

## **ADMINISTRATIVE PANEL DECISION**

Equifax Inc. v. Bin G Glu, G Design  
Case No. D2024-4526

### **1. The Parties**

The Complainant is Equifax Inc., United States of America (“United States” or “U.S.”), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

The Respondent is Bin G Glu, G Design, China.

### **2. The Domain Name and Registrar**

The disputed domain name <eqifax.com> is registered with Wild West Domains, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 5, 2024. On November 5, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 5, 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 (Registration Private / Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 7, 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 November 8, 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 November 8, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 28, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 29, 2024.

The Center appointed Mario Soerensen Garcia as the sole panelist in this matter on December 3, 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 one of the leading global providers of information solutions and human resources business process outsourcing services for businesses, governments and consumers. It was originally incorporated under the laws of the State of Georgia, U.S., in 1913, and its predecessor company dates back to 1899. The Complainant offers a credit reporting service that provides consumers with a summary of their credit history, and certain other information, reported to credit bureaus by lenders and creditors.

The Complainant is the owner of several trademark rights around the world on EQUIFAX, including the following registrations:

United States trademark EQUIFAX, No. 1,027,544, registered on December 16, 1975;  
United States trademark EQUIFAX, No. 1,045,574 registered on August 3, 1976; and  
United States trademark EQUIFAX, No. 1,644,585, registered on May 14, 1991.

The Complainant is also the owner of the domain name <equifax.com>, created on February 21, 1995.

The Respondent was identified as Bin G Glu, G Design, reportedly located in China.

The disputed domain name <eqyifax.com> was registered on September 22, 2004, and resolves to a parking page that includes links for various services – including financial services related to Complainant.

#### **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.

The Complainant argues that the disputed domain name is confusingly similar to Complainant's marks since it reproduces the trademark EQUIFAX in its entirety, only replacing the letter "u" by the letter "y", which represents an obvious typographical variation of the EQUIFAX trademark.

According to the Complainant, the disputed domain name is redirected to a pay-per-click ("PPC") or monetized parking page that includes links for various services, including financial services related to Complainant and/or the EQUIFAX trademark.

There is no evidence that the Respondent has made demonstrable preparations to use the disputed domain name for legitimate purposes, nor is there any evidence that the Respondent is using the disputed domain name in connection with a bona fide offering of goods and services.

The Complainant adds that the Respondent has no rights or legitimate interests in respect of the disputed domain name. That being the case, the Complainant finds that the disputed domain name is redirected to a PPC page.

Moreover, the Complainant stresses that the Respondent is not commonly known by the name "Eqyifax".

The Complainant mentions that given Complainant's use of the EQUIFAX trademark for 49 years as well as its fame, it is implausible that Respondent was unaware of the Complainant when registered the disputed domain name.

The Complainant adds that the disputed domain name was created 29 years after Complainant first used and registered the EQUIFAX Trademark in commerce and nine years after Complainant registered the domain name <equifax.com>.

Also, Complainant notes that Respondent has already lost numerous previous domain name disputes under the Policy, being engaged in a pattern of cybersquatting conduct.

The Complainant concludes that because the disputed domain name is so obviously connected with Complainant, Respondent's actions suggest opportunistic bad faith in violation of the Policy.

Finally, 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 accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to the trademarks or service marks 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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark (with the replacement of the letter "u" by the letter "y") 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 3.0](#), section 1.7.

The Panel finds that this intentional misspelling (so-called "typo squatting") does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.9.

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 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 3.0](#), 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.

Panels have found that the use of a domain name to host a parked page comprising PPC links does not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of the complainant’s mark or otherwise mislead Internet users. [WIPO Overview 3.0](#), section 2.9.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In the present case, the Panel is of the view that at the time the disputed domain name was registered, the Respondent was aware of the EQUIFAX trademarks, as the Complainant’s trademark registrations as well as its domain name predate by many years the registration date of the disputed domain name.

The Complainant has provided evidence showing that the Respondent has been the respondent in previous UDRP proceedings showing a pattern of bad faith conduct. [WIPO Overview 3.0](#), section 3.1.2.

The disputed domain name resolves to a parking page with links for different services, including financial services related to the Complainant. Such use here constitutes bad faith. The conduct of using a domain name to attract Internet users for commercial gain, by creating a likelihood of confusion with the complainant’s mark, would fall within the meaning of paragraph 4(b)(iv) of the Policy. Given the above, the Panel believes that the Respondent has registered the disputed domain name to trade off the reputation of the Complainant’s 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 <eqyifax.com> be transferred to the Complainant.

*/Mario Soerensen Garcia/*

**Mario Soerensen Garcia**

Sole Panelist

Date: December 10, 2024