ADMINISTRATIVE PANEL DECISION
Equifax Inc. v. Alejandro Martinez
Case No. D2026-2353

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 Alejandro Martinez, Colombia.

2. The Domain Name and Registrar

The disputed domain name <equifax360.online> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 1, 2026. On June 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 1, 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 the named Respondent (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant June 2, 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 June 2, 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 June 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 29, 2026.

The Center appointed Manuel Wegrostek as the sole panelist in this matter on July 1, 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. The Complainant provides information solutions for businesses, governments, and consumers as well as human resources business process automation and outsourcing services for employers. The Complainant employed approximately 15,000 employees in 22 countries as of December 31, 2025. Further, in 2025, the Complainant's operating revenue was USD 6,0745 billion; and its operating income was USD 1,0952 billion.

The Complainant is the owner of numerous trademark registrations for EQUIFAX (the "EQUIFAX Trademark"), including:

- United States Trademark Registration No. 1027544, registered on December 16, 1975;

- European Union Trade Mark Registration No. 006979306, registered on June 10, 2009; and

- Colombia Trademark Registration No. 185349, registered on March 18, 1996.

The Complainant is also the owner of several domain names including the EQUIFAX Trademark, such as <equifax.com>, registered on February 21, 1995.

The disputed domain name was registered on June 16, 2025. At the time of the Decision, the disputed domain name resolves to an inactive website. The Complainant provided evidence that the disputed domain name previously resolved to an active website prominently displaying the EQUIFAX Trademark, together with a field prompting users to enter their document number, purportedly to carry out a verification or validation process.

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.

On the first element of the Policy, the Complainant claims that the disputed domain name is confusingly similar to the EQUIFAX Trademark. The disputed domain name contains the EQUIFAX Trademark in its entirety, plus the number "360". The addition of this number to the disputed domain name does not prevent a finding of confusing similarity.

On the second element of the Policy, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to register or use the EQUIFAX Trademark in any manner. By using the disputed domain name in connection with a website that appears to be a website for, or otherwise associated with, the Complainant – by using the disputed domain name in connection with a website that included the EQUIFAX Trademark and a login form – the Respondent has failed to create a bona fide offering of goods or services and, therefore, the Respondent cannot demonstrate rights or legitimate interests. 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. The registration record does not identify the registrant of the disputed domain name as "Equifax360" or anything similar thereto. Further, given the Complainant's use of the EQUIFAX Trademark for 51 years it is impossible that the Respondent is commonly known by this trademark. Because at least one security vendor has reported that the disputed domain name is associated with phishing activities, the 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. Further, by using the disputed domain name in connection with a website that includes the EQUIFAX Trademark and a login form, this implies an association with the Complainant and, therefore, is clearly misleading.

On the third element of the Policy, the Complainant asserts that the Respondent has registered and used the disputed domain name in bad faith. The EQUIFAX Trademark is clearly famous and/or widely known, given that it is protected by at least 221 trademark registrations in at least 56 jurisdictions worldwide, the oldest of which was used and registered 51 years ago. By using the disputed domain name in connection with a website that falsely appears to be a website for, or otherwise associated with, the Complainant – by using the disputed domain name in connection with a website that includes the EQUIFAX Trademark and a login form – the Respondent is clearly attempting to attract Internet users to its website by creating a likelihood of confusion with the EQUIFAX Trademark, constituting bad faith. Creating a website that appears to be a website for a complainant, as the Respondent has done in the instant case, is likely fraudulent and indicates an intent to deceive or, at a minimum, act in bad faith with the intent for commercial gain. The use of a domain name for per se illegitimate activity such as phishing can never confer rights or legitimate interests on a respondent, such behaviour is manifestly considered evidence of bad faith. At least one security vendor has reported that the disputed domain name is associated with phishing activities.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules requires that the Panel's decision be made "on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

The Complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the Complaint with respect to each disputed domain name, namely that:

(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.

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 disputed domain name contains the EQUIFAX Trademark in its entirety, with the only difference being the addition of the number "360". The Panel finds the mark is recognizable within the disputed domain name. WIPO Overview 3.1, section 1.7. The addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise), in this case the number “360”, does not prevent a finding of confusing similarity under the first element. WIPO Overview 3.1, section 1.8.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy.

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.

Panels have categorically held that the use of a domain name for illegal activity (here, claimed phishing, passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.

The Complainant has not authorized, licensed, or permitted the Respondent to register or use the disputed domain name or to use the EQUIFAX Trademark. The Panel finds that there are no indications that the Respondent is commonly known by the disputed domain name or otherwise has any rights to or legitimate interests in the disputed domain name. Further, the disputed domain name is not used for a bona fide offering of goods or services. Rather, the disputed domain name previously resolved to an active website prominently displaying the EQUIFAX Trademark, together with a field prompting users to enter their document number, purportedly to carry out a verification or validation process. The website linked to the disputed domain name did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant, thus creating the false impression that the Respondent might be authorized by or affiliated with the Complainant.

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 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.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith. Panels also have held that the use of a domain name for illegitimate activity (here, claimed phishing) can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith. WIPO Overview 3.1, section 3.1.4.

Further, panels have found the following types of evidence to support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark: (i) actual confusion; (ii) seeking to cause confusion (including by technical means beyond the domain name itself) for the respondent's commercial benefit, even if unsuccessful; (iii) the lack of a respondent's own rights to or legitimate interests in a domain name; (iv) redirecting the domain name to a different respondent-owned website, even where such website contains a disclaimer; (v) redirecting the domain name to or mimicking the complainant's (or a competitor's) website; and (vi) absence of any conceivable good faith use. WIPO Overview 3.1, section 3.1.4.

In the present case the, the disputed domain name incorporates the EQUIFAX Trademark in its entirety, with the only difference being the addition of the number "360". Considering the distinctiveness and public presence of the EQUIFAX Trademark, Internet users may think the disputed domain name is connected to the Complainant and would resolve to a website related to the Complainant. Further, the disputed domain name previously resolved to an active website prominently displaying the EQUIFAX Trademark, together with a field prompting users to enter their document number, purportedly to carry out a verification or validation process. Moreover, the website linked to the disputed domain name did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant. As shown above, the Respondent lacks rights or legitimate interests in the disputed domain name.

The Panel has not reached a final conclusion as to whether the Respondent has used the disputed domain name for phishing, despite certain indications, such as the field on the website prompting users to enter their document number as well as the security vendor report provided by the Complainant. In any case, the above-mentioned evidence leads to the conclusion that the Respondent has registered and used the disputed domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the EQUIFAX Trademark.

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 <equifax360.online> be transferred to the Complainant.

/Manuel Wegrostek/
Manuel Wegrostek
Sole Panelist
Date: July 15, 2026