest or good-faith use. The Panel concludes that the Respondent's intent in registering the disputed domain names, which wholly or substantially reproduce the Complainant's mark, has always been to capitalize on the goodwill of the Complainant's EQUINOR trademark.

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.

Panels have held that the use of a domain name for illegitimate activity here, claimed 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 names 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 names <afquinor.com> and <faquinor.com> be transferred to the Complainant.

/Oleksiy Stolyarenko/

Oleksiy Stolyarenko

Sole Panelist

Date: March 5, 2025