

ADMINISTRATIVE PANEL DECISION

Swedish Match North Europe AB, Philip Morris International, Inc. v. Yoad

Mama

Case No. D2025-4912

1. The Parties

The Complainant is 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.

The Respondent is Yoad Mama, Israel.

2. The Domain Name and Registrar

The disputed domain name <zynisrael.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 25, 2025. On November 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 1, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 2, 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 December 8, 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 December 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 30, 2025. The Respondent sent an email communication to the Center on December 10, 2025.

The Center appointed Mario Soerensen Garcia as the sole panelist in this matter on January 9, 2026. 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 in this administrative proceeding is Swedish Match North Europe AB, founded in 1992, a Swedish company established under the laws of Sweden and a subsidiary of Philip Morris International, Inc. The second Complainant is Philip Morris International, Inc., a company established under the laws of the Commonwealth of Virginia, United States. Both Complainants belong to the same group of companies and are related to tobacco manufacturing services. For the sake of convenience, the Complainants shall hereinafter collectively be referred to as the "Complainant."

The Complainant owns trademark registrations for the trademark ZYN around the world, including the following trademark registrations, all in class 34, for tobacco related products:

- International Registration No. 1421212 for ZYN, registered on April 18, 2018, designating Afghanistan, Albania, Australia, Azerbaijan, Bosnia and Herzegovina, Bahrain, Belarus, Switzerland, Chile, China, Colombia, Denmark, Algeria, Egypt, United Kingdom, 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, Russian Federation, Sudan, Singapore, San Marino, Thailand, Turkmenistan, Tunisia, Türkiye, Ukraine, Uzbekistan, Viet Nam, Zimbabwe;
- Israeli Registration No. 358723 for ZYN, registered on August 2, 2023;
- Israeli Registration No. 358725 for ZYN, registered on August 2, 2023.

The Respondent is Yoad Mama, from Israel.

The disputed domain name was registered on October 13, 2024, and resolves to an inactive page. However, at the time of the Complaint, it resolved to a website prominently featuring the ZYN trademark and allegedly selling the Complainant's ZYN-related products, also using a number of the Complainant's official product images and marketing materials (annex 8 of the Complaint).

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 argues that the disputed domain name is identical or confusingly similar to the trademark ZYN.

The Respondent's use of the disputed domain name does not meet the requirements for a bona fide offering of goods or services, nor is there any evidence that the Respondent is using the disputed domain name in connection with any noncommercial or fair use. The Complainant argues that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Complainant finds that the disputed domain name implies affiliation with the Complainant and its ZYN trademark. The website linked to the disputed domain name serves to perpetuate the false impression of an official commercial relationship with the Complainant.

According to the Complainant, it has prior rights over the trademark ZYN and has not authorized the Respondent's registration and use of the disputed domain name.

According to the Complainant, the registration and the use of the disputed domain name have been conducted in bad faith.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent did not formally respond to the Complaint. On December 10, 2025, the Respondent sent an email to the Center stating the following:

"What do you need from me?"

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to the 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 used in bad faith.

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.

Based on the available record, the Panel finds 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 that the entirety of the ZYN trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to that trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms, such as "israel" may bear on the assessment of the second and third elements, the Panel finds that this addition does not prevent a finding of confusing similarity between the disputed domain name and the trademark 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.

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 finds that the Respondent was clearly aware of the ZYN trademark as the website under the disputed domain name displayed the Complainant's trademark and official images of the Complainant's products, intentionally misleading users into believing that there was an association between the Complainant and the website, attempting to attract Internet users to the disputed domain name for commercial gain in bad faith by creating a likelihood of confusion with Complainant's marks.

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.

Panels have held that the use of a domain name for illegal activity, here, claimed as applicable to this case: impersonation/passing off and offering for sale potential counterfeit products, or other types of fraud, 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 <zynisrael.com> be transferred to the Complainant.

/Mario Soerensen Garcia/

Mario Soerensen Garcia

Sole Panelist

Date: January 23, 2026