

ADMINISTRATIVE PANEL DECISION

Swedish Match North Europe, Philip Morris International, Inc. v. La Grave, PAYDIRT GOLD COMPANY, LLC, Shah Grady, and Grenchinu Grenchinu
Case No. D2025-3292

1. The Parties

The Complainants are Swedish Match North Europe (“First Complainant”), Sweden; and Philip Morris International, Inc. (“Second Complainant”), United States of America (“United States”), represented by D.M. Kisch Inc., South Africa.

The Respondents are La Grave, United States; PAYDIRT GOLD COMPANY, LLC, United States; Shah Grady, United States; and Grenchinu Grenchinu, United States.

2. The Domain Names and Registrars

The disputed domain names <zynflavor.com> and <zynoutlets.com> are registered with GoDaddy.com, LLC.

The disputed domain names <zynsupreme.com> and <zynvelomax.com> are registered with Dominet (HK) Limited.

The disputed domain name <zynflavos.com> is registered with Gname.com Pte. Ltd. (the “Registrars”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 15, 2025. On August 18, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On August 18 and 19, 2025, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainants on August 22, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainants to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainants filed an amended Complaint on August 29, 2025.

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 Respondents of the Complaint, and the proceedings commenced on September 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 23, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on September 24, 2025.

The Center appointed Knud Wallberg as the sole panelist in this matter on October 8, 2025. 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 First Complainant is a Swedish company, subsidiary of the Second Complainant since 2022, which notably manufactures snus, nicotine pouches and pouch products with neither nicotine nor tobacco, as well as tobacco products. The Second Complainant is a well-known multinational company primarily engaged in the business of manufacturing, marketing and selling cigarettes and smoke-free products, including heated tobacco, e-vapor, and oral smokeless products throughout the world. The Complainants notably sell nicotine pouches under the trademark ZYN in 40 markets across the globe.

The First Complainant owns various trademark registrations for the trademark ZYN including:

- United States trademark registration No. 5061008 for ZYN (word mark) registered on October 11, 2016 (this trademark was filed and is owned by the Pinkerton Tobacco Co. LP, which is a company part of the group of companies affiliated to the First Complainant);
- International Trademark Registration No. 1421212 for ZYN (word mark) registered on April 18, 2018, designating inter alia, African Intellectual Property Organization, Australia, Azerbaijan, Bahrain, Belarus, Bosnia and Herzegovina, Chile, Denmark, Egypt, Iceland, India, Indonesia, Israel, Japan, Mexico, New Zealand, Norway, Republic of Korea, Russian Federation, Switzerland, Türkiye, Ukraine and United Kingdom; and
- European Union trademark registration no. 017965871 for ZYN (figurative mark) registered on January 25, 2019.

The disputed domain name <zynsupreme.com> was registered on February 13, 2025; the disputed domain name <zynvelomax.com> was registered on February 25, 2025; the disputed domain name <zynflavor.com> was registered on November 15, 2024; the disputed domain name <zynflavos.com> was registered on December 25, 2024, and the disputed domain name and <zynoutlets.com> was registered on November 27, 2024. At the time of the filing of the Complaint the disputed domain names <zynsupreme.com> and <zynvelomax.com> redirected to a third-party online shop using the Complainant’s registered ZYN trademark and allegedly selling and offering the ZYN nicotine products while the disputed domain names <zynflavor.com>, <zynflavos.com> and <zynoutlets.com>, directed to inactive webpages displaying “Error 1001”

5. Parties’ Contentions

A. Complainants

The Complainants contends that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Complainants contend that the disputed domain names are confusingly similar to the ZYN Trademark, as they include the ZYN trademark in its entirety and since the addition of an additional, descriptive term is irrelevant in this respect. As far as the disputed domain name <zynvelomax.com> is concerned, the addition of the third-party brand name "VELO" does not sufficiently eliminate the general impression that the disputed domain name is associated in some way with the Complainants or used for some sort of co-operative venture between the Complainants and the owner of the third-party brand name "VELO". Besides, it is well established that the applicable Top-Level Domain ("TLD") in a domain name is viewed as a standard registration requirement and as such is disregarded under the confusing similarity test.

The Complainants further contend that the Respondents have no rights or legitimate interests in the disputed domain names. The Complainants have not licensed or otherwise permitted the Respondents to use the ZYN trademark or to register domain names incorporating the ZYN trademark. The Respondents are not making a legitimate noncommercial or fair use of the disputed domain names. On the contrary, the Respondents behavior show a clear intent to obtain an unfair commercial gain, with a view to misleadingly diverting consumers or to tarnish the trademarks owned by the Complainants. The Respondents are not authorized distributors or resellers of the ZYN nicotine product, and the websites provided under the disputed domain names do not meet the requirements set out by numerous panel decisions for a bona fide offering of goods.

The Complainants finally contend that the Respondents registered and use the disputed domain names in bad faith. It is thus evident from the Respondents use of the disputed domain names that the Respondents knew of the Complainants ZYN trademark when registering the disputed domain names. It is also evident from the Respondent's use of the disputed domain names that the Respondent registered and used the disputed domain names with the intention to attract, for commercial gain (be it through some form of direct compensation from the Websites provided under the disputed domain names <zynsupreme.com> and <zynvelomax.com> or through some form of direct or indirect compensation from the Registrar for click-throughs to its website listed on parking pages provided under the disputed domain names <zynflavor.com>, <zynflavos.com> and <zynoutlets.com>), internet users to the Websites by creating a likelihood of confusion with the Complainant's registered ZYN trademark as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location, which constitutes registration and use in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

B. Respondents

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

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainants allege that the disputed domain names appear to be under common control, since the disputed domain names were registered on the same date or in close proximity to one another; that the registrant contact information for the disputed domain names are highly similar / almost identical to one another and that the disputed domain names are themselves similar in composition by virtue of their inclusion of the ZYN trademark belonging to the Complainants, used in conjunction with non-distinctive and descriptive elements. The Complainants therefore request the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainants' request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainants' request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel finds that the above-mentioned facts and arguments presented by the Complainants presented supports a finding of common control. The Panel notes that the Respondents did not comment on or object to the Complainant's request.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

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 3.0](#), section 1.7.

The Complainants have 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 ZYN is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 complainants are deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainants' prima facie showing and have not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

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 notes that at the time of the filing of the Complaint the disputed domain names <zynsupreme.com> and <zynvelomax.com> redirected to a third party online shop using the Complainants' registered ZYN trademark and allegedly selling and offering the ZYN nicotine products while the disputed domain names <zynflavor.com>, <zynflavos.com> and <zynoutlets.com>, directed to inactive webpages displaying "Error 1001"

The Panel finds that by using the disputed domain names <zynsupreme.com> and <zynvelomax.com>, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainants' mark. [WIPO Overview 3.0](#), section 3.1.

Furthermore, the Panel notes that in the circumstances of this case, the passive holding of the disputed domain names <zynflavor.com>, <zynflavos.com> and <zynoutlets.com> does not prevent a finding of bad faith. [WIPO Overview 3.0](#), section 3.3.

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.

The Panel finds that the Complainants have 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 names <zynflavor.com>, <zynflavos.com>, <zynoutlets.com>, <zynsupreme.com> and <zynvelomax.com> be transferred to the Complainant.

/Knud Wallberg/

Knud Wallberg

Sole Panelist

Date: November 4, 2025