

ADMINISTRATIVE PANEL DECISION

Equifax Inc. v. Domain Admin
Case No. D2025-2538

1. The Parties

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

The Respondent is Domain Admin, Bahamas.

2. The Domain Name and Registrar

The disputed domain name <equifox.com> is registered with Internet Domain Service BS Corp (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 29, 2025. On June 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 1, 2025, the Registrar transmitted by email to the Center its verification response, confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on July 2, 2025.

The Center verified that 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 July 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 25, 2005.

The Center appointed Zeynep Yasaman as the sole panelist in this matter on July 29, 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, incorporated under the laws of the State of Georgia (USA) in 1913, is a global data, analytics, and technology company, and provides information solutions for businesses, governments and consumers, and human resources business process automation and outsourcing services for employers. The Complainant is a member of Standard & Poor's (S&P) 500 Index, and its common stock is traded on the New York Stock Exchange (NYSE) under the symbol EFX.

The Complainant is the owner of numerous registered EQUIFAX trademarks in various jurisdictions. Some of the Complainant's trademark registrations include, among others, United States Trademark EQUIFAX, Registration no.1045574, registered on August 3, 1976, in class 35, and United States Trademark EQUIFAX, Registration no. 1644585, registered on May 14, 1991, in classes 35, 36, and 42.

The Complainant operates under the primary domain name <equifax.com>, which was registered on February 21, 1995.

The disputed domain name was registered on April 3, 2016, and resolves to a website featuring pay-per-click ("PPC") links under headings such as "One-Time Credit Report,", "Credit Report Guide,", and "Business Credit Report." At some point the disputed domain name redirected to a third-party site prompting to download software on a user's computer. The Complainant has also submitted evidence that at least two security vendors have reported the disputed domain name as associated with phishing.

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 it has rights in and to the EQUIFAX trademark, and the disputed domain name is confusingly similar to the Complainant's EQUIFAX trademark as the disputed domain name contains the EQUIFAX trademark in its entirety, simply replacing the letter "a" with the letter "o".

The Complainant argues that the Respondent has no rights or legitimate interests in the disputed domain name and the Complainant has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to register or use the EQUIFAX trademark in any manner. Moreover, the Complainant asserts that the fact that the disputed domain name consists of an obvious typographical variation of the EQUIFAX trademark, this intentional misspelling is a clear indication that the Respondent lacks rights or legitimate interests in the disputed domain name. The Complainant adds that since the disputed domain name is associated with phishing activities and the Respondent is using the disputed domain name to redirect visitors to a suspicious website that falsely purports to provide a "Security Check" but that actually "automatically download[s]" software onto a user's computer, the Respondent clearly has not used the disputed domain name in connection with a bona fide offering of goods or services and therefore, cannot establish rights or legitimate interests. Further, by using the disputed domain name in connection with a PPC or monetized parking page that includes links for various services related to the Complainant and the EQUIFAX trademark, the Respondent has failed to create a bona fide offering of goods or services under the Policy and, therefore, the Respondent cannot demonstrate rights or legitimate interests. To the Complainant's knowledge, the Respondent has never been commonly known by the disputed domain name and has never acquired any trademark or service mark rights in the disputed domain name.

The Complainant indicates that the EQUIFAX trademark is famous and/or widely known, and the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. Given the global reach and

popularity of the Complainant's services under the EQUIFAX trademark as well as the disputed domain name's similarity to the Complainant's domain name <equifax.com>, it is inconceivable that the Respondent chose the contested domain name without knowledge of the Complainant's activities and the name and trademark under which the Complainant is doing business. The Complainant argues that the fact that the disputed domain name consists of an obvious typographical variation of the EQUIFAX trademark is a clear indication of bad faith. Moreover, the fact that the disputed domain name is associated with phishing activities and redirects visitors to a suspicious website that falsely purports to provide a "Security Check" but that actually "automatically download[s]" software onto a user's computer, obviously constitutes bad faith. Moreover, the Respondent has established MX records for the disputed domain name, which enables it to use the disputed domain name to send and receive email and is further evidence of bad faith because it gives rise to the strong possibility that the Respondent intended or intends to use the disputed domain name to send emails as part of a fraudulent phishing scheme. The Complainant further adds that using a domain name in connection with a monetized parking page under the circumstances present here constitutes bad faith. According to the Complainant, another indication of bad faith under the Policy is the fact that the oldest existing registrations for the EQUIFAX trademark were first used and registered 21 years before the Respondent's registration of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires the complainant to show that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights.

Where the complainant holds a nationally or regionally registered trademark or service mark, this *prima facie* satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("WIPO Overview 3.0"), section 1.2.1. In the present case, the Panel notes that the Complainant owns several registered EQUIFAX trademarks. Accordingly, the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy.

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.

A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains sufficiently recognizable aspects of the relevant mark. [WIPO Overview 3.0](#), section 1.9. Similarly, the applicable generic Top-Level Domain ("gTLD") in a domain name (e.g., ".com") 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. In the present case, the Panel finds the Complainant's trademark EQUIFAX is recognizable within the disputed domain name <equifox.com> as the sole difference between them is the letters "a" and "o". Accordingly, the Panel concludes that the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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. These are as follows:

- (i) before any notice of the dispute, the respondent's use of, or demonstrable preparations to use, the domain name or a name corresponding to the 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 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 domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

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.

The Panel notes that there is no evidence suggesting that the Respondent could be commonly known by the disputed domain name within the meaning of the Policy. Furthermore, the Complainant has established that the Respondent is neither affiliated with the Complainant nor authorized or licensed to use a sign identical with or confusingly similar to the EQUIFAX trademark or register the disputed domain name.

Applying UDRP paragraph 4(c), panels have found that the use of a domain name to host a parked page comprising PPC links does not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of the complainant's mark or otherwise mislead Internet users. [WIPO Overview 3.0](#), section 2.9. In the present case, the Panel notes that the disputed domain name consisting of an inherently misleading typographical error, reflecting the Respondent's ultimate intent to confuse unsuspecting Internet users into believing that the disputed domain name is operated by the Complainant, resolves to a website that features links related to the Complainant's business. Such use does not constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the domain name, as the Respondent is taking unfair advantage of the goodwill associated with the Complainant's trademark and is misleadingly diverting consumers for commercial gain. Similarly, a respondent's use of a complainant's mark to redirect users would not support a claim to rights or legitimate interests. [WIPO Overview 3.0](#), section 2.5.3.

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:

- (i) circumstances indicating that Respondent has registered or has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the domain name; or
- (ii) that the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or
- (iii) that the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) that by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to the respondent's website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of respondent's website or location or of a product or service on respondent's website or location.

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.

The Panel notes that the Complainant's trademarks predate the registration of the disputed domain name and have been recognized as well known and enjoying significant international reputation by previous UDRP panels. In view of the high degree of distinctiveness and the established reputation of the Complainant's mark and given that the disputed domain name appears to be a deliberate misspelling of the EQUIFAX mark, the Panel finds that the Respondent registered the disputed domain name with knowledge of the Complainant's trademark.

Furthermore, the Panel finds that the Respondent's use of the disputed domain name to resolve to a parking page containing sponsored links related to the Complainant's business area and to redirect to a website prompting download of what is likely malware on a user's computer constitutes bad faith as the Respondent is intentionally attempting to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

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 <equifox.com> be transferred to the Complainant.

/Zeynep Yasaman/
Zeynep Yasaman
Sole Panelist
Date: August 6, 2025