

ADMINISTRATIVE PANEL DECISION

Equifax Inc. v. Gerardo Munoz
Case No. D2026-2123

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 Gerardo Munoz, Chile.

2. The Domain Name and Registrar

The disputed domain name <dicom-equifax.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 15, 2026. On May 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 19, 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 Center verified that 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 May 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 18, 2026.

The Center appointed Richard C.K. van Oerle as the sole panelist in this matter on June 22, 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 was originally incorporated in 1913, and its predecessor company dates back to 1899. The Complainant is a global data, analytics, and technology company, providing information solutions for businesses, governments, and consumers, and human resources business process automation and outsourcing services for employers.

The Complainant offers a number of services in Chile known as “DICOM,” which provide consumers with detailed information about their financial behavior. These services include those labeled as “Informe Oficial DICOM Platinum 360” (“DICOM Platinum 360 Official Report”); “Informe Oficial DICOM Platinum 360 Pro” (“DICOM Platinum 360 Pro Official Report”); “Dicom Express” (“Dicom Express”); “Pack Empresas Dicom” (“Dicom Business Pack”); “Informe de Arriendo Dicom” (“Dicom Rental Report”); and “Alertas Dicom” (“Dicom Alerts”).

The Complainant employed approximately 15,000 employees in 22 countries as of December 31, 2025. In 2025, the Complainant’s operating revenue was USD 6.0745 billion; and its operating income was USD 1.0952 billion.

The Complainant owns numerous registered trademarks with the EQUIFAX mark all over the world, including:

- United States registered trademark number 1,027,544 for the EQUIFAX word mark, registered on December 16, 1975;
- United States registered trademark number 1,045,574 for the EQUIFAX word mark, registered on August 3, 1976; and
- United States registered trademark number 1,644,585 for the EQUIFAX word mark, registered on March 14, 1991.

All registrations have been duly renewed and are still valid and will hereafter together referred to in singular as the “Trademark”.

The Complainant also owns and uses the domain name <equifax.com>, created on February 21, 1995.

The disputed domain name was created on February 5, 2026. The Respondent is not using the disputed domain name in connection with an active website. However, the Respondent has configured Mail Exchange (“MX”) records for the disputed domain name, enabling the Respondent to send and receive email with addresses that use the disputed domain name.

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 it has strong rights in the Trademark by virtue of its longstanding use of the name and mark EQUIFAX for fifty years, its numerous trademark registrations for marks that consist of EQUIFAX in the United States and around the world, and on account of a number of prior UDRP decisions that have ruled in favor of the Complainant and found the EQUIFAX mark to enjoy a certain notoriety.

The Complainant contends that the disputed domain name is confusingly similar to the Trademark. It contains the Trademark in its entirety, simply adding a hyphen and the word “dicom”. Because the word “dicom” identifies a service offered by the Complainant in Chile in connection with its Trademark, inclusion of

this word may actually increase confusing similarity. The addition of a hyphen in the disputed domain name is irrelevant for purposes of the Policy.

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 Trademark in any manner.

By failing to use the disputed domain name in connection with an active website, the Respondent clearly has not used the disputed domain name in connection with a bona fide offering of goods or services. To the Complainant's knowledge, the Respondent has never been commonly known by the disputed domain name and has never acquired any trademark or service mark rights in the disputed domain name.

Finally the Respondent has established 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 gives 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.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It submits that the Trademark is well known, arbitrary and highly distinctive, having been used and registered for approximately 51 years and protected by at least 239 trademark registrations in 41 jurisdictions. The Complainant further states that it operates internationally, employs approximately 15,000 people and enjoys substantial brand recognition.

The Complainant asserts that the disputed domain name was both registered and used in bad faith. According to the Complainant, given the reputation and long-standing use of the Trademark, it is implausible that the Respondent was unaware of the Complainant and its rights when registering the disputed domain name. The disputed domain name is said to be confusingly similar both to the Trademark and to the Complainant's principal domain name, which has existed since 1995. The Complainant therefore argues that there is no plausible legitimate reason for the Respondent to have registered the disputed domain name and that the Respondent sought to exploit confusion with the Trademark, either to disrupt the Complainant's relationship with customers and potential customers or to attract Internet users for commercial gain. In this regard, the registration of a domain name closely associated with a well-known trademark is presented as evidence of opportunistic bad faith.

The Complainant further states that the disputed domain name is not connected to an active website and argues that the absence of active use does not preclude a finding of bad faith under the doctrine of passive holding. In support of this position, it relies on the strong reputation and distinctiveness of the Trademark EQUIFAX, its long-standing registration and use, and the alleged absence of any conceivable good-faith use of the disputed domain name. The Complainant also notes that previous administrative panels have found bad faith in cases involving domain names confusingly similar to the Trademark EQUIFAX, including typographical variations and domain names incorporating the Trademark together with descriptive terms. In addition, the Complainant submits that the Respondent has configured MX records for the disputed domain name, thereby enabling email functionality. According to the Complainant, this creates the possibility that the disputed domain name could be used for fraudulent email communications or phishing activities and therefore constitutes a further indication of bad faith. Finally, the Complainant emphasizes that its earliest trademark registrations predate the registration of the disputed domain name by approximately 51 years, which it argues further supports the conclusion that the Respondent was aware of the Complainant's rights when registering the disputed domain name.

On this basis, the Complainant asserts that the disputed domain name was both registered and used in bad faith.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that a complainant must prove each of the following three elements in order to succeed in its Complaint:

- (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 respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The burden of proof of each element is borne by the Complainant. The Respondent's default does not by itself mean that the Complainant is deemed to have prevailed. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

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, 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 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.

Although the addition of other terms, here "dicom" and a hyphen, 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 considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant, because the term "dicom" identifies a service offered by the Complainant in Chile. [WIPO Overview 3.1](#), section 2.5.1.

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 light of the composition of the disputed domain name, comprising the Trademark in its entirety, with the addition of the term "dicom", which identifies a service offered by the Complainant in Chile, the Panel is in no doubt that the Respondent had the Complainant and its rights in the Trademark in mind when it registered the disputed domain name. Therefore, the Panel finds that the disputed domain name was registered 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.

While the disputed domain name does not resolve to an active website, MX records have been set which may be used to enable the sending of emails arguably using an "@dicom-equifax.com" format (which the Panel considers inherently deceptive) so as to mislead users into having them believe that these emails would originate from the Complainant likely for phishing or fraudulent purposes.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <dicom-equifax.com> be transferred to the Complainant.

/Richard C.K. van Oerle/

Richard C.K. van Oerle

Sole Panelist

Date: June 26, 2026