

## **ADMINISTRATIVE PANEL DECISION**

Equifax Inc. v. juan pablo figueroa, ticnova  
Case No. D2026-0770

### **1. The Parties**

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

The Respondent is juan pablo figueroa, ticnova, Chile.

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

The disputed domain name <equifax.qpon> (the “Domain Name”) is registered with Name.com, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 23, 2026. On February 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On February 25, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted For Privacy / Domain Protection Services, Inc.) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 25, 2026, 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 February 25, 2026.

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 March 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 22, 2026. The Respondent sent email communications to the Center on February 25, 2026 and March 2, 2026. In addition, on March 27, 2026, the Respondent sent a further email communication indicating that it did not fully understand the proceeding and requesting instructions on how to transfer the Domain Name. The Center acknowledged receipt of this communication and informed

the Respondent that it would be forwarded to the Panel for its consideration.

The Center appointed Ana María Pacón as the sole panelist in this matter on March 26, 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**

The Complainant is a global data, analytics and technology company, originally incorporated under the laws of the State of Georgia (United States) in 1913, with roots dating back to 1899. Headquartered in Atlanta, Georgia, the Complainant provides information solutions for businesses, governments and consumers, including credit reporting, fraud detection and human resources outsourcing services. It operates or holds investments in 24 countries across North America, Latin America, Europe and the Asia-Pacific region, and employs approximately 10,400 people worldwide.

Relevant to this proceeding, the Complainant owns numerous trademark registrations worldwide for the mark EQUIFAX, including:

- United States Trademark Registration No. 1,027,544, registered on December 16, 1975, covering services in class 36;
- United States Trademark Registration No. 1,045,574, registered on August 3, 1976, covering services in class 35;
- United States Trademark Registration No. 1,644,585, registered on May 14, 1991, covering services in classes 35, 36 and 42;
- European Union Trademark Registration No. 6979306, registered on June 10, 2009, covering services in classes 35, 36, 38, 41, 42, and 45;
- Chilean Trademark Registration No. 800864, registered on September 5, 1997, covering services in class 38;
- Chilean Trademark Registration No. 1258083, registered on June 23, 2017, covering services in classes 42 and 44;
- Chilean Trademark Registration No. 1257514, registered on June 23, 2017, covering services in class 36;
- Chilean Trademark Registration No. 800860, registered on September 5, 1997, covering services in class 35.

The Complainant also operates the domain name <equifax.com>, registered on February 21, 1995.

The Domain Name was registered on January 18, 2026.

At the time of filing of the Complaint, the Domain Name did not resolve to an active website.

#### **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 Domain Name.

Notably, the Complainant contends that the Domain Name is identical or confusingly similar to its EQUIFAX trademark, as it reproduces the trademark in its entirety.

The Complainant further asserts that the Respondent has no rights or legitimate interests in respect of the Domain Name, as it has not been authorized to use the Complainant's trademark and is not making any bona fide use of the Domain Name.

Finally, the Complainant submits that the Domain Name was registered and is being used in bad faith. Given the distinctiveness and reputation of the EQUIFAX trademark, the Respondent must have been aware of the Complainant's rights at the time of registration. The Complainant also relies on the passive holding of the Domain Name as further evidence of bad faith.

The Complainant requests the transfer of the Domain Name.

## **B. Respondent**

The Respondent did not submit a formal Response. However, the Respondent sent informal email communications to the Center, including a communication indicating that it did not fully understand the proceeding and requesting instructions on how to transfer the Domain Name. In addition, on March 2, 2026, the Respondent stated: "I hereby confirm that I am willing to transfer the domain name <equifax.qpon> to the Complainant. The domain has not been used, and I have no intention of retaining it".

## **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 Domain Name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

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

The Domain Name incorporates the EQUIFAX trademark in its entirety. Accordingly, the Domain Name is identical to the Complainant's trademark for the purposes of the Policy.

The addition of the generic Top-Level Domain ".qpon" does not prevent a finding of confusing similarity, as it is a technical requirement of registration. [WIPO Overview 3.1](#), section 1.11.1.

The Panel 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 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 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 the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the 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 Domain Name.

In particular:

- The Respondent is not affiliated with the Complainant and has not been authorized to use its trademark.
- There is no evidence that the Respondent has been commonly known by the Domain Name.
- The Domain Name is not being used in connection with a bona fide offering of goods or services, but rather is inactive.

Domain names identical to a complainant's trademark carry a high risk of implied affiliation. [WIPO Overview 3.1](#), section 2.5.1.

In the absence of a formal Response, the Respondent has failed to rebut the Complainant's prima facie case. The Panel has nevertheless taken into account the Respondent's informal communications, which do not demonstrate any rights or legitimate interests in the Domain Name.

The Panel finds that 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) 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 considers that the EQUIFAX trademark is distinctive and well established in the field of credit reporting and data analytics.

Given the nature of the mark and its long-standing use, the Panel finds it implausible that the Respondent registered the Domain Name without knowledge of the Complainant's trademark.

Panels have consistently found that the registration of a domain name identical or confusingly similar to a well-known trademark may, in appropriate circumstances, support a finding of bad faith. [WIPO Overview 3.1](#), section 3.1.4.

As regards use, the Domain Name does not resolve to an active website. However, the Panel notes that the lack of active use does not prevent a finding of bad faith.

Panels have consistently found that the non-use of a domain name does not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. This principle was established in *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

In assessing whether passive holding amounts to bad faith, panels consider the totality of the circumstances, including the degree of distinctiveness or reputation of the complainant's mark, the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, the respondent's taking active steps to conceal its identity, and the use of false or inaccurate contact details. [WIPO Overview 3.1](#), section 3.3.

In the present case:

- the EQUIFAX trademark is highly distinctive and widely known;
- the Respondent's consent to transfer voluntarily the Domain Name;
- the Respondent's identity was initially shielded by a privacy service; and
- the Respondent did not provide any evidence of actual or contemplated good faith use of the Domain Name.

the Respondent does not assert any rights or legitimate interests in the Domain Name and reinforces the Panel's finding of bad faith.

In these circumstances, the Panel finds that the passive holding of the Domain Name, taken together with the above factors, supports a finding of bad faith.

Accordingly, the Panel finds that the Domain Name was registered and is being used in 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 Domain Name <equifax.qpon> be transferred to the Complainant.

*/Ana María Pacón/*

**Ana María Pacón**

Sole Panelist

Date: April 10, 2026