

## **ADMINISTRATIVE PANEL DECISION**

Equifax Inc. v. AFP HABITAT

Case No. D2025-4522

### **1. The Parties**

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

The Respondent is AFP HABITAT, Chile.

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

The Disputed Domain Name <reportsequifax.info> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 1, 2025. On November 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On November 4, 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 / Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 4, 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 November 4, 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 November 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 27, 2025. A third party sent email communication to the Center on November 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 28, 2025.

The Center appointed Marilena Comanescu as the sole panelist in this matter on December 4, 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 Equifax Inc., a global data, analytics and technology company which provides information solutions for businesses, governments and consumers, and human resources business process automation and outsourcing services for employers.

The Complainant operates in four global regions: North America (USA and Canada), Asia Pacific (Australia, New Zealand, and India), Europe (the United Kingdom, Spain, and Portugal) and Latin America (Argentina, Brazil, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Honduras, Mexico, Paraguay, Peru, and Uruguay), and maintains support operations in Chile, Costa Rica, India and Ireland.

As of December 31, 2024, the Complainant employed approximately 14,700 employees in 22 countries; in 2024, the Complainant's operating revenue was USD 5,681.1 million; and its operating income was USD 1,042.1 million.

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 holds at least 221 trademark registrations, in at least 56 jurisdictions around the world, for or including EQUIFAX, such as the following:

- the United States trademark registration no.1027544 for EQUIFAX (word), filed on May 10, 1975, and registered on December 16, 1975, for services in the International Class 36;
- the Chilean trademark registration no.1257514 for EQUIFAX (figurative), filed on May 24, 2017, and registered on June 23, 2017 for services in the International Class 36; and
- the European Union trademark registration no. 6979306 for EQUIFAX (word), filed on June 11, 2008, and registered on June 10, 2009, for services in International Classes 35, 36, 38, 41, 42, and 45.

The Complainant's primary website is <equifax.com> created on February 21, 1995. On its website, the Complainant offers multiple pages for users, to sign in to access various services, by providing a username and password.

The Disputed Domain Name <reportsequifax.info> was registered on October 9, 2025 and, at the time of filing the Complaint, it resolved to an error page.

According to Annex 8 to the Complaint, the Disputed Domain Name was previously used in connection with a website called "White Label QR Platform" that contained a login form that prompted users to enter their usernames and passwords. No prominent disclaimer or information regarding the holder of the website at the Disputed Domain Name was displayed.

#### **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 EQUIFAX was found, in prior UDRP procedures, as being a well-known trademark, or highly distinctive and that it enjoys a wide reputation; the Disputed Domain Name is confusingly similar to its trademark since it contains the EQUIFAX trademark in its entirety, and the word “reports” which does nothing to diminish the confusing similarity between the Disputed Domain Name and the Complainant’s trademark.

The Complainant further contends that the Respondent has no rights or legitimate interests in the Disputed Domain Name: 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; the passive holding of a domain name does not constitute a bona fide offering of goods or services in certain cases, as the present matter; the Respondent previously used the Disputed Domain Name in connection with a website that contained a login form that prompted users to enter their usernames and passwords. Because the Respondent’s website associated with the Disputed Domain Name appears to be nothing more than part of a phishing scheme (that is, by collecting usernames and passwords from users who associate the Respondent’s website with the Complainant), the Respondent clearly is not engaged in a bona fide offering of goods or services.

The Respondent has registered and is using the Disputed Domain Name in bad faith: (i) 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 before the registration of the Disputed Domain Name; (ii) since the Disputed Domain Name is “so obviously connected with” the Complainant, the Respondent’s actions suggest “opportunistic bad faith” in violation of the Policy; (iii) the passive holding of the Disputed Domain Name amounts to bad faith because the EQUIFAX trademark is very distinctive and has a strong reputation, the Respondent’s identity is undisclosed, and it is impossible to identify any good faith use to which the Disputed Domain Name may be put; (iv) the Respondent previously used the Disputed Domain Name in connection with a website that contained a login form that prompted users to enter their usernames and passwords, and, by using the Disputed Domain Name to convey the false impression that Internet visitors are logging into a website for (or associated with) the Complainant, the Respondent clearly 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; and (v) Mail exchange (“MX”) servers have been configured at the Disputed Domain Name and this 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.

## **B. Respondent**

The Respondent did not reply to the Complainant’s contentions. However, the Center received an email from a third party who stated that it had received the Written Notice sent by the Center to the Respondent.

## **6. Discussion and Findings**

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (i) the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in the Disputed Domain Name; and
- (iii) the Disputed Domain Name has been registered and is being used in bad faith.

### **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 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.

While the addition of other term, here "reports", may bear on assessment of the second and third elements, the Panel finds the addition of such 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.

According to the evidence provided in the Complaint, the Disputed Domain Name was previously used to resolve to a website that contained a login form that prompted users to enter their usernames and passwords, whereas the Complainant's services available on its website are accessed in a similar manner, and thus the Respondent obviously engaged in misleading activities by conveying the false impression that Internet visitors were logging into a website owned by the Complainant or at least affiliated with the Complainant, contrary to the fact. Panels have held that the use of a domain name for illegal activity (here, claimed impersonation/passing off, phishing, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 was registered in bad faith, with likely knowledge of the Complainant and its EQUIFAX trademark particularly because the Complainant's trademark predates the registration of the Disputed Domain Name by more than a half of century and is highly distinctive and well-known worldwide. In addition, the composition of the Disputed Domain Name itself, which reproduces the Complainant's mark together with a dictionary term (i.e. "reports") further reinforces an inference of bad faith.

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.

At the time of filing the Complaint, the Disputed Domain Name resolved to an inactive page. UDRP panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. The Panel notes the distinctiveness and international reputation of the Complainant's trademark; the composition of the Disputed Domain Name together with its previous use; the Respondent's failure to provide a response in this procedure; the use of privacy service in the Whols; 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.

According to the evidence provided in the Complaint, prior to sending the Complainant's letter to the Registrar, the Disputed Domain Name was used in connection with a website that contained a login form, in an effort to obtain personal information from the Internet users searching for the Complainant and its services, and diverted on the website under the Disputed Domain Name.

The use of a domain name for illegal activity such as claimed impersonation/passing off, phishing can never confer rights or legitimate interests on a respondent and it is considered evidence of bad faith. [WIPO Overview 3.0](#), section 3.4.

Moreover, previous UDRP panels have found that the mere registration of a domain name that is identical or confusingly similar to a widely known trademark by an unaffiliated entity can, by itself, create a presumption of bad faith for the purpose of Policy. [WIPO Overview 3.0](#), section 3.1.4.

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 <reportsequifax.info> be transferred to the Complainant.

*/Marilena Comanescu /*

**Marilena Comanescu**

Sole Panelist

Date: December 18, 2025