

## **ADMINISTRATIVE PANEL DECISION**

Swedish Match North Europe AB, and Philip Morris International, Inc. v.  
Mahdiyah Renasia Allah, ZYN Store US  
Case No. D2025-3781

### **1. The Parties**

The Complainants are Swedish Match North Europe AB, Sweden and Philip Morris International, Inc., United States of America (the “United States”), collectively referred to as the Complainant, represented by D.M. Kisch Inc., South Africa.

The Respondent is Mahdiyah Renasia Allah, ZYN Store US, United States.

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

The disputed domain name <zynstoreus.com> is registered with Tucows Domains Inc. (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 18, 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 (Contact Privacy Inc. Customer 0175859788) and contact information in the Complaint. The Center sent an email communication to the Complainant 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 Complainant 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 15, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 17, 2025.

The Center appointed R. Eric Gaum as the sole panelist in this matter on October 24, 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**

Swedish Match North Europe AB, is a subsidiary of Philip Morris International, Inc. and they are in same group of the companies (hereinafter collectively referred to as the "Complainant"). The Complainant is primarily engaged in the business of manufacturing, marketing and selling smoke free tobacco products, such as snus and nicotine pouches, which are sold in several countries. One of these smoke-free products are nicotine pouches under the ZYN brand, which was first launched in the United States in 2016.

For its smoke-free products the Complainant owns a large portfolio of trademarks. Among them, but not limited to, are the following trademark registrations:

- International Trademark Registration ZYN (word) Registration No. 1421212 registered on April 18, 2018 designating Afghanistan, Albania, Australia, Azerbaijan, Bosnia and Herzegovina, Bahrain, Belarus, Switzerland, Chile, China, Colombia, Denmark, Algeria, Egypt, United Kingdom ("UK"), Indonesia, Israel, India, Iran (Islamic Republic of), Iceland, Japan, Kenya, Cambodia, Korea (Republic of), Kazakhstan, Liechtenstein, Morocco, Montenegro, Mexico, Malaysia, Norway, New Zealand, African Intellectual Property Organization, Oman, Philippines, Pakistan, Serbia, the Russian Federation, Sudan, Singapore, San Marino, Thailand, Turkmenistan, Tunisia, Türkiye, Ukraine, Uzbekistan, Viet Nam, Zimbabwe;
- International Trademark Registration ZYN (figurative) Registration No. 1456681 registered on December 27, 2018 designating Australia, Bahrain, Switzerland, Egypt, UK, Israel, Kenya, Norway, Oman, Philippines and other countries;
- United States Trademark Registration ZYN (word) Registration No. 5061008 registered on October 11, 2016; and
- United States Trademark Registration FIND YOUR ZYN (word) Registration No. 5925183 registered on December 3, 2019.

The disputed domain name <zynstoreus.com> was registered on August 9, 2025. The disputed domain name resolved to an online shop allegedly selling and offering the Complainant's ZYN nicotine products.

At the time of this Decision, the disputed domain name resolves to an inactive web page indicating "This store is unavailable".

#### **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 the following:

The Respondent is therefore not known or in any way related to the Complainant or its affiliate and is not authorized to use the ZYN trademarks.

The disputed domain name resolved to a fraudulent website displaying an online shop allegedly selling and offering the Complainant's unauthorized ZYN nicotine product. The website was available in English. The fact that the website was indicating all prices in USD (United States Dollars) currency, as well as presenting

the designation “Store US”, clearly indicates that the website to which the disputed domain name resolved was targeting the United States market. As such, the website was clearly purporting to be an official online retailer of the Complainant’s ZYN nicotine product in the United States – or at the very least, purporting to be official and authorized licensee of the Complainant – by using (or that it has received permission or consent from Complainant to use) the Complainant’s ZYN trademark in the disputed domain name together with the word “store” and geographical abbreviation for the United States (i.e., “US”).

The website to which the disputed domain name resolved was prominently using the Complainant’s registered ZYN trademark and logo at the top of the website, as well as using the Complainant’s registered trademark within the tab interface of the website, being a location where users/relevant consumers usually expect to find the name of the online shop and/or the name of the provider of the website. Any user/relevant consumer being confronted with the disputed domain name and the website provided thereunder will usually expect to find the name of the online shop and/or the name of the provider of the website.

The website was further displaying a number of the Complainant’s official product images and marketing materials without the Complainant’s authorization, while at the same time providing a copyright notice at the bottom of the website claiming copyright in the material presented on the website and thereby strengthening the false impression of an affiliation with the Complainant.

The website does not show any details regarding the provider of the website nor does it acknowledge the Complainant as the real brand owner of the ZYN nicotine product, leaving the Internet user under the false impression that the online shop provided under the website, is that of the Complainant or that it is connected to that of the Complainant or one of its official distributors, which it is not.

Importantly, the provider of the website was using the Complainant’s ZYN trademark in its name in circumstances where the provider of the website is not known to the Complainant, nor is it authorized to use the Complainant’s ZYN trademarks.

## **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 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 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 “store” and “us” 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 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.

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 the Respondent was using the disputed domain name to attract users to its online store where it is allegedly selling the Complainant’s smoke-free ZYN brand products. By reproducing the Complainant’s registered ZYN trademark in the disputed domain name and the title of the website, the Respondent is clearly suggesting to Internet users that the Complainant is the source of the ZYN brand products. This suggestion is furthered by the Respondent’s use of the Complainant’s official product images and marketing materials, accompanied by a copyright notice claiming the copyright for the website and its contents.

The Panel further finds that it is evident from the Respondent’s use of the disputed domain name that the Respondent registered and used it with the intention to attract, for commercial gain, Internet users to its website 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.

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 <zynstoreus.com> be transferred to the Complainant.

*/R. Eric Gaum/*

**R. Eric Gaum**

Sole Panelist

Date: November 7, 2025