

ADMINISTRATIVE PANEL DECISION

Swedish Match North Europe AB, Philip Morris International, Inc. v. Mahdiah Renasia Allah, ZYN Store USA
Case No. D2025-4281

1. The Parties

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

Respondent is Mahdiah Renasia Allah, ZYN Store USA, United States.

2. The Domain Name and Registrar

The Disputed Domain Name <zynstoreusa.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 October 20, 2025. On October 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On October 20, 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 0175781528) and contact information in the Complaint. The Center sent an email communication to Complainants on October 21, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainants to submit an amendment to the Complaint. Complainants filed an amended Complaint on October 22, 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 Respondent of the Complaint, and the proceedings commenced on October 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 16, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on November 18, 2025.

The Center appointed Richard W. Page as the sole panelist in this matter on November 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

The first Complainant, Swedish Match North Europe AB, is a company which is part of a group of companies affiliated with the second Complainant, Philip Morris International Inc. In May 2022, the first Complainant was acquired by the second Complainant, and they shall be referred to jointly herein as “Complainant”.

Founded in 1992, the first 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. The first Complainant’s brand portfolio contains brands like ZYN, a leading brand of nicotine pouches in the United States. The first Complainant’s corporate website is <swedishmatch.com>.

For its smoke-free products, Complainant owns a large portfolio of well-known trademarks (the “ZYN Mark”), including without limitation the following:

International Registration No. 1456681 for ZYN registered on December 27, 2018, in class 34; and

International Registration No. 1421212 for ZYN registered on April 18, 2018, designating numerous countries in class 34.

The Disputed Domain Name was registered July 31, 2025, and resolved to a website at <zynstoreusa.com> purporting to be “ZYN Store USA” which contained the ZYN Mark, logo and products, and which offered online payment options. The website currently appears to be inactive.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has a long history of manufacturing and selling smoke-free tobacco products and is very well-known for its products in the Nordics and in the United States.

Complainant further contends that one of these smoke-free products manufactured and sold by Complainant is nicotine pouches under the ZYN brand. First launched in the United States in 2016, the ZYN brand has obtained an 76% share of the market in the United States. Today the ZYN nicotine product is available in 40 markets across the world. As a result of the extensive international sales (all in accordance with local laws), the ZYN nicotine product has achieved considerable international success and reputation.

Complainant further contends that the website to which the Disputed Domain Name resolved was in English and appeared to be an official online retailer of ZYN products for the United States, or at least purported to be an official authorized licensee of Complainant.

Complainant further contends that the website was using a number of Complainant’s official product images and marketing materials without authorization from Complainant, while at the same time providing a copyright notice at the bottom of the website claiming copyright in the material presented on the website. This strengthened the false impression of an affiliation with Complainant.

Complainant further contends that the Disputed Domain Name is confusingly similar to the ZYN Mark and that the additional terms “store” and the abbreviation “usa” for the United States do not affect any finding of confusing similarity.

Complainant submits that it has given no license or other authorization to Respondent to use the ZYN Mark in the Disputed Domain Name or in any other way.

Complainant further submits that Respondent has not engaged in the bona fide sale of goods and services, nor has Respondent engaged in a legitimate or fair use of the Disputed Domain Name.

Complainant further submits that Respondent is not commonly known by the Disputed Domain Name.

Complainant alleges that Respondent's registration and use of the Disputed Domain Name are in violation of paragraph 4(b)(iv) of the Policy and hence in bad faith.

Complainant concludes that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable."

Even though Respondent has failed to file a Response or to contest Complainant's assertions, the Panel will review the evidence proffered by Complainant to verify that the three essential elements of the claims are met. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3.

Paragraph 4(a) of the Policy directs that Complainant must prove each of the following three elements:

- i) that the Disputed Domain Name registered by Respondent is identical or confusingly similar to the mark in which Complainant has rights; and,
- ii) that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and,
- iii) that the Disputed Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

According to [WIPO Overview 3.0](#), section 1.2.1, registration of the ZYN Mark is prima facie evidence of Complainant having enforceable rights in the ZYN Mark.

Complainant has shown rights in respect of the ZYN Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

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 mark and the Disputed Domain Name. [WIPO Overview 3.0](#), section 1.7.

The entirety of the mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the ZYN Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here “store” and “usa,” may bear on assessment of the second and third elements, the Panel finds the addition of such terms do not prevent a finding of confusing similarity between the Disputed Domain Name and the ZYN 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 allows three nonexclusive methods for the Panel to conclude that Respondent has rights or a legitimate interest in the Disputed Domain Name:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the mark.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving Respondent lacks rights or legitimate interests in the Disputed Domain Name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of Respondent. As such, where Complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. Respondent has not rebutted 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 the Disputed Domain Name for illegitimate activity, here, claimed impersonation, can never confer rights or legitimate interests on Respondent. [WIPO Overview 3.0](#), section 2.13.1.

Furthermore, the Panel finds that Respondent’s use of “ZYN Store USA” as its organization name when registering the Disputed Domain Name does not confer any rights or legitimate interests under the circumstances of this case.

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 forth four nonexclusive criteria for Complainant to show bad faith registration and use the Disputed Domain Name:

- (i) circumstances indicating that you [Respondent] have registered or you have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainant who is the owner of the mark or to a competitor of Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or
- (ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owner of the mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you [Respondent] have registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the Disputed Domain Name, you [Respondent] have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your website or location.

In the present case, the Panel finds that Respondent's activities are in violation of paragraph 4(b)(iv) of the Policy.

Panels have held that the use of the Disputed Domain Name illegitimate activity, here claimed impersonation, 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 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 <zynstoreusa.com> be transferred to the Complainant.

/Richard W. Page/

Richard W. Page

Sole Panelist

Date: December 1, 2025