ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Equifax Inc. v. The Trustee for Impex Global Trust
Case No. DAU2026-0026

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 The Trustee for Impex Global Trust, Australia, represented by Mr. Pasha Mehr.

2. The Domain Names and Registrar

The disputed domain names <equifaxreport.au> and <equifaxreport.com.au> are registered with Web Address Registration Pty Ltd (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 28, 2026. On August 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 2, 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 .au Dispute Resolution Policy (the "Policy" or ".auDRP"), the Rules for .au Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for .au Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 8, 2026. In accordance with the Rules, paragraph 5(a), the due date for Response was September 28, 2026. In accordance with the Rules, paragraph 5(d), the Respondent was granted an extension of the due date for Response to October 2, 2026. The Response was filed with the Center on October 2, 2026. The Complainant submitted a supplemental filing on October 5, 2026. The Respondent submitted a supplemental filing in reply to the Complainant on October 6, 2026.

The Center appointed Warwick A. Rothnie as the sole panelist in this matter on October 13, 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. It provides information solutions for businesses, governments, and consumers. It also provides human resources business process automation, and outsourcing services for employers. The Complainant's clients include financial institutions, corporations, government agencies and individuals.

According to the Complaint, the Complainant traces its origins to a business established in 1899 in the United States. The Complainant itself was incorporated in the State of Georgia in the United States in 1913.

Also according to the Complaint, the Complainant first began using EQUIFAX as a trade mark in 1975. Currently, the Complainant operates in four global regions, North America, Latin America, Europe (the United Kingdom, Spain and Portugal) and Asia Pacific (Australia, New Zealand and India). It is included in Standard & Poor's (S&P) 500 Index and its shares are traded on the New York Stock Exchange.

As of December 31, 2025, the Complainant employed approximately 15,000 employees in 22 countries. Its operating revenue in 2025 was USD 6.1 billion and its operating income was USD 1.1 billion.

The Complainant registered the domain name <equifax.com> on February 21, 1995. It now uses that domain name for its primary website.

The Complaint claims that the Complainant has at least 239 registered trade marks for EQUIFAX in at least 41 jurisdictions. The earliest registered trade mark is United States Registered Trade Mark No 1,027,544, EQUIFAX, which was registered in the Principal Register on December 16, 1975 in respect of insurance risk information reporting services concerning potential policy holders. The Complaint also includes evidence of a number of other registered trade marks including:

(1) Australian Registered Trade Mark No 760084, EQUIFAX, which was registered with effect from April 17, 1998 in respect of a range of services in International Classes 35, 36, 38, and 42; and

(2) Australian Registered Trade Mark No 1768126, EQUIFAX, which was registered with effect from May 2, 2016 in respect of a wide range of services in International Classes 35, 36, 41, 42, and 45.

According to the Registrar's Verification Response:

(a) the disputed domain name <equifaxreport.com.au> was registered on March 19, 2021; and

(b) the disputed domain name <equifaxreport.au> was registered on March 24, 2022.

Both resolve to so-called "parking pages" which feature pay-per-click (PPC) advertising. At least some of the PPC links are for services which compete with the Complainant's services. For example, the screenshots included in the Complaint include PPC advertisements for credit report services.

Earlier this year, on May 22, 2026, the Complainant filed a Complaint against the Respondent in respect of two other domain names, <equifaxcreditcheck.au> and <equifaxcreditcheck.com.au>: *Equifax Inc v The Trustee for Impex Global Trust,* WIPO Case No. DAU2026-0012.

That Complaint was settled by consent with the transfer of the domain names to the Complainant. The settlement was without any admission of liability and there were no substantive findings made in the proceeding.

5. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to divest the Respondent of a disputed domain name, the Complainant must demonstrate each of the following:

(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.

Paragraph 15(a) of the Rules directs the Panel to decide the Complaint 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.

5.1. Voluntary surrender and supplemental filings

The Respondent has submitted a voluntary consent to transfer. It does not seek any payment, reimbursement or other consideration. The consent to transfer is offered, however, without any admissions of liability and the Respondent expressly disclaims any bad faith, either in registration or subsequent use. The Complainant nonetheless seeks a decision on the merits.

In its filings the Respondent accepts that the Panel has a discretion whether to accept the voluntary surrender or to proceed to a decision on the merits.

Section 4.10 of the *Overview of Panel Views on Selected auDRP Questions, Second Edition* ("auDRP Overview 2.0") records that panels will typically order transfer without consideration of the merits where the respondent consents to transfer genuinely, unconditionally and unilaterally. The position under the Policy is described as "similar to" the position under the Uniform Domain Name Dispute Resolution Policy (UDRP) which states in section 4.10:

"In some cases, despite such respondent consent, a panel may in its discretion still find it appropriate to proceed to a substantive decision on the merits. Scenarios in which a panel may find it appropriate to do so include (i) where the panel finds a broader interest in recording a substantive decision on the merits – notably recalling UDRP paragraph 4(b)(ii) discussing a pattern of bad faith conduct, (ii) where while consenting to the requested remedy the respondent has expressly disclaimed any bad faith, (iii) where the complainant has not agreed to accept such consent and has expressed a preference for a recorded decision on the merits, (iv) where there is ambiguity as to the scope of the respondent's consent, or (v) where the panel wishes to be certain that the complainant has shown that it possesses relevant trademark rights."

Relying on the earlier proceeding (WIPO Case No. DAU2026-0012), the Complainant contends that the Respondent has engaged in a pattern of conduct as a further reason to proceed to a decision on the merits. The Respondent contends, first, that a "pattern of conduct" is not applicable in this context and, secondly, denies that there has been any "pattern" in any event.

For the first point, the Respondent relies on the decision in *Ogio International Inc v. Ogio Pty Ltd,* WIPO Case No. DAU2019-0011 for the proposition that paragraph 4(b)(ii) under the Policy, unlike paragraph 4(b)(ii) of the UDRP, does not refer to engaging "in a pattern of such conduct". Acknowledging that the present Panel was the dissenting panelist in the *Ogio* case, the Panel notes the following.

First, the wording at issue in paragraph 4(b)(ii) of the UDRP is part of a proviso and so has the effect of making the example of registration and use in bad faith it provides narrower than the corresponding wording under the Policy. Secondly and more fundamentally, as the wording of paragraph 4(b) in both the Policy and the UDRP makes clear, the instances of bad faith set out in paragraphs 4(b)(i) to (iv) in the UDRP and 4(b)(i) to (v) of the Policy are examples only. They are provided "without limitation" to the circumstances which may evidence registration and use in bad faith.

Turning to the Respondent's second point, the Panel accepts unreservedly the Respondent's contention that the settlement of the WIPO Case No. DAU2026-0012 proceeding was not a decision on the merits and did not involve a finding of bad faith on the part of the Respondent.

Accepting that point unreservedly, the fact of the prior dispute and its voluntary resolution is nonetheless part of the context in which this proceeding falls to be considered. All the more so as the Respondent accepts in this proceeding that EQUIFAX is distinctive of the Complainant and, further, that the term "report" in the disputed domain names relates to the Complainant's business and services.

Given those two concessions, there is not a meaningful distinction between the domain names at issue in the previous proceeding and the disputed domain names in the present case. However, the Respondent did not volunteer to surrender the disputed domain names until the Complainant filed the Complaint in this proceeding.

In the circumstances of this case, therefore, the Panel considers it appropriate to proceed to a decision on the merits. First, as the Complainant points out, the Respondent has expressly disclaimed any bad faith. Secondly, the Complainant has specifically requested a decision on the merits notwithstanding the Respondent's consent to transfer.

Turning to the supplemental filings, the Panel considers it appropriate to admit them in the exercise of the Panel's powers under paragraph 10 of the Rules. The Complainant's supplemental filing is made in response to the Respondent's offer to voluntarily surrender the disputed domain names. If the Complainant had not submitted the supplemental filing, it would have been necessary for the Panel to request the Complainant's views under paragraph 12 of the Rules since, as noted above, the Complainant's views are relevant to how the Respondent's offer is to be treated.

In addition to addressing the Complainant's supplemental filing, the Respondent's supplemental filing also requests a "short" opportunity to deal with the further screenshots included in the Complainant's supplemental filing. While the Respondent disputed the relevance of those screenshots, the Respondent was on notice of them and could have dealt with them fully in its supplemental filing. In any event, it is not necessary for the Panel to rely on those screenshots to reach the decision in this proceeding.

5.2. The requirements of paragraph 4(a) of the Policy

A. Identical or Confusingly Similar

The first element that the Complainant must establish is that the disputed domain names are identical with, or confusingly similar to, the Complainant's name, trade mark or service mark.

The Respondent concedes that both disputed domain names are confusingly similar to the Complainant's proven trade mark EQUIFAX and the Panel so finds.

Typically and as is appropriate in this case, it is permissible to disregard the country code Top Level Domain (ccTLD), .au, and, in the second disputed domain name, the Second Level Domain, .com, as functional components of the domain naming system. See for example auDRP Overview 2.0, section 1.11 and, for example, *Clarins v Netlocal Consulting Pty Ltd,* WIPO Case No. DAU2023-0016.

Disregarding the .au ccTLD and the Second Level Domain, both disputed domain names consist of the Complainant's registered trade mark and the term "report". As this requirement under the Policy is essentially a standing requirement, the addition of this term does not preclude a finding of confusing similarity. See e.g. auDRP Overview 2.0, sections 1.7.4, 1.7.6. and 1.8. Apart from anything else, the Complainant's trade mark remains visually and aurally recognisable within the disputed domain name.

Accordingly, the Panel finds that both disputed domain names are confusingly similar to the Complainant's trade mark and the Complainant has established the first requirement under the Policy.

B. Rights or Legitimate Interests

The second requirement the Complainant must prove is that the Respondent has no rights or legitimate interests in the disputed domain names.

Paragraph 4(c) of the Policy provides that the following circumstances may be situations in which a respondent has rights or legitimate interests in a disputed domain name:

(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services (not being the offering of domain names that the respondent has acquired for the purpose of selling, renting or otherwise transferring); or

(ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trade mark or service mark rights; or

(iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trade mark or service mark at issue.

These are illustrative only and are not an exhaustive listing of the situations in which a respondent can show rights or legitimate interests in a domain name.

The onus of proving this requirement, like each element, falls on the Complainant. Previous panels have recognized the difficulties inherent in proving a negative, however, especially in circumstances where much of the relevant information is in, or likely to be in, the possession of the respondent. Accordingly, it is usually sufficient for a complainant to raise a prima facie case against the respondent under this head and an evidential burden will shift to the respondent to rebut that prima facie case. The ultimate burden of proof, however, remains with the Complainant. See e.g., *GlobalCenter Pty Ltd v. Global Domain Hosting Pty Ltd*, WIPO Case No. DAU2002-0001; auDA Overview 2.0, section 2.1.1.

In the present case, the Respondent registered the disputed domain names many years after the Complainant began using its trade mark and also many years after the trade mark was registered including several years after the trade mark was registered in Australia.

The Complainant states that it has not authorised the Respondent to use the disputed domain names. Nor is the Respondent affiliated with it.

The disputed domain names are not derived from the Respondent's name. Nor is there any suggestion of some other name by which the Respondent is commonly known from which the disputed domain names could be derived. There is no evidence that the Respondent holds any trade marks for the disputed domain names.

Typically, the use of the disputed domain names to generate revenue through PPC links does not qualify as a legitimate noncommercial or fair use for the purposes of paragraph 4(c)(iii) of the Policy or, particularly where PPC links are to services in competition with the Complainant's services, a good faith offering of goods or services for the purposes of paragraph 4(c)(i).

In response, the Respondent contends that the disputed domain names were registered in error. The Panel addresses this particular contention in more detail in section 5.2C below in the context of the third requirement under the Policy, registration or subsequent use in bad faith. The Panel, however, does take that contention into account in considering this requirement under the Policy. The Respondent further provides evidence which shows the pages to which the disputed domain names resolve with PPC links have been set up on the Registrar's services apparently by the Registrar. Further still, the Respondent states it has not received any payments or other consideration from the use of the parking pages.

Accepting for present purposes the Respondent's contentions that the PPC links are generated by the Registrar, that does not in itself confer rights or legitimate interests in the disputed domain names. auDRP Overview 2.0, section 2.9 records:

"Use of a domain name to resolve to a parking or landing page, or to generate revenue through pay-per-click (PPC) links advertising, is generally not considered to be a bona fide offering of goods or services such as to give rise to rights or legitimate interests in a domain name. However, where the domain name consists of a dictionary word or phrase and is used to host PPC links genuinely related to the dictionary meaning of the word or phrase, and not to trade off the complainant's (or its competitor's) trademark, respondent rights or legitimate interests can arise – especially where the domain name was registered before the complainant's trademark/name rights arose."

The Respondent accepts the general thrust of section 2.9 but, at paragraphs 45 to 47 of the Response, contends that principle does not apply in the present case. In particular, the Respondent contends at paragraph 46:

"The general registrant-responsibility principle does not erase the evidentiary distinction between legal responsibility for a domain registration and factual authorship or selection of every phrase displayed by a parking provider. Here, the Respondent has produced domain-specific technical evidence and provider terms that give a documented explanation for how the content was generated and delivered. That evidence must be weighed before the particular search terms are treated as direct evidence of instructions or personal authorship by the Respondent."

According to the Respondent, cl. 21.14 of the 'Crazy Domains' terms of registration headed 'Domain Parking' means that registration of a domain name results in "automatic placement of newly registered domains on the provider's name servers and redirection to a 'coming soon' or parked page. The provision explains a mechanism by which a page can appear without the customer designing or uploading a website".

Ultimately, the Panel does not accept the Respondent's contention. First, the circumstances set out in the second sentence of section 2.9 do not apply in the present case. Secondly, clause 21.14 of the registration agreement included in Annex R-1 to the Response provides (in relevant part):

"Upon registration, the domain will be automatically placed on name servers provided by us, and Internet users that type in the domain will be redirected to a "coming soon" page (collectively, "parking a domain" or a "parked domain"). There is no charge for parking a domain. You hereby consent to and authorize our placement of a "coming soon" page, and its associated contents, on your parked domain. You may change the name server configuration (or "un-park" the domain) after the registration is complete. If you need to register name servers using the domains that you are currently registering, the names will initially be parked with us until you modify the name servers after the domain registration is complete, using your account manager.

….

"The 'coming soon' and/or 'expired' pages may contain advertisements and other materials selected by us, in our sole discretion. This may include, but is not limited to third-party websites, third-party product and service offerings, and/or Internet search engines. We reserve the right to collect and retain all revenue obtained from such advertising and other materials."

While this indicates the parked page with PPC links is likely to be the default option, it does not exclude other options. In that respect, the Registrar's website which states under the heading "How to Set the Park Page of Your Domain" that the registrant has three options: a Coming Soon Parked Page (described as the default), a Domain for Sale page or a Blank Page.[1] Further, in this case, the screenshots of the parked pages do not show a "Coming Soon" message, just the PPC advertising links.

Assuming in the Respondent's favour that the PPC links were imposed by the Registrar by default, there is no evidence before the Panel that the Respondent took, or attempted, any steps to ensure that any PPC links on the parked page did not seek to trade on, or otherwise take advantage of, the Complainant's trade mark.

Nonetheless, accepting the Respondent's argument on its own terms, a finding that the PPC advertising links were outside the Respondent's control would support a finding that the Respondent was not acting in bad faith. Such a finding, however, falls short of conferring rights or legitimate interests in the disputed domain names which, on the Respondent's own account, are said to have been registered "in error" and which, on the Respondent's own account contain terms distinctive of the Complainant and relevant to its business.

These matters, taken together, establish a prima facie case under the Policy that the Respondent has no rights or legitimate interests in the disputed domain names which the Respondent has failed to rebut.

Accordingly, the Panel finds the Complainant has established the second requirement under the Policy in respect of both disputed domain names also.

C. Registered or Subsequently Used in Bad Faith

Under the third requirement of the Policy, the Complainant must establish that the disputed domain names have been either registered or subsequently used in bad faith by the Respondent. In contrast to the Uniform Domain Name Dispute Resolution Policy, the requirements of registration or use in bad faith are disjunctive. It is necessary for the Complainant to establish only one or the other.

Generally speaking, a finding that a domain name has been registered or is being used in bad faith requires an inference to be drawn that the respondent in question has registered or is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant.

Given the length and scale of the Complainant's use of its trade mark, the Panel considers it very likely that the Respondent was aware of the Complainant's trade mark when the disputed domain names were registered.

Further, the Complainant points out that its trade mark is an invented or coined term which is not descriptive of any goods or services. It has significance only as a trade mark used by the Complainant to denote the trade source of its services. Also, as noted above, the Respondent has failed to rebut the Complainant's case that the Respondent does not have rights or legitimate interests in the disputed domain names. Indeed, the Respondent expressly "does not dispute that EQUIFAX is distinctive or that the word 'report' relates to the Complainant's field of business".

---

[1] https://www.crazydomains.com.au/help/article/how-to-change-the-parked-page-on-your-domain-name viewed by the Panel on October 25, 2026 in the exercise of the Panel's powers for limited research under paragraph 10 of the Rules: auDRP Overview 2.0, section 4.8.

Against these matters, the Respondent seeks to resist a finding of registration or use in bad faith on the basis that the disputed domain names were registered in error and, while protesting that it is not advancing a case of "the Registrar did it", disclaiming any involvement in the use of the disputed domain names for PPC advertising.

As to registration in error, the Respondent contends that the disputed domain names "were registered in error through a Crazy Domains account associated with Mr [Pasha] Mehr, although the registered domain-name holder identified in the WhoIs record is The Trustee for Impex Global Trust. They were not personally selected or registered by Mr Mehr. The Respondent has identified no contemporaneous project, business plan or intended Equifax-related use associated with either disputed domain name and neither domain was subsequently developed by the Respondent into an operational website, business or service. For clarity, the Respondent did not set up its own website or select the displayed content …."

There are numerous difficulties with this contention. First, nowhere in the very carefully drawn Response or the Respondent's supplemental filing does the Respondent explain who or what "the trustee for the Impex Global Trust" is or what it does. Secondly, even though he signed the Response on behalf of the Respondent, nowhere in the carefully drawn Response or the Respondent's supplemental filing is there an explanation of who Mr Mehr is or what his relationship to the trustee is.

Thirdly, nowhere in the Response or the Respondent's supplemental filing is there any description of what the "error" was which meant the disputed domain names were registered in an account "associated with Mr Mehr" or, for that matter, how the disputed domain names came to be registered in the name of the Trustee in an account "associated with Mr Mehr".

Fourthly, there is a positive assertion that Mr Mehr did not personally select or register either disputed domain name. There is no identification of who did personally select the disputed domain names and, if different, who registered them. Further, there is no explanation of how this unidentified person or persons had access to the account "associated with Mr Mehr".

Fifthly, it is noteworthy that the disputed domain names were registered about one year apart. That is not suggestive of a single error. There is no explanation in the Response or the Respondent's supplemental filing how this same error came about twice one year apart.

Sixthly, the registration of these two disputed domain names is not an isolated event. The Respondent also registered the similar domain names the subject of the WIPO Case No. DAU2026-0012 proceeding: <equifaxcreditcheck.au> and <equifaxcreditcheck.com.au>.

As noted above, the Panel accepts that the WIPO Case No. DAU2026-0012 proceeding was resolved without any finding of bad faith on the part of the Respondent. However, those two registrations and the registration of the two disputed domain names in the present proceeding evidence targeting of the Complainant's trade mark. That targeting was done in the name of the Respondent and the Respondent has failed to properly explain how that came about.

Those matters are sufficient to find that the Respondent registered the disputed domain names in bad faith. For completeness, the Panel also finds for the reasons explained in section 5.2B above that the disputed domain names have been used in bad faith through their use for PPC links competing with the Complainant.

Accordingly, the Complainant has established all three requirements under the Policy.

D. Suppression of name

The authorised representative who submitted the Response and supplemental filing on behalf of the Respondent has requested under Policy paragraph 4(j) and Rules paragraph 16(b), that any published decision identify the Respondent only as "The trustee for Impex Global Trust" and omit or redact Mr. Pasha Mehr's personal name.

In view of the unexplained relationship between Mr Mehr and the Respondent as identified by the Registrar, there is insufficient basis to name as the respondent any person other than The trustee for the Impex Global Trust as identified by the Registrar.

The Panel declines, however, to suppress Mr. Mehr's name. First, he has submitted the Response as the authorised representative of the Respondent and the usual practice where a party is represented by a third party is to identify the representative – as has been done in the case of the Complainant's representative. It is after all on the basis of that person's representations that the party's rights and liabilities are being determined.

Secondly, as noted above, there is no information about who or what The trustee of the Impex Global Trust is or does. Nor is there any public register through which it, or the persons behind it, can be identified. This may be contrasted with the cases of companies and registered business names where information about the directors, shareholders, or those carrying on the business under the name can be ascertained.

Thirdly, Mr Mehr appears to have been involved in some unexplained way in at least the registration of the disputed domain names. On his account as the Respondent's authorised representative, the disputed domain names were somehow registered in an account "associated" with him personally "in error". As noted above, the explanation for how those events came about fell well short of the frankness required in the circumstances.

6. Decision

For all 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, <equifaxreport.au> and <equifaxreport.com.au>, be transferred to the Complainant.

/Warwick A. Rothnie/
Warwick A. Rothnie
Sole Panelist
Date: October 27, 2026