

ADMINISTRATIVE PANEL DECISION

Swedish Match North Europe AB, Philip Morris International, Inc. v. ryan
rosamino adfsgadf

Case No. D2025-3783

1. The Parties

The Complainants are Swedish Match North Europe AB, Sweden, and Philip Morris International, Inc., United States of America (“United States” or “U.S.”), represented by D.M. Kisch Inc., South Africa.

The Respondent is ryan rosamino adfsgadf, United States.

2. The Domain Name and Registrar

The disputed domain name <zyn-na.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 September 17, 2025. On September 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 19, 2025, 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 Complainants on September 19, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainants filed an amended Complaint on September 23, 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 Respondent of the Complaint, and the proceedings commenced on September 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 22, 2025.

The Center appointed Gareth Dickson as the sole panelist in this matter on October 28, 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 Complaint is brought by Swedish Match North Europe AB (the “First Complainant”), a company incorporated under the laws of Sweden, and Philip Morris International, Inc. (the “Second Complainant”), a company established under the laws of the Commonwealth of Virginia, United States. The First Complainant is a subsidiary of the Second Complainant, and both belong to the same corporate group. The First Complainant was acquired by the Second Complainant in May 2022. Save where it is necessary to refer to one or other of the Complainants individually, references in this Decision to “the Complainant” are to the Complainants collectively.

Founded in 1992, the Complainant is engaged in the manufacture, marketing, and sale of smoke-free tobacco products, such as snus and nicotine pouches, distributed globally. One of its brands is ZYN (the “Mark”), which has become a leading nicotine pouch product in the United States.

The First Complainant owns numerous trademark registrations for ZYN, including but not limited to:

- International Registration No. 1421212 (word), registered on April 18, 2018; and
- International Registration No. 1456681 (word/device), registered on December 27, 2018.

The disputed domain name was registered by the Respondent on February 12, 2025. It resolves to a commercial website (the “Website”), which is presented in English, provides prices in U.S. dollars and includes references to “U.S. nationally observed holidays”. Together, these confirm that the Website is directed to the United States.

The Website makes prominent use of the Mark and reproduces official product imagery and marketing materials, includes a copyright notice stating “© 2025 ZYN”. It does not identify or clarify any relationship with either the Complainant.

The Respondent is listed as ryan rosamino adfsgadf, with contact details indicating addresses in the United States and Hong Kong, China.

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 contends that the Respondent started offering the Complainant’s ZYN nicotine product immediately after registering the disputed domain name.

The Complainant submits that the disputed domain name is confusingly similar to the Mark because it reproduces the Mark in its entirety with only the addition of the non-distinctive “na” (following a hyphen), and the generic Top-Level Domain “.com”, which do not prevent a finding of confusing similarity. The Complainant further contends that the Respondent lacks any rights or legitimate interests in the disputed domain name: the Respondent is not an authorised distributor or reseller, the Website does not accurately disclose any relationship with the Complainant or the Mark, and the Website does not meet the requirements identified in Oki Data test (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)) for a

bona fide reseller. The Website's unauthorised use of the Complainant's official images and the "©2025 ZYN" copyright notice further creates the false impression of endorsement of the Website by the Complainant.

The Complainant also contends that the disputed domain name was registered and is being used in bad faith. It says the Respondent incorporated the Complainant's distinctive Mark in the disputed domain name and Website title and used the Complainant's official product images and marketing materials without authorization, in order to attract, for commercial gain, Internet users by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement, such that registration and use are in bad faith.

B. Respondent

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

6. Discussion and Findings

A complaint brought by more than one complainant is typically accompanied by a request for, and assessed under the criteria for, consolidation in accordance with the approach set out in section 4.11 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"). The Panel notes that the First Complainant and the Second Complainant both belong to the same corporate group, and finds that the Complainants have a common grievance against the disputed domain name registrants and that it is efficient to permit the consolidation of their complaints.

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

The entirety of the mark 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.

Although the addition of other terms, here, "na" after a hyphen, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 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 Complainant has not licensed or otherwise authorised the Respondent to use any of its trademarks or to register a domain name incorporating the ZYN trademark. The Website under the disputed domain name uses the Complainant's registered ZYN trademark and logo without authorisation, reproduces official product images and marketing materials, and claims "©2025 ZYN", creating the false impression of endorsement. 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 held that the use of a domain name for illegitimate activity, here, claimed impersonating the Complainant and passing off the content of the Website as connected to or authorized by the Complainant, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. The Website also fails the Oki Data test – even assuming that the goods being sold are genuine goods first put on the market by the Complainant or with its consent – by failing to accurately and prominently disclose the Respondent's relationship with the Complainant. [WIPO Overview 3.0](#), section 2.8.1.

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 notes that the Respondent began offering ZYN-branded nicotine products immediately after registering the disputed domain name, demonstrating clear knowledge of the Mark. The evidence before the Panel is that the Mark is inherently distinctive of the Complainant and is not a common term for nicotine products, meaning that even if the Respondent had not been selling goods on a Website designed to impersonate the Complainant, it still would not have been able to claim any accidental or coincidental incorporation of the Mark into the disputed domain name. The Panel finds that the Respondent's choice to include the Mark in the disputed domain name alongside "na" which, in context, appears to be a reference to the North American market to which the Website is clearly directed, is beyond reasonable coincidence and indicates a clear intention to create a misleading association.

Panels have held that the use of a domain name for illegitimate activity, here, claimed impersonation and passing off as described above, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <zyn-na.com> be transferred to the Complainant.

/Gareth Dickson/

Gareth Dickson

Sole Panelist

Date: November 16, 2025