

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. TF hk
Case No. D2025-5108

1. The Parties

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

The Respondent is TF hk, China.

2. The Domain Names and Registrar

The disputed domain names <iqos-smoke-au.com>, and <terea-shop.com> are registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 9, 2025. On December 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 11, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 12, 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 18, 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 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 20, 2026.

The Center appointed Christos A. Theodoulou as the sole panelist in this matter on February 2, 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 Complainant Philip Morris Products S.A. is a company which is part of the group of companies affiliated to Philip Morris International Inc. (jointly referred to as "PMI"). PMI is a leading international tobacco and smoke-free products company, with products sold in approximately 180 countries. PMI's brand portfolio contains brands like MARLBORO (outside of United States and Canada), an international selling cigarette brand since 1972.

The Complainant, according to its uncontested allegations, has innovated its brand portfolio. It transformed its business from combustible cigarettes to Reduced Risk Products (or "RRP"), which according to the Complainant, may present less risk of harm to smokers who switch to these products versus continued smoking.

Philip Morris International has developed a number of RRP products, among which is a tobacco heating system called IQOS.

IQOS, according to the Complainant, is a precisely controlled heating device into which specially designed tobacco sticks under the brand names "HEETS", "HeatSticks", "DELIA", "LEVIA" or "TEREA" are inserted and heated to generate a flavorful nicotine-containing aerosol (collectively referred to as the "IQOS" System"). There are 6 versions of the IQOS heating device currently available: the IQOS 2.4/IQOS 2.4+ pocket charger and holder, IQOS 3 pocket charger and holder, IQOS 3 Multi device, IQOS 3DUO/DUOS, and IQOS ILUMA. The IQOS System was first launched by PMI in Nagoya, Japan in 2014 and has obtained, according to the Complainant extraordinary 20% share of the market in Japan. Today the IQOS System is available in key cities in around 84 markets across the world.

The Complainant is the owner of many trademark registrations all over the world, among which:

- Chinese Registration IQOS (device) No. 49264074 registered May 7, 2021;
- Chinese Registration IQOS (device) No. 37632252 registered December 21, 2019;
- Chinese Registration IQOS (device) No. 49789993 registered on June 21, 2021;
- Chinese Registration IQOS (word) No. 16314286 registered on May 14, 2016;
- Chinese Registration IQOS ILUMA (word) No. 43074546 registered November 7, 2020;
- Australian Registration IQOS (word) No. 1860638 registered on July 22, 2021;
- International Registration (device) no. 1544329 registered on June 23, 2020;
- International Registration ILUMA (word) No. 1764390 registered on June 4, 2024;
- International Registration TEREA (word) No. 1765887 registered on October 19, 2023.

The disputed domain name <iqos-smoke-au.com> was created on April 10, 2025 and the disputed domain name <terea-shop.com> was created on February 26, 2025, that is after the registration of the Complainant's trademarks.

The disputed domain names resolve to two active websites in Chinese and English, which advertise and sell products of the Respondent and of third parties.

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 or confusingly similar to its trademarks IQOS and TEREА in which the Complainant has rights, that the Respondent lacks any rights or legitimate interests in respect of the disputed domain names, and that the Respondent registered the disputed domain names after the Complainant registered its trademarks and used the disputed domain names in bad faith.

Moreover, the Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain names, that the Respondent has no relation to the Complainant in any way. The Complainant further alleges that the Respondent was neither licensed nor authorized to make any use of the Complainant's trademarks IQOS and TEREА.

The Complainant asserts that, the Respondent registered and is using the disputed domain names in bad faith. The Complainant's trademarks were registered and used by the Complainant long before the Respondent registered the disputed domain names.

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 names. 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 IQOS and TEREА trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the IQOS mark and TEREА mark is reproduced within the disputed domain names respectively. Accordingly, the disputed domain names are confusing similar to the Complainant's trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The addition of other terms ("shop" and "smoke") does not prevent a finding of confusing similarity under the first element. [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.

In particular and based on the available record, the Panel finds that the Respondent has not used the disputed domain names for a bona fide offering of goods or services; that the Respondent is not commonly known by the disputed domain names; and that the Respondent has not made a legitimate noncommercial or fair use of the disputed domain names.

Moreover, it is to be noted that the Respondent did not present evidence of any license or permission by the Complainant, with whom there seems to exist no relationship whatsoever.

In addition, the Panel notes that the composition of the disputed domain names, incorporating the Complainant’s distinctive trademarks in their entirety with the addition of “shop” and “smoke” carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

As a conclusion on this point, the Panel finds that 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’s disputed domain names were created on April 10, 2025 <iqos-smoke-au.com>, and February 26, 2025 <terea-shop.com>, whereas the Complainant’s trademarks had already been registered. From the evidence at hand, the Panel finds that the Respondent, when registering the disputed domain names, must have been aware of the Complainant’s trademarks. Therefore, the Respondent’s awareness of the Complainant’s trademark rights at the time of registration suggests bad faith (See, *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#), and *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#)).

Further, the disputed domain names incorporate the Complainant’s IQOS and TEREА trademark and this, according to previous UDRP cases, evidences bad faith registration and use (See *Charles Jourdan Holding AG v. AAİM*, WIPO Case No. [D2000-0403](#), [WIPO Overview 3.0](#), section 3.1.4.).

Further, the Respondent is using the Complainant’s trademark IQOS also for offering for sale third party products of other commercial origin. This constitutes also evidence of bad faith.

As a consequence of the above, 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 <iqos-smoke-au.com> and <terea-shop.com> be transferred to the Complainant.

/Christos A. Theodoulou/

Christos A. Theodoulou

Sole Panelist

Date: February 5, 2026