

ADMINISTRATIVE PANEL DECISION

Equifax Inc. v. Zhichao Yang
Case No. D2025-3658

1. The Parties

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

The Respondent is Zhichao Yang, China.

2. The Domain Name and Registrar

The disputed domain name <yequifax.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 10, 2025. On September 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 11, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 12, 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 September 12, 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 September 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 6, 2025.

The Center appointed William A. Van Caenegem as the sole panelist in this matter on October 9, 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, providing information solutions for businesses, governments and consumers, and human resources business process automation and outsourcing services for employers. The Complainant was incorporated in the State of Georgia (United States) in 1913 and employed approximately 14,700 employees in 22 countries as of December 31, 2024, with operating revenues of over USD 5.6 million, and operating income of over USD 1 million.

The Complainant owns a multitude of registered trademarks in many jurisdictions, including in the United States EQUIFAX: United States 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: United States 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 [...]”; and EQUIFAX: United States 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 the registrant of the domain name <equifax.com> and uses this domain name in connection with its primary website.

The disputed domain name was registered on August 29, 2019 and does not resolve to any active website.

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 points out that the disputed domain name contains the EQUIFAX trademark in its entirety, simply adding the letter “y” at the beginning. In this regard the Complainant points out: “[I]n cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing.” (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.7). The Complainant contends that previous UDRP panels have found that domain names containing the EQUIFAX trademark with the addition of one letter are confusingly similar to that mark, and cites a number of UDRP panel decisions in support.

The Complainant adds that it has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to register or use the EQUIFAX trademark in any manner.

The Complainant also contends that the Respondent is a serial cybersquatter and has thus engaged in a pattern of such conduct. Additionally, the Complainant says that the disputed domain name consists of an obvious typographical variation of the EQUIFAX trademark, which it says amounts to an intentional misspelling and thus a clear indication that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Complainant adds that by failing to use the disputed domain name in connection with an active website, the Respondent clearly has not used it “in connection with a bona fide offering of goods or services” and, therefore, cannot establish rights or legitimate interests pursuant to paragraph 4(c)(i) of the Policy. The Complainant adds that numerous UDRP panels have repeatedly held that passively holding a domain name does not constitute a bona fide offering of goods or services.

The Complainant also says that to its knowledge, the Respondent has never been commonly known by the disputed domain name and has never acquired any trademark or service mark rights in it, and the registration record does not identify the registrant as “yequifax” or anything similar thereto. In any case, the Complainant contends, given its use and registration of the EQUIFAX trademark for 50 years, it is impossible that the Respondent is commonly known by the Complainant’s trademark.

The Complainant contends that the EQUIFAX trademark is clearly famous and/or widely known, given that it is protected by at least 221 trademark registrations in at least 56 jurisdictions worldwide, the oldest of which was used and registered 50 years ago. The mere registration of such a trademark by an unaffiliated entity can by itself create a presumption of bad faith, the Complainant maintains. The Complainant adds that previous Panels have referred to the Complainant’s EQUIFAX trademark as well-known, and for that reason it is improbable that the Respondent was unaware of the Complainant’s rights in it at the time of registration of the disputed domain name, and chose it without knowledge of the Complainant’s business and the mark under which it conducts that business. The obvious connection of the disputed domain name with the Complainant demonstrates opportunistic bad faith on the Respondent’s behalf, as does the intentional misspelling (the addition of the letter “y”), the Complainant says.

Given the non-use of the disputed domain name, bad faith also exists under the well-established doctrine of “passive holding” (*Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#)), the Complainant maintains. Finally, the Complainant also argues that bad faith is demonstrated by the fact that the disputed domain name was registered 44 years after the first use of the EQUIFAX trademark by the Complainant.

B. Respondent

The Respondent did not reply to the 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 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 Panel finds the mark is recognizable 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. The only variation from the registered EQUIFAX trademark of the Complainant is the addition of a letter “y” as the first letter of the disputed domain name.

The Panel finds that 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 the 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.

The Respondent has not used the disputed domain name (or made demonstrable plans for such use) with a bona fide offering, as it does not resolve to any active website. The Respondent is also not commonly known by the disputed domain name, and there is no evidence of any legitimate noncommercial or fair use, since there is no use made of the disputed domain name at all. In addition, the Respondent has engaged in a pattern of registering domain names that very closely resemble the Complainant’s EQUIFAX trademark, in the manner of a sustained practice of domain name squatting, something that is wholly incompatible with the recognition or vesting of rights or legitimate interests in a registrant.

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 has registered the disputed domain name that incorporates a trademark that has been in very long use around the world, is highly distinctive in every sense, and is in no way connected with the identity or any legitimate activities of the Respondent. In fact, the latter has previously engaged in a practice of domain name squatting (with a number of subsequent adverse Panel decisions in this regard) involving the EQUIFAX trademark of the Complainant. All this indicates that at the time of registration the Respondent was fully aware of the Complainant, its business, and the exclusive right it has to use the EQUIFAX trademark. Nonetheless the Respondent chose to register the disputed domain name, with a slight variation, in a clear act of bad faith.

Further, Panels have found that the non-use of a domain name 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 and longstanding global reputation of the Complainant’s trademark, and the composition of the disputed domain name (with the very slight and obvious addition of one letter), 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 <yequifax.com> be transferred to the Complainant.

/William A. Van Caenegem/

William A. Van Caenegem

Sole Panelist

Date: October 23, 2025