

## **ADMINISTRATIVE PANEL DECISION**

Equifax Inc. v. SID CHANDRA

Case No. D2026-0771

### **1. The Parties**

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

The Respondent is SID CHANDRA, Canada.

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

The disputed domain name <equifaxindia.com> is registered with Bluehost 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 disputed domain name. On February 25, 2026, 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 Complainant filed an amendment to the Complaint on February 27, 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 did not submit any response. Accordingly, the Center notified the Respondent’s default on March 24, 2026.

The Center appointed Estela Mariel de Luca as the sole panelist in this matter on March 30, 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 providing information solutions and business process services to businesses, governments and consumers, with operations across multiple regions worldwide. It was incorporated under the laws of the State of Georgia (United States) in 1913.

The Complainant is the owner of various trademark registrations for EQUIFAX, including:

- United States Trademark Registration No. 1,027,544, (first use in commerce March 4, 1975, registered December 16, 1975), for use in connection with “insurance risk information reporting services concerning potential policy holders”.
- United States Trademark Registration No. 1,045,574, (first used in commerce March 4, 1975; registered August 3, 1976), for use in connection with “conducting investigations and reporting on individuals and firms concerning credit, character and finances”.
- United States Trademark Registration No. 1,644,585, (first used in commerce March 4, 1975; registered May 14, 1991), for use in connection with, inter alia, “providing on-line access to computer databases containing information relating to applicants for insurance, credit, mortgage loans, and employment.”

The Complainant is the registrant of the domain name <equifax.com>, registered on February 21, 1995.

The disputed domain name was registered on July 16, 2023, and does 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 disputed domain name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to its EQUIFAX mark; and that the term “india” is a non-distinctive geographic term which does not prevent a finding of confusing similarity, as the Complainant’s mark remains recognizable within the disputed domain name.

The Complainant further asserts that the Respondent has no rights or legitimate interests for the registration and use of the disputed domain name, noting that it has never assigned, granted, licensed, sold, transferred, or otherwise authorized the Respondent to register or use the Complainant’s EQUIFAX trademark in any manner.

The Complainant contends that the Respondent has not been commonly known by the disputed domain name or acquired any trademark or service mark rights in it, and that the disputed domain name is not being used in connection with a bona fide offering of goods or services, as it does not resolve to an active website.

The Complainant further contends that the Respondent was aware of the Complainant’s well-known and prior EQUIFAX trademark at the time of registration, and that the Respondent’s failure to use the disputed domain name constitutes evidence of bad faith.

##### **B. Respondent**

The Respondent did not reply to the Complainant’s contentions.

## 6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name;
- (iii) that the disputed domain name has been registered and is being used in bad faith.

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a Response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a Response as it considers appropriate.

### 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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 3.1](#), section 1.7.

Although the addition of other terms here, "india", 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 3.1](#), 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 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 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 finds that the passive holding of the disputed domain name does not constitute a legitimate noncommercial or fair use within the meaning of paragraph 4(c)(iii) of the Policy.

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.

The evidence demonstrates that the Complainant holds prior rights in the EQUIFAX trademarks, which predates the Respondent's registration of the disputed domain name. The Panel notes that the mere registration of a domain name confusingly similar to a well-known trademark by an unaffiliated party can by itself create a presumption of bad faith. [WIPO Overview 3.1](#), 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 3.1](#), section 3.2.1.

In the circumstances of this case, the Panel finds that the Respondent registered the disputed domain name in bad faith.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the 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.

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 <equifaxindia.com> be transferred to the Complainant.

*/Estela Mariel de Luca/*

**Estela Mariel de Luca**

Sole Panelist

Date: April 8, 2026