

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. Md Mobin
Case No. D2025-4020

1. The Parties

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

The Respondent is Md Mobin, United Arab Emirates.

2. The Domain Names and Registrars

The disputed domain names <tereadubai.net> (the “First disputed domain name”), <tereadxb.com> (the “Second disputed domain name”), and <tereauae.com> (the “Third disputed domain name”) are registered with Hostinger Operations, UAB (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 names. On October 3, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Domain Admin) 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 23, 2025.

The Center verified that the Complaint together with 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 31, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 21, 2025.

The Center appointed Christiane Féral-Schuhl as the sole panelist in this matter on December 2, 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 part of a multinational group operating a leading tobacco and smoke-free products business.

The Complainant is the owner of several trademarks (the “TEREA Trademarks”) covering the names of smoke-free products sold by the Complainant and notably:

- the International wordmark TEREА No. 1765887, registered on October 19, 2023, for goods in class 34; and
- the United Arab Emirates wordmark TEREА No. 322508, registered on March 28, 2020, for goods and in class 34.

The First disputed domain name was registered on February 9, 2024. The Second disputed domain name was registered on March 1, 2025, and the Third disputed domain name was registered on February 13, 2025.

All three disputed domain names resolve to a website allegedly selling and offering the Complainant’s products.

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 names.

Notably, the Complainant contends that the disputed domain names are identical to its TEREА Trademarks, since they identically adopt the Complainant’s TEREА Trademarks. The Complainant underlines that it is well established that the addition of merely generic, descriptive, or geographical wording to a trademark in a domain name is normally insufficient to avoid a finding of confusing similarity. In this case, the Complainant argues that any Internet user when visiting a website provided under the disputed domain names will reasonably expect to find a website commercially linked to the owner of the TEREА Trademarks.

Then, the Complainant submits that the Respondent lacks any right or legitimate interest in the disputed domain names, since the former has not licensed or otherwise permitted the latter to use its TEREА Trademarks to register the disputed domain names. The Complainant asserts the Respondent is not making a legitimate noncommercial or fair use of the disputed domain names and that, on the contrary, its behavior shows a clear intent to obtain an unfair commercial gain, with a view to misleadingly diverting consumers or to tarnish the TEREА Trademarks, since the Respondent is not an authorized distributor or reseller of the products sold under the Complainant’s trademarks and since the website linked to the disputed domain names do not meet the requirements for a bona fide offering of goods.

Finally, the Complainant asserts that the disputed domain names were registered and are being used in bad faith, since it is evident that the Respondent knew of the Complainant's TERE A and other Trademarks when registering the disputed domain name. The Complainant also contends that it is evident the Respondent registered and used the disputed domain names with the intent to attract, for commercial gain, Internet users to the website by creating a likelihood of confusion with the Complainant's registered TERE A Trademarks as to the source, sponsorship, affiliation, endorsement of its website or location or of a product.

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 Panel finds the mark 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.

Although the addition of other terms here, for the First disputed domain name the geographic indication "Dubai", for the Second disputed domain name the acronym "DXB" which refers to Dubai's airport, and for the Third disputed domain name the acronym "UAE" which refers to the geographic indication "United Arab Emirates" 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 disputed domain names 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 names. 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 names such as those enumerated in the Policy or otherwise.

Indeed, it appears that the Respondent has no connection or affiliation with the Complainant and has not received any authorization, license, or consent, whether express or implied, to use the TERE A Trademarks in the disputed domain names or in any other manner. Moreover, the Respondent has used the disputed domain names to allegedly offer for the Complainant's products under the name TERA without any authorization.

Noting the lack of any authorization by the Complainant, and the lack of authorization to sell the Complainant's products, the Respondent's use of the disputed domain names does not amount to a bona fide offer. There is a disclaimer at the bottom of the Respondent's websites, and it may easily be overlooked by Internet users. The Panel also notes the composition of the disputed domain names themselves, which incorporates the TERE A Trademark combined with a geographic indication targeting, which may falsely suggest to Internet users the mistaken belief that they may find an authorized distributor of the Complainant's goods in the United Arab Emirates.

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 has registered the disputed domain names well after the registration of the TERE A Trademarks. The Panel also notes that the Respondent offers for sale, via the websites linked to the disputed domain names, products of the Complainant sold under the TERE A and IQOS Trademarks using the Complainant's packaging photos without any authorization.

The Respondent's websites contain a disclaimer clarifying that the websites are not related to the Complainant. However, the mere existence of a disclaimer cannot cure such bad faith. The disclaimer appears at the bottom of the Respondent's websites and may easily be overlooked by Internet users. Considering the composition of the disputed domain names, and the layout of the Respondent's websites, the Panel conders that the Respondent's use of a disclaimer as an admission by the Respondent that users may be confused. [WIPO Overview 3.0](#), section 3.7.

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.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitute bad faith under paragraph 4(b)(iv) of 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 names <tereadubai.net>, <tereadxb.com> and <tereauae.com> be transferred to the Complainant.

/Christiane Féral-Schuhl/

Christiane Féral-Schuhl

Sole Panelist

Date: December 16, 2025