

## **ADMINISTRATIVE PANEL DECISION**

Equifax Inc. v. Jim Mccurhty

Case No. D2026-0270

### **1. The Parties**

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.

Respondent is Jim Mccurhty, United States.

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

The disputed domain name <equifax-usa.com> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 23, 2026. On January 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 23, 2026, 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, Privacy Service Provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on January 26, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed amendments to the Complaint on January 26, 2026.

The Center verified that the Complaint together with the amendments 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 January 29, 2026. In accordance with the Rules, paragraph 5, the due

date for Response was February 18, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on February 19, 2026.

The Center appointed Clark W. Lackert as the sole panelist in this matter on February 23, 2026. 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, the owner of the EQUIFAX trademark (the "Mark") was originally incorporated in the State of Georgia, US, in 1913, and its predecessor company dates back to 1899, while eventually changing its name to include the Mark in 1975. Complainant is a global data, analytics and technology company, which has a large and diversified group of clients, including financial institutions, corporations, government agencies and individuals. Complainant's services are based on comprehensive databases of consumer and business information derived from numerous sources including credit, financial assets, telecommunications and utility payments, employment, income, educational history, criminal justice data, healthcare professional licensure and sanctions, demographic and marketing data. Complainant operates worldwide with approximately 14,700 employees in 22 countries, and has recent operating revenue being over USD 5 billion. Complainant reflected the Mark in the domain name <equifax.com> on February 21, 1995, and has also protected the Mark by filing for and obtaining trademark registrations in the United States Patent and Trademark Office and in other jurisdictions. These registrations include, but are not limited to the following:

Jurisdiction	Registration Number	Registration Date
United States	1027544	December 16, 1975
United States	1644585	May 14, 1991
Benelux	482522	April 1, 1990
Brazil	820002100	September 21, 1999
European Union	006979306	June 10, 2009
India	1882148	November 9, 2009
Mexico	212564	February 24, 1978

The disputed domain name was registered on December 31, 2025, and does not resolve to an active website. According to Complainant's evidence, the disputed domain name was used to send fraudulent email communications impersonating Complainant.

#### 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.

The disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; (Policy, paragraph 4(a)(i); Rules, paragraphs 3(b)(viii), (b)(ix)(1))

Complainant owns at least 221 trademark registrations in at least 56 jurisdictions around the world for the Mark, which was first used in commerce and registered in 1975. Moreover, several UDRP panels have found the Mark

to be well-known, including *Equifax Inc. v. Super Privacy Service LTD c/o Dynadot / Babacan Gunduz*, WIPO Case No. [D2021-3814](#), and *Equifax Inc. v. Balticsea LLC, Balcsea LLC*, WIPO Case No. [D2022-2497](#). The relevant comparison to be made is with the second-level portion of the disputed domain name only (i.e., “equifax-usa”), as it is well-established that the Top-Level Domain (“TLD”) (i.e., “.com”) may be disregarded for this purpose. The disputed domain name contains the Mark in its entirety, simply adding a hyphen and the letters “usa” (an abbreviation for “United States of America”) at the end. Here, clearly, the disputed domain name contains the Mark in its entirety and, therefore, is confusingly similar to the Mark. Further, Complainant notes that the UDRP panels have found that, where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.

Respondent has no rights or legitimate interests in respect of the disputed domain name; (Policy, paragraph 4(a)(ii); Rules, paragraph 3(b)(ix)(2))

The facts of this case are virtually identical to those in a previous case also filed by Complainant, involving the domain name <equifaxusa.com> (which, other than the absence of a hyphen, is the same as the disputed domain name). *Equifax Inc. v. Jake knife, Equifax Inc*, WIPO Case No. [D2025-4084](#). In that case, the panel found the respondent lacked rights or legitimate interests in the domain name. Respondent configured mail MX records for the disputed domain name, enabling Respondent to send and receive emails with addresses that use the disputed domain name. Respondent used the disputed domain name in connection with phishing activities impersonating an employee of Complainant (using the email address “[...]@equifax-usa.com” – which contains the disputed domain name), in a fraudulent attempt to enter into a fake transaction for the purchase of Microsoft Surface laptop computers in the amount of over USD 200,000.

Complainant has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to register or use the Mark. “Th[is] fact, on its own, can be sufficient to prove the second criterion [of the Policy].” *Six Continents Hotels, Inc. v. IQ Management Corporation*, WIPO Case No. [D2004-0272](#). See also *Six Continents Hotels, Inc. v. Patrick Ory*, WIPO Case No. [D2003-0098](#) (“There is no evidence of any commercial relationship between the Complainant and the Respondent which would entitle the Respondent to the mark. Consequently, the Panel concludes that the Respondent has no rights nor legitimate interests in the Domain Name given there exists no relationship between the Complainant and the Respondent that would give rise to any license, permission or authorization by which the Respondent could own or use the Domain Name.”); By using the disputed domain name in connection with a phishing scam to impersonate Complainant, Respondent clearly has not used the disputed domain name “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 disputed domain name was registered and is being used in bad faith; (Policy, paragraphs 4(a)(iii), 4(b); Rules, paragraph 3(b)(ix)(3))

The disputed domain name should be considered as having been registered and used in bad faith by Respondent. As stated above, the facts of this case are virtually identical to those in a previous case also filed by Complainant, involving the domain name <equifaxusa.com> (which, other than the absence of a hyphen, is the same as the disputed domain name). *Equifax Inc. v. Jake knife, Equifax Inc*, WIPO Case No. [D2025-4084](#). In that case the panel found the respondent registered and used the domain name in bad faith. In another case, a previous panel found bad faith given “the notoriety of the [EQUIFAX] Mark” and “the unlikelihood that there could be any legitimate reason for registering a domain name so similar to the distinctive EQUIFAX mark.” *Equifax Inc. v. Rakshita Mercantile Private Limited*, WIPO Case No. [D2022-1947](#). Accordingly, “[t]he only explanation of what has happened is that the Respondent’s motive in registering and using the [domain name] seems to be... simply to disrupt the Complainant’s relationship with its customers or potential customers or

attempt to attract Internet users for potential gain. These both constitute evidence of registration and use in bad faith: paragraph 4(b)(iii) & (iv) of the Policy.” *Pencil, LLC v. Jucco Holdings*, WIPO Case No. [D2006-0676](#).

By using the disputed domain name as part of a phishing scam to impersonate Complainant, Respondent has acted in bad faith pursuant to paragraph 4(b)(iii) of the Policy (by “register[ing] the domain name primarily for the purpose of disrupting the business of a competitor”) and paragraph 4(b)(iv) of the Policy (by “intentionally attempt[ing] to attract, for commercial gain, Internet users... by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of [Respondent’s] product or service...”).

Further, as stated above Respondent has established mail MX records for the disputed domain name, which enables it to use the disputed domain name to send and receive email and is further evidence of bad faith because it “give[s] rise to the strong possibility that Respondent intended or intends to use the disputed domain name to send emails as part of a fraudulent phishing scheme.” *Altria Group, Inc. and Altria Group Distribution Company v. Emerson Terry*, WIPO Case No. [D2021-0045](#).

Accordingly, the disputed domain name was registered and is being used in bad faith.

## **B. Respondent**

Respondent is in default and did not reply to 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 Mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

Complainant has shown rights in respect of the Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 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 that 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 3.1](#), 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. Additionally, panels have held that the use of a domain name for illegal activity, here, claimed as phishing/identity theft, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), 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 Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Mark.

Panels have held that the use of a domain name for illegal activity, here, phishing/identity theft, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under 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-usa.com> be transferred to Complainant.

*/Clark W. Lackert/*

**Clark W. Lackert**

Sole Panelist

Date: March 3, 2026