

ADMINISTRATIVE PANEL DECISION

Equinor ASA v. Weiss Grams, NIL

Case No. D2024-0580

1. The Parties

The Complainant is Equinor ASA, Norway, represented by Valea AB, Sweden.

The Respondent is Weiss Grams, NIL, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <eqnr-oil.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 8, 2024. On February 8, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 9, 2024, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 12, 2024, 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 February 13, 2024.

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 February 13, 2024. In accordance with the Rules, paragraph 5, the due date for Response was March 4, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 5, 2024.

The Center appointed Steven A. Maier as the sole panelist in this matter on March 8, 2024. 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 corporation organized under the laws of Norway. It is an international energy company with operations in more than 30 countries worldwide, including oil production.

The Complainant is the owner of numerous trademark registrations throughout the world comprising or including the mark EQUINOR. Those registrations include, for example:

- European Union trademark registration number 017900772 for the word mark EQUINOR, registered on January 18, 2019, in numerous International Classes; and
- European Union trademark registration number 017900767 for a figurative mark comprising the name EQUINOR and a logo (the “Figurative Mark”), also registered on January 18, 2019, in numerous International Classes.

The Complainant’s stock is traded on the New York Stock Exchange (“NYSE”) under the stock ticker EQNR.

The disputed domain name was registered on January 22, 2024.

The Complainant provides evidence that the disputed domain name has resolved to a website which displays a picture of a mobile phone screen. That screen is headed with the Figurative Mark and also contains a picture of a building which the Complainant states is its corporate headquarters, which prominently displays the Figurative Mark. The website image contains facilities to register, login, download an app and to input an email address and password. It also contains a picture of workers wearing helmets branded with the Figurative Mark and section headed “Revenue Details”.

5. Parties’ Contentions

A. Complainant

The Complainant submits that it was formerly known as Statoil ASA, which was famously associated with Norwegian oil and gas exploitation from the later 1960s onwards. It states that it changed its name to EQUINOR in 2018 and exhibits press coverage of that announcement.

The Complainant submits that the disputed domain name is confusingly similar to its EQUINOR trademark. It contends that the disputed domain name adopts the letters “eqnr” from that trademark and that the trademark is therefore recognizable within the disputed domain name. The Complainant adds that the disputed domain name directly replicates the Complainant’s NYSE stock identifier EQNR.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has no relationship with the Respondent and has never authorized it to use its EQUINOR trademark, that the Respondent has not commonly been known by the disputed domain name and that the Respondent is making neither bona fide commercial use nor legitimate noncommercial or fair use of the disputed domain name.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. It states that its EQUINOR trademark long precedes the registration of the disputed domain name. It also points to the Respondent’s website content, including the use of its EQUINOR trademark, the Figurative Mark, and a picture of its corporate headquarters. The Complainant submits that the Respondent’s website is used in connection with cryptocurrency investments and that the Respondent is clearly seeking to misrepresent to Internet users that its website is operated by the Complainant.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are 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

The Complainant has established that it is the owner of registered trademark rights in the mark EQUINOR. The disputed domain name adopts four letters from that mark, i.e. "eqnr", which the Panel finds to be sufficient to render the Complainant's trademark recognizable within the disputed domain name. The addition of the further term "-oil" in the disputed domain name does not affect such finding.

The Panel notes in this regard that panels under the UDRP have found in various previous cases that abbreviations or acronyms for a trademark may be confusingly similar to that trademark for the purposes of the first element under the Policy (see e.g., *Factor Systems, Inc. v. Susan Gould*, WIPO Case No. [D2023-1812](#), and *Fenix International Limited v. Jean Valjean*, WIPO Case No. [D2023-3488](#)).

The Panel also has regard to the Respondent's website, which is clearly intended to impersonate the Complainant. As discussed in section 1.7 of WIPO [Overview](#) of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"): "... panels have also found that the overall facts and circumstances of a case (including relevant website content) may support a finding of confusing similarity, particularly where it appears that the respondent registered the domain name precisely because it believed that the domain name was confusingly similar to a mark held by the complainant."

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

In the view of the Panel, the Complainant's submissions set out above give rise to a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. However, the Respondent has failed to file a Response in this proceeding and has not submitted any explanation for its registration and use of the disputed domain name, or evidence of rights or legitimate interests on its part in the disputed domain name, whether in the circumstances contemplated by paragraph 4(c) of the Policy or otherwise. Furthermore, for the reasons discussed further below, the Panel finds that the Respondent registered and has used the disputed domain name dishonestly to target the Complainant's trademark.

The Panel therefore finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

C. Registered and Used in Bad Faith

The disputed domain name is confusingly similar to the Complainant's EQUINOR trademark, and directly replicates its NYSE stock ticker EQNR. It also includes the term "-oil", which reflects one of the Complainant's key areas of activity. The Respondent has made no reply to the Complainant's submissions, and it is obvious from the evidence of the Respondent's website that the Respondent's only purpose in registering and using the disputed domain name can have been to impersonate the Complainant and to mislead Internet users into believing that its website is in some manner legitimately associated with the Complainant's business. The Panel also infers that the Respondent's website is intended to provide financial gain for the Respondent by dishonest means, e.g. by obtaining financial or other personal details from Internet users.

The Panel therefore finds that, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel finds in the circumstances that the disputed domain name has been registered and is being used in bad faith.

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 <eqnr-oil.com> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: March 22, 2024