

ADMINISTRATIVE PANEL DECISION

Equifax Inc. v. F C

Case No. D2025-4669

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 F C, United States.

2. The Domain Name and Registrar

The disputed domain name <equifax.bot> is registered with 101domain GRS Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 11, 2025. On November 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 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 named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to Complainant on November 12, 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 November 14, 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 November 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 8, 2025. Respondent sent an email communication to the Center on November 18, 2025, indicating that it had become aware of the Complaint after being copied on the Center’s notification to Complainant of November 12, 2025, of the identity of Respondent. Respondent stated that it had not yet received any notice or materials with exception of that copied notification. Respondent was

notified of the Complaint shortly after the receipt of this communication on November 18, 2025. Further, the case file record indicates that notice of the proceedings was successfully delivered by courier to Respondent at the address provided in its record of registration of the disputed domain name on November 20, 2025, two days following commencement of these proceedings. This reflects timely transmittal of the Complaint by the Center following receipt of verification from the Registrar of the identity of Respondent, which identity was initially protected by a privacy shield employed by Respondent. In addition, it is apparent that Respondent received email communication from the Center following the verification of its contact information. Respondent elected to respond to the Complaint in its email of November 18, 2025, to the Center, despite indicating that it had not received the Complaint, referring to its submission as its “consolidated full response”. Respondent has not submitted a pleading in the form of a formal Response. Nonetheless, the Panel accepts its email submission of November 18, 2025, noting that Respondent received the Complaint shortly thereafter by email on November 18, 2025, and notice of proceedings by courier on November 20, 2025, and had ample opportunity to submit a formal Response by its due date had Respondent chosen to do so.

The Center appointed Frederick M. Abbott as the sole panelist in this matter on December 11, 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 is a corporation organized under the laws of the state of Georgia, United States, originally incorporated in 1913. Complainant is a global data, analytics and technology company. Complainant provides information solutions for businesses, governments and consumers, and human resources business process automation and outsourcing services for employers. Complainant has a large and diversified group of clients, including financial institutions, corporations, government agencies and individuals. Complainant uses advanced statistical techniques, machine learning and proprietary software tools to analyze available data to create customized insights, decision-making and process automation solutions and processing services for clients. Complainant is a provider of information and solutions used in payroll-related and human resource management business process services in the United States, as well as e-commerce fraud and charge back protection services in North America. For consumers, Complainant provides products and services to help people understand, manage and protect their personal information and make more informed financial decisions. Additionally, Complainant also provides information, technology and services to support debt collections and recovery management. Complainant employed approximately 14,700 employees in 22 countries as of December 31, 2024. 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. In 2024, Complainant’s operating revenue was USD 5,681.1 million; and its operating income was USD 1,042.1 million. Complainant operates a commercial website at <equifax.com>.

Complainant is the owner of registrations for the word service mark EQUIFAX on the Principal Register of the United States Patent and Trademark Office (USPTO), including registration number 1027544, registration dated December 16, 1975, in international class (IC) 36, covering “insurance risk information reporting services concerning potential policy holders”; registration number 1045574, registration dated August 3, 1976, in IC 35, covering “conducting investigations and reporting on individuals and firms concerning credit, character and finances in connection with insurance, credit, employment and claims reporting services”, and; registration number 1644585, registration dated May 14, 1991, in ICs 35, covering commercial information agency services for businesses, 36 and 42. Complainant is the owner of additional EQUIFAX trademark registrations in jurisdictions around the world.

According to the Registrar’s verification, Respondent is registrant of the disputed domain name. According to the Whois report, the disputed domain name was registered on November 8, 2025.

There is no evidence in the record of the proceeding of any use by Respondent of the disputed domain name in connection with an active website. Respondent has referred to various internal business development activities purportedly involving the disputed domain name, as discussed below, in its response, but has not provided concrete evidence of any such activities. As such, the Panel does not regard these assertions as part of the factual background.

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.

Notably, Complainant contends that it owns rights in the EQUIFAX trademark and that the disputed domain name is identical or confusingly similar to that trademark.

Complainant alleges that Respondent lacks rights or legitimate interests in the disputed domain name because: (1) Complainant has not in any manner licensed or authorized Respondent to register or use the EQUIFAX trademark in the disputed domain name or otherwise; (2) Respondent has not made use of the disputed domain name in connection with a bona fide offering of goods or services, which is not established by passive holding; (3) Respondent has not been commonly known by the disputed domain name, nor has it acquired trademark rights in the disputed domain name; (4) Respondent is not making a legitimate noncommercial or fair use of the disputed domain name.

Complainant argues that Respondent registered and is using the disputed domain name in bad faith because: (1) the mere registration of the disputed domain name identical or confusingly similar to Complainant's famous and widely-known mark in itself creates a presumption of bad faith; (2) it is implausible that Respondent was unaware of Complainant's trademark when it registered the disputed domain name; (3) Respondent has evidenced opportunistic bad faith in light of Complainant's brand recognition; (4) Respondent's bad faith is evidenced under the well-established doctrine of passive holding in that Complainant's trademark is distinctive and has a strong reputation; (5) Respondent's identity was undisclosed, and it is impossible to identify any good faith use to which the disputed domain name could be put, and; (6) Complainant's trademark was registered 50 years before Respondent's registration of the disputed domain name.

Complainant requests the Panel to direct the Registrar to transfer the disputed domain name to Complainant.

B. Respondent

Respondent contends that Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

Respondent argues that it is a stakeholder and owner of common stock in Complainant.

Respondent claims that public statements by officers of Complainant indicate that it uses cloud storage and data analytics, including using artificial intelligence (AI), in its business.

Respondent, in its own words, argues:

"Equifax could serve as the foundation of a broader fiduciary-grade innovation initiative that helps large companies meet board-level mission-critical technology oversight expectations. We maintain documented use-in-commerce for the Disputed Domain(s) as part of R&D sandboxes and internal demonstrators and are happy to provide supplemental information."

Respondent does not contest that the disputed domain name is identical or confusingly similar to the disputed domain name. It suggests that its reference to EQUIFAX is nominative and descriptive. Respondent alleges that it does not run paid searches on EQUIFAX, and it does “maintain explicit disclaimers where test UIs are visible.”

Respondent states that it has not sought to sell or auction the disputed domain name to Complainant or a competitor; has not sought to prevent Complainant from reflecting its mark in a corresponding domain name; has not attempted to disrupt Complainant as a competitor and has no intent to attract Internet users for commercial gain. Its use is for prototypes, not consumer-facing capture.

Respondent states: “Our operating thesis is to develop and license enabling AI/BOT infrastructure for enterprises to reduce mission-critical operational and governance risks (identity integrity, fraud, model governance). In the modern oversight landscape (e.g., Caremark-style duties), boards and officers are expected to evaluate mission-critical technology. Our portfolio exists to facilitate that adoption, not to trade on others’ marks.”

Respondent indicates that it is attempting outreach to Complainant and its legal team to propose terms for coexistence, with suggestions for undertakings it might agree to avoid business collision, including licensing, disclaimers, etc.

Respondent requested that the proceedings be suspended for purposes of negotiation between the Parties.

6. Discussion and Findings

The Center formally notified the Complaint to Respondent at the email addresses provided in its records of registration. Delivery of notice of the Complaint to the physical address provided in Respondent's records of registration was successful. There is no evidence that the Complaint was not received in accordance with standard transmittal practice of the Center. The Center took those steps prescribed by the Policy and the Rules to provide notice to Respondent, and those steps are presumed to satisfy notice requirements.

Paragraph 4(a) of the Policy sets forth three elements that must be established by a complainant to merit a finding that a respondent has engaged in abusive domain name registration and use and to obtain relief.

These elements are 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 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 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.

Complainant has shown rights in respect of the EQUIFAX trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1¹.

¹The Panel uses the term “trademark” in its inclusive sense, to cover both goods and services marks.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7².

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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving Respondent lacks rights or legitimate interests in the disputed domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of Respondent. As such, where Complainant, as here, makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain name (although the burden of proof always remains on Complainant). If Respondent, as here, fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Respondent has made a series of assertions regarding activities in which it is engaged, presumably intended to satisfy the criteria of paragraph 4(c)(i) of the Policy, evidencing that “before any notice to [Respondent] of the dispute, [Respondent’s] use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services.”

Respondent has not provided any concrete evidence in the form digital files of any type, screenshots, program code, flow charts, diagrams, output reports or other concrete evidence showing the existence or uses of an operational AI program, or even an AI program in development. Mere unsupported assertions do not suffice to establish legitimate preparations to provide goods or services³. As this Panel has recently noted:

“Panelists in UDRP proceedings routinely are presented with statements by respondents seeking to establish rights or legitimate interests in disputed domain names to the effect they were preparing a business or other activity, but without providing concrete direct evidence of such preparations. While there might be some rare exceptional cases, such statements regarding bona fide preparations for use are not considered adequate without supporting documentary evidence of preparations. See, e.g., *Helen Fielding v. Anthony Corbert aka Anthony Corbett*, WIPO Case No. [D2000-1000](#). As stated in [WIPO Overview 3.0](#), section 2.2, ‘If not independently verifiable by the panel, claimed examples of use or demonstrable preparations to use the domain name in connection with a bona fide offering of goods or services cannot be merely self-serving but should be inherently credible and supported by relevant pre-complaint evidence.’” (*Capital Bay Funding, LLC v. Capital Bay Funding LLC, Capital Bay Funding LLC*, WIPO Case No. [D2025-1080](#)). See also *CONSUMER 2.0, INC. d/b/a Rently v. Josh Ketellapper*, WIPO Case No. [D2025-2142](#).

²Respondent’s addition of the Top-Level Domain (“TLD”) “.bot” is not material to the Panel’s assessment of confusing similarity under the circumstances here.

³See *Masco Corporation v. Giovanni Laporta*, WIPO Case No. [D2015-0468](#), decided by this Panel in circumstances similar to those present in this proceeding, including its discussion of rights or legitimate interests and bad faith.

Respondent in its responsive submission offered to provide additional information at the request of the Center or some other party. A UDRP proceeding is not an inquisitorial process. The parties are expected to provide the arguments and data necessary to make their cases. Respondent had more than ample opportunity to substantiate its claims of providing or preparing to provide a good faith offering of services, and it failed to do that. It is not for the Panel to provide Respondent with an opportunity to prepare a second round of response, particularly in the absence of any concrete evidence to support its claims.

But, even assuming that Respondent had provided some concrete evidence of its provision or preparations to provide goods or services, its own responsive communication does not arguendo establish rights or legitimate interests. Respondent has suggested that its intention is to use the disputed domain name that incorporates Complainant's well-known trademark to develop analytic products that might be of interest to Complainant for use in its business. Respondent would effectively be offering to provide a method of using Complainant's trademark to Complainant for a commercial purpose. Respondent would be offering to license or otherwise provide Complainant with rights to use its own trademark.

Moreover, Respondent has not offered any explanation for why developing some type of business analytic product for Complainant required that it register the disputed domain name. If Respondent wanted to use Complainant's trademark term "equifax" solely for the purpose of internally developing some type of analytic product, there is no apparent rationale for registering Complainant's trademark in a domain name to accomplish that purpose. See *Masco Corporation v. Giovanni Laporta*, WIPO Case No. [D2015-0468](#), decided by this Panel, noting:

"[E]stablishing future fair or bona fide use is not a matter of mere statement or speculation. There must be substantial evidence. It is not sufficient merely to use the terms 'back end server' and 'metadata' to explain the technical solution he may be proposing. Domain names are human friendly identifiers of locations on the Internet, typically the IP number of a server or sub-server location that routes the person entering the domain name in a browser address line to the specified location. Respondent has not explained the relationship between the domain names incorporating third-party trademarks he has registered, back end servers and a metadata function. If vague reference to computer-related technical terms was deemed adequate to establish rights or legitimate interests, common adoption of such references could go a long way to facilitating circumvention of the Policy. This is not to suggest that is what Respondent here has in mind, but rather to indicate why the explanation does not suffice".

Also, by its own terms, there is no "guardrail" on Respondent's potential use of Complainant's well-known trademark.

For the foregoing reasons, the Panel determines that Respondent has failed to establish rights or legitimate interests in the disputed domain name.

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 observes that Respondent was aware of Complainant and its trademark when it registered the disputed domain name as in its responsive email it indicates that it intends to use the disputed domain name as an identifier for Complainant's services, and to communicate regarding business opportunity with Complainant.

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.

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 the well-known character, embodied in Complainant's trademark, and the composition of the disputed domain name, 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.

Respondent has not used the disputed domain name in connection with an active website. The Panel observes that Respondent has registered Complainant's well-known and established trademark and it has not suggested a concrete grounds upon which it might use the disputed domain name for a legitimate purpose⁴. Respondent's passive holding of the disputed domain name evidences bad faith. Respondent has not provided any plausible suggestion regarding a legitimate use it might make of the disputed domain name.

The Panel observes that the disputed domain name suggests or implies that Complainant's trademark would be used in connection with some type of AI-related activity within the lines of business in which Complainant operates. This would inherently create Internet user confusion regarding Complainant as the source, sponsor, affiliate or endorser of a website identified by the disputed domain name. Respondent has indicated that it operates for commercial purposes. Thus, use of the disputed domain name by Respondent in connection with an active website would presumptively evidence bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Finally, there is nothing to prevent Respondent from using the disputed domain name that incorporates Complainant's well-known trademark in connection with email or other uses that may be adverse to the interests of Complainant.

The Panel determines that Respondent registered and is using the disputed domain name in bad faith within the meaning of paragraph 4 of the Policy.

The Panel 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 <equifax.bot> be transferred to Complainant.

/Frederick M. Abbott/

Frederick M. Abbott

Sole Panelist

Date: December 25, 2025

⁴See also *Masco*, supra note 3.