

## **ADMINISTRATIVE PANEL DECISION**

Equinor ASA v. wang wang  
Case No. D2025-0240

### **1. The Parties**

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

The Respondent is wang wang, Hong Kong, China.

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

The disputed domain name <x-equinor.top> ("the Disputed Domain Name") is registered with Gname.com Pte. Ltd. (the "Registrar").

### **3. Procedural History**

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on January 22, 2025. On January 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On January 24, 2025, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 24, 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 January 27, 2025.

On January 24, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the Disputed Domain Name is Chinese. On January 27, 2025, the Complainant submitted a request that the proceeding be conducted in English. The Respondent did not submit any comments 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 January 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 17, 2025.

The Center appointed Peter J. Dernbach as the sole panelist in this matter on February 24, 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 a Norwegian energy company, primarily in the business of producing oil and petroleum. The Complainant changed its name from Statoil ASA to Equinor ASA in 2018, and has since then, acquired trademark registrations including but not limited to the following:

- European Union Registration No. 017900772, dated January 18, 2019, for the word mark EQUINOR;
- Norway Trademark Registration No. 298811, dated June 12, 2018, for the figurative mark EQUINOR;
- Norway Trademark Registration No. 298813, dated June 12, 2018, for the word mark EQUINOR;
- International Registration No. 1444675, dated July 4, 2018, for the word mark EQUINOR; and
- United States of America Registration No. 6436681, dated August 3, 2021, for the word mark EQUINOR.

The Disputed Domain Name was registered by the Respondent on January 16, 2025. According to the Complaint, the Disputed Domain Name used to resolve to an active website featuring the Complainant's figurative mark and requiring a phone number and password to access it. Currently, it resolves to an inactive website displaying the message, "This site can't be reached."

The Respondent, according to the information provided by the Registrar, appears to be an individual with an address located in Hong Kong, China.

#### **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:

- (i) The Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant asserts that it is the owner of various marks containing the "Equinor" element and has been operating a website at the domain name <equinor.com>.

The Complainant argues that the Disputed Domain Name is confusingly similar to its EQUINOR mark because the Disputed Domain Name incorporates the entirety of the Complainant's EQUINOR mark, and (1) the addition of the "x" and dash fails to distinguish the Disputed Domain Name from the Complainant's trademark; (2) the additional Top-Level Domain ("TLD") suffix ".top" cannot distinguish the Disputed Domain Name from the Complainant's trademark. Thus, the Complainant's EQUINOR mark comprises the main distinctive element of the Disputed Domain Name, and the additional elements do not prevent a finding of confusing similarity.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name. The Complainant asserts that the Respondent does not own any valid trademark rights over the word “Equinor” nor is the Respondent commonly known as such. Also, the Respondent has not been authorized, licensed, or otherwise permitted by the Complainant to register or use the Disputed Domain Name.

Moreover, the Complainant contends that the Respondent is not making use of the Disputed Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use.

(iii) The Disputed Domain Name has been registered and is being used in bad faith.

The Complainant contends that the Respondent registered the Disputed Domain Name with the knowledge of the Complainant’s EQUINOR mark, since the Disputed Domain Name was registered more than six years after the Complainant’s announced name change in March 2018.

The Respondent’s use of the EQUINOR figurative trademark on the website to which the Disputed Domain name resolved implies that the Complainant is affiliated with the Disputed Domain Name. All the above circumstances demonstrate that the Respondent has registered and used the Disputed Domain Name in bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1 Procedural Issue - 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 fact that conducting the proceedings in Chinese would be time-consuming and pose undue financial burden on the Complainant, who is based in Scandinavia and unable to operate in Chinese. In addition, the Complainant contends that the Respondent must have had some awareness of English when registering the Disputed Domain Name, as the content on the website to which the Disputed Domain Name resolved was displayed in both Portuguese and English.

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

Having considered the above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

### **6.2 Substantive Issues**

In accordance with paragraph 4(a) of the Policy, in order to succeed in this administrative proceeding and obtain the requested remedy (in this case, transfer of the Disputed Domain Name), the Complainant must prove that each of the three following elements are present:

(i) the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

- (ii) the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- (iii) the Disputed Domain Name has been registered and is being used in bad faith.

#### **A. Identical or Confusingly Similar**

The Panel finds that the Complainant has established that it is the proprietor of the EQUINOR trademarks. Based on the available records, the Panel finds the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy.

The Panel finds that the entirety of the EQUINOR trademark is reproduced within the Disputed Domain Name. The additional elements, “x-” and TLD “.top”, do not prevent a finding of confusing similarity between the Disputed Domain Name and the Complainant’s trademark. Therefore, the Panel finds the Disputed Domain Name is confusingly similar to the Complainant’s EQUINOR mark for the purposes of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), sections 1.8 and section 1.11.1.

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

#### **B. Rights or Legitimate Interests**

Paragraph 4(a)(ii) of the Policy provides that “[a domain-name holder] is required to submit to a mandatory administrative proceeding in the event that [a complainant] asserts to the applicable [administrative-dispute-resolution service provider], in compliance with the Rules of Procedure, that [...] (ii) [the respondent has] no rights or legitimate interests in respect of the [disputed] domain name[.]”

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.

- (i) before any notice to [the respondent] of the dispute, [the respondent’s] use of, or demonstrable preparations to use, the [disputed] domain name or a name corresponding to the [disputed] domain name in connection with a bona fide offering of goods or services; or
- (ii) [the respondent] (as an individual, business, or other organization) [has] been commonly known by the [disputed] domain name, even if [the respondent has] acquired no trademark or service mark rights; or
- (iii) [the respondent is] making a legitimate noncommercial or fair use of the [disputed] domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Pursuant to paragraphs 4(a)(ii) and 4(c) of the Policy, the Complainant is required to first establish a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The burden of production would then shift to the Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name.

The Complainant has asserted that it has neither licensed nor authorized the Respondent to use the Complainant’s EQUINOR mark. There is no indication that the Respondent has ever been commonly known by the Disputed Domain Name, and the Respondent’s name as revealed by the Registrar does not suggest any relation between the Respondent’s name and the Disputed Domain Name. There is no evidence to show that the Respondent owns any trademarks containing the “Equinor” element or otherwise related to the Disputed Domain Name. Nor does the record reflect the Respondent’s use or demonstrable preparation to use the Disputed Domain Name in connection with a bona fide offering of goods or services prior to any notice of the dispute.

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 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.

Therefore, the Panel finds the Complainant has satisfied the second element of the Policy.

### **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 the Respondent registered the Disputed Domain Name several years after the Complainant announced its name change and registered the EQUINOR trademark across various jurisdictions and the domain name <equinor.com>. It is unlikely that the Respondent was unaware of the existence of the Complainant's EQUINOR mark at the time of registration of the Disputed Domain Name. Further, the term "equinor" is fanciful with no dictionary meaning, so it is unlikely for the Respondent to have come up with the Disputed Domain Name that has reproduced the EQUINOR mark in its entirety by pure coincidence.

Moreover, before becoming inactive, the Disputed Domain Name once resolved to a page that featured the Complainant's EQUINOR figurative trademark and required credentials to access it. The full reproduction of the Complainant's figurative trademark indicates that the Respondent had the intention to attract Internet users to the website to which the Disputed Domain Name resolved, by creating a likelihood of confusion with the Complainant's mark.

Currently, the Disputed Domain Name resolves to an inactive website, which does not as such prevent a finding of bad faith, since panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant's trademark and the composition of the Disputed Domain Name and finds that in the circumstances of this case, the passive holding of the Disputed Domain Name does not prevent a finding of 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 <x-equinor.top> be transferred to the Complainant.

*/Peter J. Dernbach/*

**Peter J. Dernbach**

Sole Panelist

Date: March 10, 2025