

## **ADMINISTRATIVE PANEL DECISION**

Equifax Inc. v. Mike  
Case No. D2025-1345

### **1. The Parties**

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

The Respondent is Mike, Canada.

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

The disputed domain name <myequifax.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 April 3, 2025. On April 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 6, 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 the Complainant on April 8, 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 on April 9, 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 the Respondent of the Complaint, and the proceedings commenced on April 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 1, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 2, 2025.

The Center appointed Alvaro Loureiro Oliveira as the sole panelist in this matter on May 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 Equifax Inc., a leading global provider of information services and human resources outsourcing services. The Complainant was originally incorporated under the laws of the State of Georgia, United States, in 1913, and its predecessor company dates to 1899.

Among its various services, it offers a credit reporting service that provides consumers with a summary of their credit history and certain other information reported to credit bureaus by lenders and creditors.

The Complainant notes that it owns at least 221 trademark registrations in at least 56 jurisdictions around the world for marks that consist of or contain the word “Equifax”, which was first used in trade and registered in 1975.

The Complainant’s registrations for the EQUIFAX trademark in the United States include:

- EQUIFAX: U.S. Reg. No. 1,027,544 (first used in commerce March 4, 1975; registered December 16, 1975) for use in connection with “insurance risk information reporting services concerning potential policy holders”;
- EQUIFAX: U.S. Reg. No. 1,045,574 (first used in commerce March 4, 1975; registered August 3, 1976) for use in connection with “conducting investigations and reporting on individuals and firms concerning credit, character and finances [...]”;
- EQUIFAX: U.S. Reg. No. 1,644,585 (first used in commerce March 4, 1975; registered May 14, 1991) for use in connection with, inter alia, “providing on-line access to computer databases containing information relating to applicants for insurance, credit, mortgage loans, and employment.”

The Complainant is also the registrant of the domain name <equifax.com>, which was created on February 21, 1995.

The disputed domain name was created on September 27, 2024. The Respondent is using the disputed domain name in connection with a pay-per-click (“PPC”) or monetized parking page that includes links for various services that appear to be associated with login pages for Complainant’s services.

#### **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 states that the disputed domain name is confusingly similar to the trademark - in fact, the disputed domain name includes the trademark in its entirety - it differs only by the replacement of the letter “i” for an “o”, thus creating a misspelling of the Complainant’s trademark EQUIFAX, reading “equofax”.

This has potential to cause confusion with the Complainant’s trademark both visually and phonetically. The different letter has no effect whatsoever in distancing the disputed domain name from the registered trademark.

The Respondent has no rights nor legitimate interests in the disputed domain name, whereas the Respondent has not acquired any trademark rights with respect to the disputed domain name. As stated by the documents presented, the registration and use of the trademark EQUIFAX predates the registration of the disputed domain name in several decades.

Moreover, the Respondent is not commonly known by the disputed domain name. The Respondent has also not secured a license nor any other authorization from the Complainant to use the trademark.

The disputed domain name resolves to a parking page comprising PPC links, which leads to conclude that the disputed domain name has been used with commercial purposes. Also, the Complainant states that one security vendor has reported that the disputed domain name is associated with phishing activities.

In sum, the Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain name, and that the disputed domain name was registered and is being used in bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

The Policy, in its paragraph 4(a), determines that three elements must be present and duly proven by a complainant to obtain relief. These elements are:

- i. the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- ii. the Respondent has no rights or legitimate interests in respect to 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**

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 Panel finds that the Complainant has shown sufficient registered rights in respect of a trademark EQUIFAX 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, with the replacing of the letter "i" for an "o", which could be considered as typosquatting, as the practice is an intentional misspelling of the trademark. [WIPO Overview 3.0](#), section 1.9.

Further, the disputed domain name comprises the Complainant's trademark preceded by the expression "my". In this regard, it is well established that the addition of a term to a trademark does not prevent confusing similarity. Thus, in the Panel's view, the addition of that term does nothing to prevent the trademark from being recognizable in the disputed domain name, nor to prevent confusing similarity, as it was found in previous UDRP decisions (see, e.g., *Price Costco International, Inc. v. Huynh Van Duc*, WIPO Case No. [D2020-0321](#); *Philip Morris Products S.A. v. Ong Nguyen Ngoc Ha*, WIPO Case No. [D2019-2509](#); *Facebook, Inc. v. Domain Admin Privacy Protect, LLC (PrivacyProtect.org) / Do Viet Dung*, WIPO Case No. [D2019-1121](#)). See section 1.8, [WIPO Overview 3.0](#).

The Panel finds that the disputed domain name contains sufficiently recognizable aspects of the Complainant's trademark EQUIFAX.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy, and thus 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.

Given the clear evidence that the trademark EQUIFAX is registered in the name of the Complainant and is widely known as identifying the Complainant's activities, that the Complainant has not licensed this to the Respondent, and evidence that the Respondent is using the disputed domain name in connection with a PPC links scheme, the Panel finds that the Complainant has established prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name.

In the absence of a Response, the Respondent has not rebutted such prima facie case.

The Panel, thus, finds for the Complainant under 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.

The misspelling of the disputed domain name points towards the Respondent's likely intent to give the impression that the disputed domain name is associated with the Complainant. In the absence of any reasonable explanation for the selection of the disputed domain name by the Respondent, and in the circumstances of this case, the Panel finds it is more likely than not that the disputed domain name has been registered to take unfair advantage, due to its value as a trademark owned by the Complainant.

The fact that the disputed domain name resolves to a website displaying PPC links to third party sites, supports a finding of bad faith use in these circumstances. Furthermore, the evidence suggests that the Respondent's actions may cause illegal activity noting that at least one security vendor has reported that the disputed domain name is associated with phishing activities.

Considering also that the Respondent engaged in the typosquatting practice of the Complainant's trademark EQUIFAX, it is clear that the Respondent was out for commercial gain, by registering and using the disputed domain name to confuse, attract and profit from the Complainant's Internet users by impersonating the Complainant.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Accordingly, 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 <myequofax.com> be transferred to the Complainant.

*/Alvaro Loureiro Oliveira/*

**Alvaro Loureiro Oliveira**

Sole Panelist

Date: May 21, 2025