

ADMINISTRATIVE PANEL DECISION

Equifax Inc. v. James Fredrick, James Fredrick
Case No. D2025-3684

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 James Fredrick, James Fredrick, United States.

2. The Domain Name and Registrar

The disputed domain name <equifaxo.com> is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 11, 2025. On September 11, 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 (REDACTED FOR PRIVACY / REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to Complainant on September 15, 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 September 15, 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 September 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 6, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on October 10, 2025.

The Center appointed Georges Nahitchevansky, as the sole panelist in this matter on October 24, 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, Equifax, Inc., is a global data, analytics and technology company. Complainant provides various information solutions and human resources business process automation and outsourcing services for employers under the name and mark EQUIFAX. Complainant owns a number of registrations for marks that consist of EQUIFAX around the world. Of particular relevance to this proceeding, Complainant owns registrations for EQUIFAX as a word mark in the United States in connection with its services (Registration Nos. 1,027,544, 1,045,574 and 1,644,585), the earliest of which issued to registration December 16, 1975. Complainant also owns and uses the domain name <equifax.com> for a website concerning Complainant and its services and which provides consumers with various offers to monitor their credit reports and for ID threat protection.

Respondent appears to be based in the United States. Respondent registered the disputed domain name on July 2, 2025. While the disputed domain name has not been used with an active website or page, the disputed domain name appears to have been set up for email use.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Complainant maintains that it has strong rights in the EQUIFAX mark by virtue of its longstanding use of the name and mark EQUIFAX for fifty years, its numerous trademark registrations for marks that consist of EQUIFAX in the United States and around the world, and on account of a number of prior UDRP decisions that have ruled in favor of Complainant and found the EQUIFAX mark to enjoy a certain notoriety,

Complainant asserts that the disputed domain name is confusingly similar to the EQUIFAX mark as it contains the entire EQUIFAX mark and simply adds the letter "o" at the end.

Complainant maintains that Respondent has no rights or legitimate interests in the disputed domain name as Respondent (i) has never been licensed or authorized by Complainant to register and use the EQUIFAX trademark, (ii) has registered a typo version of the EQUIFAX mark, (iii) is not commonly known by the disputed domain name, and (iv) is passively holding the disputed domain name and has not made any legitimate noncommercial or fair use of the disputed domain name.

Lastly, Complainant argues that Respondent has registered and used the disputed domain name in bad faith as the disputed domain name is confusingly similar to the well-known EQUIFAX mark and it is implausible that Respondent was unaware of Complainant and its services. Complainant further argues that Respondent's registration of a typo version of the EQUIFAX mark is opportunistic and in bad faith. Complainant notes that at least one security vendor has reported that the disputed domain name is associated with malicious activities and that the disputed domain name has been set up for email which suggests that there may be an intent in using the disputed domain name as part of a fraudulent phishing scheme. Finally, Complainant further argues that Respondent has acted in bad faith by passively holding the disputed domain name that is based on the well-known EQUIFAX mark.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name was registered and is being used in bad faith.

A. Identical or Confusingly Similar

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)") at section 1.7. Complainant has provided evidence that it owns a trademark registration for the EQUIFAX mark and that such issued to registration well before Respondent registered the disputed domain name.

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.

Here, the disputed domain name is nothing more than a typo version of the EQUIFAX mark that merely adds the letter "o" at the end of EQUIFAX. Such minor addition does not prevent a finding of confusing similarity as the EQUIFAX mark is clearly recognizable in the disputed domain name. Accordingly, the disputed domain name is confusingly similar to Complainant's EQUIFAX mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel thus 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 a 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 that Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. 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 names such as those enumerated in the Policy or otherwise.

Respondent's registration of the disputed domain name that is clearly based on the EQUIFAX mark does not seem coincidental, particularly as it is a typo version of that mark. Given that Respondent has failed to appear in this matter, such typosquatting is, in and of itself, evidence that Respondent lacks rights or legitimate interests in the disputed domain name. Additionally, in view of the evidence submitted by Complainant showing that Respondent has not made use of the disputed domain name for a website or page, has set up the disputed domain for possible email use and that at least one security vendor has associated the disputed domain name with malicious activities, it seems more likely than not that Respondent does not have a legitimate interest in the disputed domain name. Indeed, the fact that Respondent has not come forward to present any evidence justifying its registration of the disputed domain name, and is not commonly known by the disputed domain name, there is little doubt that Respondent has registered the disputed domain name for Respondent's profit or benefit and possibly for a malicious activity.

The Panel thus 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 view of Respondent's actions, and failure to appear in this proceeding, it seems more likely than not that Respondent's registration and use of the disputed domain name has been done opportunistically and in bad faith for Respondent's benefit or profit. Respondent's bad faith is underscored by Respondent's registration of a typo version of the EQUIFAX mark. That Respondent has not used the disputed domain name for an active website or page does not detract from such a finding. To be sure, the notoriety of Complainant's EQUIFAX mark, the likelihood that the disputed domain name as composed could likely be seen as connected to Complainant, and Respondent's failure to provide any justification for registering the disputed domain name in total make it more probable that Respondent has acted in bad faith. [WIPO Overview 3.0](#), section 3.3. Indeed, the fact that the disputed domain name has been set up for email and that at least one security vendor has associated the disputed domain name with malicious activity further suggests bad faith registration and use.

The Panel thus finds that 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 <equifaxo.com> be transferred to Complainant.

/Georges Nahitchevansky/

Georges Nahitchevansky

Sole Panelist

Date: November 4, 2025