ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Equifax Inc. v. Mike
Case No. D2025-1244

1. The Parties

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

Respondent is Mike, Canada.

2. The Domain Name and Registrar

The disputed domain name <equicax.com> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 26, 2025. On March 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 28, 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/Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to Complainant on March 28, 2025, 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 March 28, 2025.

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 April 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 21, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on April 25, 2025.

The Center appointed Lorelei Ritchie as the sole panelist in this matter on April 30, 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

Complainant is a multinational company based in the United States. For nearly half a century prior to the registration of the disputed domain name, Complainant has offered various business services, such as income tax consulting and credit reporting, under the EQUIFAX mark. Complainant has numerous registered trademarks for its EQUIFAX mark around the globe. These include, among others, United States Registration Nos. 1,027,544 (registered December 16, 1975) and 1,045,574 (registered August 3, 1976).

Complainant also owns the registration for the domain name <equifax.com> (registered February 21, 1995), which Complainant uses to communicate with consumers regarding its various business services.

The disputed domain name was registered on February 7, 2025. As of the filing of the Complaint, the disputed domain name resolved to a pay-per-click page with third party links related to Complainant's business services.

5. Parties' Contentions

A. Complainant

Complainant contends that the (i) disputed domain name is identical or confusingly similar to Complainant's trademarks; (ii) Respondent has no rights or legitimate interests in the disputed domain name; and (iii) Respondent registered and is using the disputed domain name in bad faith.

In particular, Complainant contends that it has established rights in its EQUIFAX mark which is "well-known" internationally as Complainant is a global provider of credit reporting and other business services, operating in 24 countries, with over 11,000 employees. Complainant contends that Respondent has merely substituted a single letter in Complainant's well-known EQUIFAX mark, in a classic case of "typosquatting".

Complainant asserts that Respondent has no rights or legitimate interests in the registration or use of the disputed domain name. Complainant contends that Respondent has acted in bad faith via registration and use of the disputed domain name, presumably for Respondent's own commercial gain. Complainant further contends that Respondent has engaged in a pattern of cybersquatting, further exhibiting bad faith.

B. Respondent

Respondent did not reply to 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 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, EQUIFAX, for the purposes of the Policy. WIPO Overview 3.0, section 1.2.1. The

Panel finds that this misspelling by Respondent does not prevent a finding of confusing similarity between the disputed domain name and Complainant's mark for purposes of the Policy. WIPO Overview 3.0, section 1.9.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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.

Complainant has established rights to the mark recognizable in the disputed domain name, and Complainant has never in any way authorized Respondent to register or use the EQUIFAX trademark in any manner. Respondent has used the disputed domain name for a pay-per-click page with third party links related to Complainant's business. The Panel therefore finds that Complainant has provided prima facie evidence of Respondent's lack of "rights or legitimate interests" in accordance with paragraph 4(a)(ii) of the Policy which Respondent has not rebutted.

Therefore, the Panel finds that Respondent does not have any rights or legitimate interests in the disputed domain name.

C. Registered and Used in Bad Faith

There are several ways that a complainant can demonstrate that a domain name was registered and is being used in bad faith. As noted in Section 4 of this Panel's decision, as of the filing of the Complaint, the disputed domain name resolved to a pay-per-click page with links related to Complainant's business.

Complainant has established prior rights in the EQUIFAX mark, as well as long-term and global reach of its registered mark. Taking into consideration that the disputed domain name is a typosquatted version of Complainant's own trademark and domain name <equifax.com>, the Panel finds that Respondent knew or should have known of Complainant's mark when registering the disputed domain name. See *Equifax Inc. v. Wesley Karr*, WIPO Case No. D2023-3413; *Equifax Inc. v. Daiyu Shao*, WIPO Case No. D2022-0913; and *Equifax Inc. v. Super Privacy Service LTD c/o Dynadot / Babacan Gunduz*, WIPO Case No. D2021-3814.

Respondent appears to be trading on the goodwill of Complainant's trademark. The Panel finds by using the disputed domain name to resolve to a website with pay-per-click links related to Complainant's business, Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with Complainant's trademark, which constitutes bad faith for purposes of paragraph 4(b)(iv) of the Policy. Furthermore, Complainant has provided evidence that Respondent has registered other domain names incorporating trademarks or a misspelled version of trademarks of third parties. Therefore, the Panel finds that the Respondent has engaged in a pattern of bad faith conduct, thereby indicating bad faith for purposes of paragraph 4(b)(ii) of the Policy.

Respondent did not respond to Complainant's allegations in this proceeding.

The Panel finds that Respondent has registered and used the disputed domain name in bad faith for purposes of paragraph 4(a)(iii) of the Policy.

7. Decision

For all 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 <equicax.com> be transferred to Complainant.

/Lorelei Ritchie/
Lorelei Ritchie
Sole Panelist
Dated: May 14, 2025