

ADMINISTRATIVE PANEL DECISION

Equinor ASA v. Sophia, Sophia
Case No. DCC2024-0030

1. The Parties

The Complainant is Equinor ASA, Norway, represented by Rouse AB (Valea AB trading as Rouse AB), Sweden.

The Respondent is Sophia, Sophia, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <eqniuorn.cc> is registered with Alibaba.com Singapore E-Commerce Private Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 21, 2024. On October 21, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 22, 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 (Not disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 22, 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 October 22, 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 October 24, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 13, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 14, 2024.

The Center appointed Alissia Shchichka as the sole panelist in this matter on November 20, 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, Equinor ASA, formerly known as Statoil ASA, is a Norwegian energy corporation with operations in over 30 countries, focusing on oil, gas, wind, and solar energy. Established in 1972 as The Norwegian State Oil Company (Statoil), it played a key role in Norway's oil and gas industry since the late 1960s. The Norwegian State owns 67% of the company, and its STATOIL trademark has long been recognized as a well-known symbol of quality within the energy sector. In 2018, Statoil rebranded as Equinor to reflect a shift toward renewable energy, with the name change widely reported in global media, highlighting the company's evolving focus on sustainable energy solutions.

The Complainant has evidenced to be the registered owner of numerous trademarks worldwide relating to its trademarks EQUINOR including, but not limited, to the following:

- International Trademark Registration No. 1444675, designating numerous countries, for the word mark EQUINOR, registered on July 4, 2018, in classes 1, 2, 4, 6, 7, 9, 16, 17, 19, 25, 28, 35, 36, 37, 39, 40, 41 and 42
- European Union Trademark Registration No. 17900772, for the word mark EQUINOR, registered on January 18, 2019, in classes 1, 2, 4, 6, 7, 9, 16, 17, 19, 25, 28, 35, 36, 37, 39, 40, 41 and 42.

The Complainant is also the owner of numerous domain names incorporating the term “equinor”, including <equinor.com>, which was registered on March 15, 2018.

The aforementioned trademark and domain name were registered prior to the disputed domain name, which was registered on October 13, 2024. The disputed domain name resolves to a cryptocurrency website and investment platform that presents itself as being managed by the Complainant, displaying EQUINOR trademarks.

According to the disclosed Whois information, the Respondent of the disputed domain name is located in the United States.

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.

Notably, the Complainant emphasizes that the EQUINOR trademark is well-known, inheriting the renowned status of the STATOIL trademark.

The Complainant contends that the disputed domain name is confusingly similar to its EQUINOR trademark, as it incorporates a misspelled version of the mark. Specifically, the disputed domain name mirrors the EQUINOR trademark with the letters “E-Q-[*]-I-[*]-O-R-[*]” appearing in the same positions. The minor alterations—namely, the swapping of the letters “N” and “U” and the addition of an extra “N” at the end—do not prevent a finding of confusing similarity. The Complainant also notes that the Top-Level Domain (“TLD”) “.cc” should be disregarded under the first element, as it is a standard registration requirement and does not affect the analysis of confusing similarity.

The Complainant argues that the Respondent has no rights or legitimate interests in the disputed domain name because: (1) the Respondent is not affiliated with, licensed by, or otherwise authorized to use the EQUINOR trademark for any purpose, including in connection with a website or disputed domain name; (2) the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name; and (3) the Respondent is not generally known by the disputed domain name, has not acquired any related trademark rights.

Finally, the Complainant argues that the Respondent has registered and is using the disputed domain name in bad faith for the following reasons: (1) the Complainant's trademarks significantly predate the registration of the disputed domain name, and the Respondent was aware about the Complainant's trademark; (2) the Respondent is using the disputed domain name in connection with a cryptocurrency website that prominently features the EQUINOR trademark, including images of the Complainant's headquarters in Norway, and falsely claims affiliation with the Complainant. This shows that the Respondent knowingly targeted the Complainant's trademark to impersonate the Complainant and profit from a disputed domain name confusingly similar to the EQUINOR trademark; and (3) the Respondent has intentionally attempted to attract Internet traffic for commercial gain by creating a likelihood of confusion with the Complainant's trademark EQUINOR.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a response as it considers appropriate.

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 Panel finds the mark is recognizable within the disputed domain name. Furthermore, a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. In this case, the Panel considers that the disputed domain name consists of intentional misspelling of the Complainant's trademark EQUINOR. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 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.

Indeed, the Complainant has confirmed that the Respondent is not affiliated with the Complainant, or otherwise authorized or licensed to use the EQUINOR trademarks or to seek registration of any domain name incorporating the trademarks. The Respondent is also not known to be associated with the EQUINOR trademarks, and there is no evidence showing that the Respondent has been commonly known by the disputed domain name. [WIPO Overview 3.0](#), section 2.3.

The disputed domain name resolves to a webpage that impersonates the Complainant by mentioning the trademarks, logo, and history of the Complainant, and presented itself as an investment platform managed by Equinor "Equinor-mall not only provides energy products, but also brings innovative investment opportunities to global users. Through this platform, users can participate in the company's renewable energy project investments and receive stable returns". Therefore, the disputed domain name has not been used for a bona fide offering of goods or services. [WIPO Overview 3.0](#), sections 2.2 and 2.13.

Based on the available record, the Panel finds that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue. [WIPO Overview 3.0](#), section 2.5.2.

Accordingly, the Complainant has provided evidence supporting its prima facie claim that Respondent lacks any 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.

Therefore, the Panel concludes that the Respondent does not have any rights or legitimate interests in the disputed domain name and the Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

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.

In the present case, the Panel observes that the Complainant's EQUINOR trademarks significantly predate the Respondent's registration of the disputed domain name. Additionally, the misspelling of the Complainant's trademark in the disputed domain name, along with the use of the Complainant's trademarks and logo on the website associated with the disputed domain name, indicates that the Respondent was clearly aware of the Complainant's business and trademarks at the time of registering the disputed domain name. [WIPO Overview 3.0](#), section 3.2.2.

Furthermore, the disputed domain name resolves to a website that impersonates the Complainant and falsely presents itself as an investment platform managed by the Complainant. Panels have consistently held that the use of a domain name for illegitimate activity, such as impersonation or passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

In the Panel's view, the Respondent has intentionally attempted to attract Internet users to its website, for commercial gain, by creating a likelihood of confusion with the Complainant's trademarks regarding the source, sponsorship, affiliation, or endorsement of its website or the products offered on it. Under paragraph 4(b)(iv) of the Policy, this constitutes evidence of the registration and use of a domain name in bad faith. [WIPO Overview 3.0](#), section 3.1.4.

Based on the available record, 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 <eqniuorn.cc> be transferred to the Complainant.

/Alissia Shchichka/

Alissia Shchichka

Sole Panelist

Date: November 23, 2024.