

## **ADMINISTRATIVE PANEL DECISION**

Equifax Inc. v. Domain Administrator / Fundacion Privacy Services LTD  
Case No. D2025-4374

### **1. The Parties**

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

The Respondent is Domain Administrator / Fundacion Privacy Services LTD, Panama.

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

The disputed domain name <eauifax.com> is registered with Media Elite Holdings Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 24, 2025. On October 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 27, 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 October 28, 2025, providing the registrant and contact information disclosed by the Registrar.

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 November 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 26, 2025.

The Center appointed Shwetasree Majumder as the sole panelist in this matter on December 1, 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 under the laws of the State of Georgia (United States) in 1913. The Complainant provides information solutions and human-resources automation and outsourcing services under its mark EQUIFAX. The Complainant is listed on the Standard & Poor's (S&P) 500 Index, and its stock trades on the New York Stock Exchange (NYSE) under the ticker symbol EFX.

The Complainant has several registrations, including at least 221 trademark registrations in 56 jurisdictions worldwide for its mark EQUIFAX, the first registration dating back to 1975. The details of some of such registrations are as below:

- EQUIFAX - US Registration No. 1,027,544, registered on December 16, 1975, in international class 36;
- EQUIFAX – US Registration No. 1,644,585, registered on May 14, 1991, in international classes 35, 36, and 42; and
- EQUIFAX - US Registration No. 1,045,574, registered on August 3, 1976, in international class 35.

The Complainant's website is at "www.equifax.com", the domain name of which has been registered since February 21, 1995.

The disputed domain name <eauifax.com> was registered on February 1, 2010. The disputed domain name redirects visitors to a website for an entity named "Experian", which is a direct competitor of the Complainant.

#### **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 mark of the Complainant. The Complainant states that the disputed domain name contains the mark EQUIFAX in its entirety and has simply replaced the letter "q" with the letter "a" and gives an unmistakable impression that the disputed domain name has a connection with the Complainant.

The Complainant argues that it has adopted and started using the mark EQUIFAX since the year 1975. The Complainant asserts that the Complainant owns at least 221 trademark registrations in 56 jurisdictions worldwide for its mark EQUIFAX. The Complainant contends that the EQUIFAX mark is recognisable within the disputed domain name and that replacing the letter "q" with the letter "a" is a common, obvious, or intentional misspelling of the mark.

The Complainant contends that the Respondent has registered the disputed domain name in bad faith. The Complainant asserts that EQUIFAX is globally known and has been used for decades, so it is highly unlikely the Respondent was unaware of it when registering a look-alike, misspelt domain name. The Complainant further asserts that the disputed domain name has been used to redirect visitors to Experian, a direct competitor, which shows an intent to confuse users for commercial gain. The Complainant submits security reports linking the disputed domain name to possible phishing activities, and the Respondent has also set up MX records that could enable fraudulent emails.

The Complainant further argues that the Respondent has no connection with the Complainant and has neither been authorised nor permitted to use or register the disputed domain name. The Complainant contends that the Respondent is not commonly known by the mark EQUIFAX, has no rights in it, and nothing in the record suggests it has ever been associated with EQUIFAX.

## **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 of WIPO Panel Views on Selected UDRP Questions, Third Edition (["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 that the replacement of the letter "q" with the letter "a", which is a common, obvious and intentional misspelling. The Panel finds that the Complainant's trademark is recognizable within the disputed domain name, and the misspelling 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 1.9.

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 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 recognised 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 with the second element. [WIPO Overview 3.0](#), section 2.1.

The Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel observes that the Respondent is not related to the Complainant or their business activities. The Respondent is neither an agent of the Complainant nor does he carry out activities for the Complainant. There is also no evidence that the Respondent is commonly known by the disputed domain name. The EQUIFAX marks vest indisputably in the Complainant as evidenced by various registrations secured by the Complainant.

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 the disputed domain name has been used to redirect Internet users to Experian's website, a direct competitor of the Complainant, which evidences an intention to mislead users for commercial gain. [WIPO Overview 3.0](#), section 2.5.3. The evidence submitted by the Complainant also includes security reports indicating that the disputed domain name may be associated with phishing activities, and the Respondent has configured MX records that could facilitate fraudulent email communications.

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 disputed domain name is an obvious misspelling of the Complainant's mark EQUIFAX and has been used to redirect Internet users to Experian's website, a direct competitor of the Complainant, which shows a clear intent to mislead people for commercial benefit. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. [WIPO Overview 3.0](#), section 3.1.4.

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 disputed domain name has also been flagged by security services for possible phishing, and the Respondent created MX records that could be used to send fraudulent emails. The Panel finds that these indicate the Respondent's bad faith.

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 <eauifax.com> be transferred to the Complainant.

*/Shwetasree Majumder/*

**Shwetasree Majumder**

Sole Panelist

Date: December 15, 2025