ADMINISTRATIVE PANEL DECISION

Equifax Inc. v. Ayush Baldota, Instantly.ai
Case No. D2026-2769

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 Ayush Baldota, Instantly.ai, United States.

2. The Domain Names and Registrar

The disputed domain names <billingequifax.com>, <binanceequifax.com>, <equifaxconsomer.com>, <geniusequifaxa.com>, <globalequifaxa.com>, <hqequifaxa.com>, <instantbinanceequifax.com>, <teambinanceequifax.com>, <teamequifaxa.com>, and <techbinanceequifax.com> are 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 June 24, 2026. On June 25, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 26, 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 June 30, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 20, 2026. The Respondent sent an email communication to the Center on June 30, 2026.

The Center appointed Kathryn Lee as the sole panelist in this matter on July 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

The Complainant is a global data, analytics, and technology company with headquarters in Atlanta, Georgia, United States. As of December 31, 2025, the Complainant employed approximately 15,000 employees in 22 countries. Among its services, the Complainant offers a credit reporting service that provides consumers with a summary of their credit history. The Complainant is a member of Standard & Poor's 500 Index, and its common stock is traded on the New York Stock Exchange. In 2025, the Complainant's operating revenue was USD 6.0745 billion and its operating income was USD 1.0952 billion. The Complainant began using the EQUIFAX mark in 1975, and owns around 221 trademark registrations for the mark in around 56 jurisdictions, including United States Trademark Registration Number 1,027,544 registered on December 16, 1975; United States Trademark Registration Number 1,045,574 registered on August 3, 1976; and United States Trademark Registration Number 1,644,585 registered on May 14, 1991.

Based on information from the Registrar, the Respondent is an individual with an address in the United States.

The disputed domain names were registered on and between May 7, 2026, and May 27, 2026. The disputed domain names do not resolve to any website with active content.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the Complainant's EQUIFAX mark as each contains the EQUIFAX mark in its entirety. As for disputed domain names <geniusequifaxa.com>, <globalequifaxa.com>, <hqequifaxa.com>, and <teamequifaxa.com>, the Complainant contends that the addition of the letter "a" to the end of EQUIFAX creates a variation of the mark that is confusingly similar to the EQUIFAX mark.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain names and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that there is no evidence of the Respondent's use of or demonstrable preparations to use the disputed domain names in providing any bona fide offering of goods or services, nor any evidence that the Respondent has been commonly known by the disputed domain names or is making legitimate noncommercial or fair use of them.

Finally, the Complainant contends that its EQUIFAX mark is highly distinctive and famous, and as such, there is a presumption of bad faith on the part of the Respondent. The Complainant also contends that bad faith may still be found despite the passive holding of the Respondent, based on the distinctiveness and strong reputation of the EQUIFAX mark and the fact that it is impossible to identify any good faith use to which the disputed domain names may be put. In addition, the Complainant contends that MX records have been created for each of the disputed domain names, and that this indicates that the disputed domain names could be used in the future for fraudulent email communications. Lastly, the Complainant contends that by registering the disputed domain names, the Respondent tried to prevent the Complainant from reflecting its mark in corresponding domain names and engaged in a pattern of conduct representing bad faith.

B. Respondent

The Respondent did not submit a formal response to the Complainant's contentions. However, in response to an email from the Center, the Respondent sent a message copying several additional email addresses. The message stated: "Hello [Name Redacted], please check".

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 disputed domain names. 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 names. Accordingly, the disputed domain names are 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, "billing", "binance", "consomer", "genius", "global", "hq", "instantbinance", "teambinance", "team", "techbinance", and the letter "a" – may bear on assessment of the second and third elements, the Panel finds the addition of such terms do not prevent a finding of confusing similarity between the disputed domain names 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 names. 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 names 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.

First, panels have found that the mere registration of a domain name that is confusingly similar to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith. WIPO Overview 3.1, section 3.1.4. Here, the disputed domain names are confusingly similar to the Complainant's trademark EQUIFAX mark, which is famous as the name and mark of the Complainant.

There is currently no use of the disputed domain names and the Complainant has not submitted any evidence that the disputed domain names were ever used. But 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, the lack of any response from the Respondent, and the composition of the disputed domain names, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy. Accordingly, the Panel finds that the Respondent registered and is using the disputed domain names 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 disputed domain names <billingequifax.com>, <binanceequifax.com>, <equifaxconsomer.com>, <geniusequifaxa.com>, <globalequifaxa.com>, <hqequifaxa.com>, <instantbinanceequifax.com>, <teambinanceequifax.com>, <teamequifaxa.com>, and <techbinanceequifax.com> be transferred to the Complainant.

/Kathryn Lee/
Kathryn Lee
Sole Panelist
Date: August 6, 2026