

ADMINISTRATIVE PANEL DECISION

British American Tobacco (Brands) Limited v. Chen Junbin
Case No. D2026-0842

1. The Parties

The Complainant is British American Tobacco (Brands) Limited, United Kingdom, represented by Com Laude Limited, United Kingdom.

The Respondent is Chen Junbin, China.

2. The Domain Name and Registrar

The disputed domain name <glo-tw.com> (the “Domain Name”) is registered with Internet Domain Service BS Corp (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 26, 2026. On February 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 11, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the 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 March 11, 2026, 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 amended Complaint on March 12, 2026.

The Center verified that the Complaint together with the amended 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 March 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 9, 2026.

The Center appointed Nicholas Smith as the sole panelist in this matter on April 14, 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 and its related entities are a corporate group focused on the sale of tobacco products with the Complainant being the intellectual property holding company for the corporate group. The Complainant group has sales in 160 countries with 2024 revenues being approximately GBP 25 billion. The Complainant group has developed a number of products described as tobacco heating products (“THP”) which are products that, through a tobacco heating chamber, provide a tobacco taste that is inhaled by the user, but present less harm to a smoker than a traditional cigarette. The Complainant Group’s flagship THP products are sold under a mark consisting of the word GLO (the “GLO Mark”) as well as a mark consisting of the word GLO in stylized form (“GLO Device”). The Complainant promotes its GLO products in through many marketing pathways including from its website at “www.discoverglo.com”.

The Complainant is the owner of numerous trademark registrations for the GLO Mark, including an United Kingdom registration for goods in class 34, registered on September 10, 2004 (No. UK00003209471).

The Domain Name was registered on November 28, 2025. The Domain Name is presently inactive but prior to the commencement of the proceeding resolved to a website (“the Respondent’s Website”) in Chinese that reproduced the GLO Mark, GLO Device, various product images and the look and feel of the Complainant’s official website. The Respondent’s Website purports to offer the Complainant’s GLO products in Taiwan Province of China and includes various statements such as “Taiwan official website store” (made on the website browser bar to a user accessing the Respondent’s Website) asserting a connection with the Complainant that does not exist.

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 Domain Name.

Notably, the Complainant contends that:

- a) The Complainant is the owner of the GLO Mark, having registered the GLO Mark in numerous jurisdictions. The Domain Name reproduces the GLO Mark along with the descriptive geographical abbreviation “-tw” that does not distinguish the Domain Name from the GLO Mark.
- b) There are no rights or legitimate interests held by the Respondent in respect of the Domain Name. The Respondent is not commonly known as the Domain Name nor does the Respondent have any authorization from the Complainant to register the Domain Name. The Respondent is not making a legitimate noncommercial fair use of the Domain Name. Rather the Respondent is using the Domain Name to create a website that purports to sell the Complainant’s products, reproduces the Complainant’s marks and incorrectly purports to be associated with the Complainant, such use not being bona fide.
- c) The Domain Name was registered and is being used in bad faith. By using the Domain Name for a website that reproduces the Complainant’s marks, and purports to be an official website of the Complainant, the Respondent is clearly aware of the GLO Mark and is using it to deceive consumers as to its affiliation with the Complainant. Such conduct amounts to registration and use of the Domain Name in bad faith.

B. Respondent

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

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 name. 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 entirety of the mark is reproduced within the Domain Name. Accordingly, the Domain Name is 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, "-tw", a recognizable abbreviation for Taiwan Province of China, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the Domain Name 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 record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the 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 Domain Name.

The Panel considers that the record of this case reflects that:

- before any notice to the Respondent of the dispute, the Respondent did not use, nor has it made 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. Paragraph 4(c)(i) of the Policy, and [WIPO Overview 3.1](#), section 2.2.

- the Respondent (as an individual, business, or other organization) has not been commonly known by the Domain Name. Paragraph 4(c)(ii) of the Policy, and [WIPO Overview 3.1](#), section 2.3.
- the Respondent is not making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue. Paragraph 4(c)(iii) of the Policy, and [WIPO Overview 3.1](#), section 2.4.
- the record contains no other factors demonstrating rights or legitimate interests of the Respondent in the Domain Name.

The Respondent has used the Domain Name to operate a website to sell THPs that purport to be legitimate GLO products. If the THPs sold on the Respondent's Website are not genuine products produced by the Complainant group, the Respondent's use of the Domain Name does not grant it rights or legitimate interests since it is using the Complainant's GLO Mark for a site selling counterfeit products.

Even if the Respondent is offering genuine GLO products from the Respondent's Website, such use does not automatically grant it rights and legitimate interests. The principles that govern whether a reseller of genuine goods has rights or legitimate interests have been set out in a variety of UDRP decisions, starting with the case of *Okidata Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

The [WIPO Overview 3.1](#), section 2.8 summarizes the consensus views of UDRP panels in assessing claims of nominative (fair) use by resellers or distributors in the following manner:

"... Panels have recognized that resellers, distributors, or service providers using a domain name containing the complainant's trademark to undertake sales or repairs related to the complainant's goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name. Outlined in the 'Okidata test', the following cumulative requirements will be applied in the specific conditions of a UDRP case:

- (i) the respondent must actually be offering the goods or services at issue;
- (ii) the respondent must use the site to sell only the trademarked goods or services;
- (iii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and
- (iv) the respondent must not try to 'corner the market' in domain names that reflect the trademark.

The Okidata test does not apply where any prior agreement, express or otherwise, between the parties expressly prohibits (or allows) the registration or use of domain names incorporating the complainant's trademark."

In this case, the Respondent's Website does not accurately or prominently disclose the Respondent's relationship with the Complainant, in particular that it is not an authorized dealer or has any particular connection with the Complainant. Rather, its prominent display of the GLO Mark and GLO Device, the absence of a disclaimer or any explanation as to the identity of the operator of the Respondent's Website and the express statement that it is the (translated from Chinese) "Taiwan official website store" results in the impression that the Respondent's Website is an official website of the Complainant. Even in the event that the Respondent is reselling genuine GLO products, its use of the Domain Name for the Respondent's Website does not grant it rights or legitimate interests in the Domain Name.

Moreover, the nature of the Domain Name incorporating the Complainant's GLO Mark and the geographical abbreviation "-tw" carries a risk of implied affiliation, contrary to the fact, which cannot constitute fair use.

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.

The Panel considers that the record of this case reflects that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's GLO Mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's Website. Paragraph 4(b)(iv) of the Policy, and [WIPO Overview 3.1](#), section 3.1.4. The Respondent registered the Domain Name for the purposes of operating a website specifically to sell either the Complainant's products or counterfeit products that compete with the Complainant's THPs. The Respondent is using a Domain Name that is confusingly similar to the GLO Mark to sell products, be they genuine or otherwise, in competition with the Complainant and without the Complainant's approval.

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 Domain Name <glo-tw.com> be transferred to the Complainant.

/Nicholas Smith/

Nicholas Smith

Sole Panelist

Date: April 21, 2026