

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. Imran Khan

Case No. D2025-4019

1. The Parties

The Complainant is Philip Morris Products S.A., Switzerland, represented by D.M. Kisch Inc., South Africa.

The Respondent is Imran Khan, United Arab Emirates.

2. The Domain Name and Registrar

The disputed domain name <iqostereauae.com> is registered with Key-Systems GmbH (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 2, 2025. On October 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 6, 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 Complainant on October 6, 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 October 13, 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 October 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 3, 2025. The Respondent sent an email communication to the Center on October 13, 2025.

The Center appointed Daniel Peña as the sole panelist in this matter on November 12, 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 Complainant is a company which is part of the group of companies affiliated to Philip Morris International Inc.

The Complainant is a leading international tobacco and smoke-free products company.

The Complainant has created a tobacco heating system called IQOS into which specially designed tobacco sticks under the brand names “HEETS”, “HeatSticks”, “DELIA”, “LEVIA” or “TEREA” are inserted and heated to generate a nicotine containing aerosol. The IQOS system has been almost exclusively distributed through the Complainant’s official IQOS stores and websites and selected authorized distributors and retailers.

The Complainant owns the following trademark registrations:

- International Registration IQOS (device) No. 1338099 registered on November 22, 2016 designating Albania, Armenia, Australia, Azerbaijan, Bosnia and Herzegovina, Bahrain, Belarus, Colombia, Algeria, Egypt, European Union, Georgia, Israel, India, Iceland, Japan, Republic of Korea, Kazakhstan, Morocco, Monaco, Montenegro, Mexico, Norway, New Zealand, Oman, Philippines, Serbia, Russian Federation, Singapore, Türkiye, Ukraine, United States of America;
- International Registration IQOS (device) No. 1461017 registered on January 18, 2019 designating Afghanistan, Antigua and Barbuda, Albania, Armenia, Australia, Azerbaijan, Bosnia and Herzegovina, Bahrain, Brunei Darussalam, Bonaire, Sint Eustatius and Saba, Belarus, China, Colombia, Cuba, Curaçao, Algeria, Egypt, Georgia, Indonesia, Israel, India, Iceland, Kyrgyzstan, Cambodia, Kazakhstan, Lao People’s Democratic Republic, Liechtenstein, Morocco, Monaco, Republic of Moldova, Montenegro, North Macedonia, Mongolia, Mexico, Mozambique, Norway, New Zealand, African Intellectual Property Organization (“OAPI”), Oman, Philippines, Serbia, Russian Federation, Singapore, San Marino, Syrian Arab Republic, Thailand, Turkmenistan, Tunisia, Türkiye, Ukraine, Uzbekistan, Viet Nam;
- International Registration IQOS (device) No. 1557546 registered on August 27, 2020 designating Albania, Algeria, Armenia, Australia, Azerbaijan, Bosnia and Herzegovina, Bahrain, Belarus, Brazil, Brunei Darussalam, Cambodia, Canada, Colombia, Curaçao, Egypt, Estonia, Georgia, Indonesia, Israel, India, Iceland, Kazakhstan, Kyrgyzstan, Malaysia, Morocco, Liechtenstein, Malawi, Monaco, Republic of Moldova, Montenegro, Mexico, Norway, New Zealand, North Macedonia, OAPI, Oman, Philippines, San Marino, Serbia, Republic of Korea, Singapore, Thailand, Türkiye, Ukraine, United Kingdom, Viet Nam;
- International Registration IQOS (device) No. 1558395 registered on September 17, 2020 designating Albania, Armenia, Bosnia and Herzegovina, Belarus, Canada, Colombia, Curaçao, Georgia, Indonesia, Israel, Kazakhstan, Malaysia, Monaco, Republic of Moldova, Mexico, North Macedonia, New Zealand, Philippines, Serbia, Republic of Korea, Ukraine, United Kingdom, Viet Nam;
- International Registration TEREА FOR IQOS ILUMA (word/device) No. 1629687 registered on August 26, 2021 designating Australia, Bahrain, Brazil, Canada, Colombia, Curaçao, United Kingdom, Georgia, Indonesia, Israel, Iceland, Mexico, Malaysia, Norway, New Zealand, Philippines, Trinidad and Tobago, Uzbekistan, Albania, Armenia, Bosnia and Herzegovina, Belarus, Egypt, Kyrgyzstan, Kazakhstan, Morocco, Monaco, Republic of Moldova, Montenegro, North Macedonia, Serbia, Ukraine, Viet Nam;

- International Registration IQOS (word) No. 1218246 registered on July 10, 2014 designating Antigua and Barbuda, Albania, Armenia, Bosnia and Herzegovina, Bahrain, Bonaire, Sint Eustatius and Saba, Belarus, Colombia, Cuba, Curaçao, Algeria, Egypt, European Union, Georgia, Israel, India, Iceland, Kyrgyzstan, Kazakhstan, Morocco, Monaco, Republic of Moldova, Montenegro, North Macedonia, New Zealand, Oman, Serbia, Sint Maarten (Dutch part), Türkiye, Ukraine, Viet Nam;

- International Registration TEREА (word) No. 1765887 registered on October 19, 2023, designating inter alia Afghanistan, Botswana, Cabo Verde, Iran (Islamic Republic of), Jamaica, Kenya, Lao People's Democratic Republic, Malawi, Mauritius, Mongolia, Mozambique, Syrian Arab Republic, Tajikistan, Turkmenistan, Zimbabwe.

- United Arab Emirates IQOS stylized Registration No. 305079 registered on June 27, 2019;

- United Arab Emirates Registration IQOS (word) No. 211139 registered on March 16, 2016;

- United Arab Emirates Registration TEREА (word) No. 322508 registered on March 28, 2020;

The disputed domain name was registered on September 11, 2025, and resolves to a webpage displaying an online store purportedly offering Complainant's products for sale.

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.

The Complainant is the registered owner of the IQOS and TEREА trademarks in numerous jurisdictions, including, but not limited to the United Arab Emirates.

The disputed domain name identically adopts the Complainant's IQOS and TEREА trademarks.

Any Internet user when visiting a website provided under the disputed domain name will reasonably expect to find a website commercially linked to the owner of the IQOS and TEREА trademarks. This unlawful association is exacerbated by the use of the Complainant's official product images and marketing materials without the Complainant's authorization. Therefore, the first element of the UDRP is met.

The Complainant has not licensed or otherwise permitted the Respondent to use any of its trademarks or to register a domain name incorporating its IQOS and TEREА trademarks (or a domain name which will be associated with these trademarks).

The Respondent is not making a legitimate noncommercial or fair use of the disputed domain name. On the contrary, the Respondent's behavior shows a clear intent to obtain an unfair commercial gain, with a view to misleadingly diverting consumers or to tarnish the trademarks owned by the Complainant. Firstly, the Respondent is not an authorized distributor or reseller of the IQOS system. Secondly, the website provided under the disputed domain name does not meet the requirements set out by numerous panel decisions for a bona fide offering of goods.

The website further uses the Complainant's official product images and marketing materials without authorization, while at the same time falsely claiming copyright in this material.

This illegitimate and false claim of rights in the Complainant's official copyright protected material further supports the false impression, that the website is endorsed by the Complainant, which is not the case. It is evident from the Respondent's use of the disputed domain name that the Respondent knew of the

Complainant's IQOS and TEREА trademarks when registering the disputed domain name. The Respondent started offering the Complainant's IQOS system immediately after registering the disputed domain name. Furthermore, the terms IQOS and TEREА are purely imaginative terms and unique to the Complainant.

The terms IQOS and TEREА are not commonly used to refer to tobacco products or electronic devices. It is therefore beyond the realm of reasonable coincidence that the Respondent chose the disputed domain name, without the intention of invoking a misleading association with the Complainant.

It is also evident from the Respondent's use of the disputed domain name that the Respondent registered and used the disputed domain name with the intention to attract, for commercial gain, Internet users to the website by creating a likelihood of confusion with the Complainant's registered IQOS and TEREА trademarks 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. Respondent

The Respondent did not reply to the Complainant's contentions. On October 13, 2025, the Respondent sent an email confirming to add the newly identified registrant information to the proceeding.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, for the transfer of the disputed domain name the Complainant must establish that: (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and (iii) the disputed domain name has been registered and is being used in bad faith. The Rules provide that if the Respondent does not comply with the time periods established, or with any provision or requirement under paragraph 14 of the Rules, the panel shall proceed to a decision on the complaint and draw such inferences as it considers appropriate. Pursuant to paragraph 15(a) of the Rules, a panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. The Panel has reviewed the case and found the following:

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires the Complainant to show that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The Complainant has provided evidence of its rights in the trademark IQOS and TEREА based on multiple trademark registrations, including international registrations and national registrations in United Arab Emirates, which is the country of the Respondent's purported domicile.

The Panel finds that the Complainant has shown rights in respect of the trademarks for the purposes of the Policy (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.2.1). The Panel finds that the disputed domain name is confusingly similar to the Complainant's IQOS and TEREА trademarks. The Respondent's incorporation of the Complainant's marks in full in the disputed domain name is evidence that the disputed domain name is confusingly similar to the Complainant's marks. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here, "uae", 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.

Furthermore, the generic Top-Level Domain (“gTLD”) “.com” is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

The Panel is satisfied that the disputed domain name is confusingly similar to the Complainant’s marks and the Complainant has satisfied the first requirement of the Policy.

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.

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. Based on the information submitted by the Complainant, the Complainant has not granted the Respondent authorization to register or use the disputed domain name.

Moreover, there is no evidence indicating that the Respondent is commonly known by the disputed domain name. Finally, the disputed domain name creates a risk of implied affiliation with the Complainant.

The Panel finds that the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy states that any of the following circumstances, in particular but without limitation, shall be considered evidence of the registration and use of a disputed domain name in bad faith: (i) circumstances indicating that the respondent registered or acquired the domain name primarily for the purpose of selling, renting or otherwise transferring the domain name registration to the complainant (the owner of the trademark or service mark) or to a competitor of that complainant, for valuable consideration in excess of documented out-of-pocket costs directly related to the domain name; (ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, 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 mark as to the source, sponsorship, affiliation, or endorsement of the respondent’s website or location or of a product or service on its website or location.

In the Panel’s view, a finding of bad faith may be made where the Respondent “knew or should have known” of the registration and/or use of the trademark prior to registering the disputed domain name. In this case, the Complainant submits that, at the date of registration of the disputed domain name, the Respondent would have had actual knowledge of the Complainant’s marks IQOS and TERE. The Panel’s bad faith finding is reinforced given the construction of the disputed domain name, which combines the marks IQOS and TERE with the geographic abbreviation “uae” — commonly understood to refer to United Arab

Emirates—thereby misleading consumers as to the origin or authorized distribution of the products, particularly in light of the Complainant's trademark rights in United Arab Emirates.

The Panel is satisfied that by directing the disputed domain name to a commercial website impersonating the Complainant and allegedly offering the Complainant's goods, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or of the products on its website (see section 3.1.4 of the [WIPO Overview 3.0](#)). Under paragraph 4(b)(iv) of the Policy, this circumstance shall be evidence of the registration and use of a domain name in bad faith.

The Panel finds that the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. Thus, the third element of the Policy has been established.

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 <iqostereauae.com> be transferred to the Complainant.

/Daniel Peña/

Daniel Peña

Sole Panelist

Date: November 25, 2025