

## ADMINISTRATIVE PANEL DECISION

Equifax Inc. v. 罗亮 (Liang Luo)

Case No. D2025-2883

### 1. The Parties

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

The Respondent is 罗亮 (Liang Luo), China.

### 2. The Domain Name and Registrar

The disputed domain name <equifaxdispute.xyz> is registered with Chengdu West Dimension Digital Technology Co., Ltd. (the “Registrar”).

### 3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on July 21, 2025. On July 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 23, 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 the same day, 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 July 24, 2025.

On July 23, 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 July 24, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment 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 Chinese and English of the Complaint, and the proceedings commenced on July 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 18, 2025.

The Center appointed Jonathan Agmon as the sole panelist in this matter on August 19, 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 global data analytics and technology company incorporated in 1913 in Georgia, U.S., and its predecessor company dates back to 1899. The Complainant provides information solutions and human resource ("HR") business process automation and outsourcing solutions to its clients. The Complainant is a leading provider of information and solutions used in payroll-related and HR management business process services in the U.S. The Complainant operates in North America, Asia Pacific, Europe, and Latin America. The Complainant has investments through joint ventures in Brazil, Cambodia, Malaysia, and Singapore, and employs around 14,700 employees in 22 countries as of December 31, 2024. The Complainant is listed on the New York Stock Exchange, and is part of the Standard & Poor's 500 Index. In 2024, its operating revenue was USD 5.681.1 million, and its operating income was USD 1.042.1 million.

The Complainant owns various trademark registrations for EQUIFAX worldwide, including:

- U.S. trademark registration no. 1027544 for EQUIFAX, registered on December 16, 1975;
- U.S. trademark registration no. 1045574 for EQUIFAX, registered on August 3, 1976; and
- U.S. trademark registration no. 1644585 for EQUIFAX, registered on May 14, 1991.

The Complainant owns and operates its primary domain name, <equifax.com>, registered on February 21, 1995.

The disputed domain name was registered on May 6, 2025, and at the time of filing of the Complaint, resolved to a parked webpage displaying Pay-Per-Click ("PPC") links.

#### **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:

- The disputed domain name is identical or confusingly similar to the Complainant's EQUIFAX trademark. The disputed domain name contains the entirety of the Complainant's EQUIFAX trademark with the addition of the descriptive suffix "dispute". The addition of the suffix does nothing to diminish confusing similarity. The addition of the generic Top-Level Domain "xyz" is a technical requirement and is disregarded for the purposes of an analysis under the first element.
- The Respondent has no rights or legitimate interests in respect of the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name. The Complainant

has never assigned, granted, licensed, sold, transferred, or authorized the Respondent the register or use the EQUIFAX trademark in any manner. At least two security vendors have reported that the disputed domain name is associated with suspicious activities, and the Respondent is clearly not using the dispute domain name in connection with a bona fide offering of goods or services, and cannot establish rights or legitimate interests in the disputed domain name. By using the disputed domain name to host PPC links, the Respondent is not only using it for a commercial purpose, and has also failed to create a bona fide offering of goods or services, and cannot demonstrate rights or legitimate interests in the disputed domain name.

- The disputed domain name was registered and is being used in bad faith. The mere registration of a domain name that is identical or confusingly similar to a famous trademark can create a presumption of bad faith. The Complainant's EQUIFAX trademark was registered 50 years before the registration of the disputed domain name. Given the fame of the Complainant and its trademark, it is implausible that the Respondent was unaware of the Complainant when he registered the disputed domain name. As the disputed domain name is so obviously connected with the Complainant, the Respondent's actions suggest opportunistic bad faith in violation of the Policy by seeking to attract, for commercial gain, the Complainant's customers, by creating a likelihood of confusion between the disputed domain name and the Complainant's trademark. At least two security vendors have reported that the disputed domain name is associated with suspicious activities, which constitutes bad faith. Further, the Mail Exchange ("MX") records of the disputed domain name have been established, which enables the Respondent to send emails using the disputed domain name, which is evidence of bad faith because it gives rise to the possibility that the Respondent intended or intends to use the disputed domain name to send emails as part of a fraudulent phishing scheme. The use of the disputed domain name to host PPC links is also evidence of bad faith, even if the Respondent was unaware of the parked webpage.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1 Preliminary 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:

- The disputed domain name contains the English word "dispute";
- The Respondent's website consists solely of content in the English language, including the phrases "Transunion Free Credit Report", and "Best Free Credit Report with Score";
- Panels in previous UDRP proceedings against the Respondent decided that English would be the language of the proceedings in those proceedings; and
- Requiring the Complainant to translate the Complaint into another language would be unfair and create unwarranted delay.

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

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

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

## **6.2 Substantive Issues**

### **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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of another term, here, "dispute", may bear on assessment of the second and third elements, the Panel finds the addition of such a term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 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.

There is no evidence to suggest that the Respondent is commonly known by the disputed domain name. The Complainant's registration of its EQUIFAX trademark long predates the registration of the disputed domain name. The disputed domain name resolved to a parked webpage displaying PPC links, which

advertise goods and/or services which compete with the Complainant's own offerings. There is no evidence that the Respondent is using or preparing to use the disputed domain name for any legitimate purpose.

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name a very long time after the Complainant registered its EQUIFAX trademark. Given the distinctiveness and fame of the Complainant's EQUIFAX trademark, and the fact that it is so obviously connected with Complainant, it is highly unlikely that the Respondent was not aware of the Complainant and its trademark prior to the registration of the disputed domain name. Respondent's actions suggest opportunistic bad faith in violation of the Policy. See *Research In Motion Limited v. Dustin Picov*, WIPO Case No. [D2001-0492](#). See also, *OSRAM GmbH v. Azarenko Vladimir Alexeevich, Azarenko Group Ltd*, WIPO Case No. [D2016-1384](#) (finding bad faith where "Respondent must have been aware of the Complainant and its said trademark when it registered the disputed domain name" and "the Panel cannot conceive of any use that the Respondent could make of the disputed domain name that would not interfere with the Complainant's long-established trademark rights"); and *Volkswagen AG v. Fawzi Sood*, WIPO Case No. [D2015-1483](#) ("[g]iven the fame of the Complainant's marks the Respondent must have known of the Complainant's rights at point of registration of the Domain Name").

The disputed domain name resolves to a parked webpage displaying PPC links, which also advertise goods and/or services that compete with the Complainant's own offerings. These include "Online personal Banking", "Transunion Free Credit Report", and "Best Free Credit Report with Score". The use of such monetized parking page under the circumstances of this case is another bad faith indicator. See *Columbia Pictures Industries, Inc. v. North West Enterprise, Inc.*, WIPO Case No. [D2006-0951](#).

The MX records of the disputed domain name, having been configured, would effectively allow the Respondent to send emails potentially impersonating the Complainant, which is a sign of bad faith. The evidence further shows that at least two security vendors have reported that the disputed domain name is associated with suspicious activities. These facts clearly indicate bad faith according to the Policy.

It is also noted that the Respondent's website contains a link that states "Buy this domain", indicated that the Respondent is open to selling the disputed domain name. Such use of a domain name cannot be considered to be use in good faith under the circumstances of the case.

The Panel notes that the Respondent did not submit a Response, despite the documents being successfully delivered to him. The Panel draws an adverse inference 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 <equifaxdispute.xyz> be transferred to the Complainant.

*/Jonathan Agmon/*

**Jonathan Agmon**

Sole Panelist

Date: September 2, 2025