

ADMINISTRATIVE PANEL DECISION

Swedish Match North Europe AB and Philip Morris International, Inc. v.
Zhong Ji, Apextrade Enterprises Inc
Case No. D2026-0464

1. The Parties

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

The Respondent is Zhong Ji, Apextrade Enterprises Inc, United States.

2. Domain Names and Registrar

The disputed domain names <zynvipcluba.com>, <zynvipclub.com>, <zynvipclubs.com>, <zynvipclubus.com>, <zynvipclubx.com>, and <zynvipworld.com> are registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 4, 2026. On February 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 4, 2026, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 6, 2026, 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 February 20, 2026.

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 February 20, 2026. In accordance with the Rules, paragraph 5, the due date for the Response was March 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 16, 2026.

The Center appointed Ada L. Redondo Aguilera as the sole panelist in this matter on March 19, 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, a Swedish company established under the laws of Sweden and a subsidiary of Philip Morris International, Inc. The second Complainant in this administrative proceeding is Philip Morris International, Inc., a company established under the laws of the Commonwealth of Virginia, United States. The First Complainant and the Second Complainant belong to the same group of companies, hereinafter collectively referred to as the "Complainant". The Complainant is engaged, inter alia, in the manufacture, marketing, and sale of smoke-free nicotine products, including nicotine pouches marketed under the trademark ZYN.

The Complainant is the owner of various trademark registrations for ZYN in multiple jurisdictions, including international registrations and registrations in the United States, such as the following:

International trademark ZYN, registration number 1411950, registration date April 18, 2018
International trademark ZYN, registration number 1421212, registration date April 18, 2018.

United States Patent and Trademark Office (USPTO) trademark ZYN, registration number 5061008, registration date October 11, 2016. The Complainant has clarified that the ZYN trademarks in the United States are owned by the entity identified as Pinkerton Tobacco Co. LP, a United States company affiliated with the same corporate group.

The disputed domain names are:

<zynvipclub.com> registered on February 8, 2025;
<zynvipcluba.com> registered on February 17, 2025;
<zynvipclubus.com> registered on February 17, 2025;
<zynvipclubx.com> registered on February 17, 2025;
<zynvipclubs.com> registered on February 17, 2025; and
<zynvipworld.com> registered on February 17, 2025.

The Registrar's verification further indicates that the registrant of the disputed domain names is the same individual or entity, identified as ZHONG JI, associated with APEXTRADE ENTERPRISES INC, with an address in Colorado Springs, United States.

According to the evidence submitted by the Complainant, the disputed domain names resolve to websites that are substantially identical to one another, offering for sale products identified as ZYN products. These websites display product images, promotional materials, and branding elements associated with the ZYN trademark, and adopt a layout and presentation suggestive of an official or authorized online store.

The websites do not provide clear information regarding the identity of the operator or its relationship (if any) with the Complainant. They further use the designation "zynvipclub" or similar terms in various elements of the websites, which may give the impression of an affiliation with the Complainant.

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 confusingly similar to the Complainant's ZYN trademark, since the disputed domain names incorporate the Complainant's ZYN trademark in its entirety, together with additional terms such as "vip", "club", "world", or variations thereof. <zynvipclub.com> together with the descriptive words "vip" and "club"; <zynvipcluba.com> together with the descriptive word "vip" and the misspelled word for "club" (i.e. "cluba"); <zynvipclubus.com> together with the descriptive word "vip" and the geographic term "us"; <zynvipclubx.com> together with the descriptive word "vip" and the misspelled word for "club" (i.e. "clubx"); <zynvipclubs.com> together with the descriptive words "vip" and "clubs"; and <zynvipworld.com> together with the descriptive words "vip" and "world".

It is asserted that the addition of the use of such terms is insufficient to render the disputed domain names distinct from the ZYN trademark, since the terms are generic and descriptive.

The Complainant asserts that the Respondent has no rights or legitimate interests regarding the disputed domain names. According to the Complainant, the Respondent has not made any legitimate or fair use of the disputed domain names. The Complainant further alleges that the Respondent registered and used the disputed domain names in bad faith. The Complainant requests the transfer of the disputed domain names to the Complainant.

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 straightforward comparison between the Complainant's trademark and the disputed domain names. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. Although the addition of other terms here, "vip", "club", "cluba", "us", "clubx", "clubs" and "world" in the corresponding disputed domain names: <zynvipcluba.com>, <zynvipclub.com>, <zynvipclubs.com>, <zynvipclubus.com>, <zynvipclubx.com>, and <zynvipworld.com> may bear on assessment of the second and third elements, the Panel finds that 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 3.1](#), section 1.8.

Furthermore, the Panel finds that the generic Top-Level Domain ("gTLD") in the present case, all the disputed domain names registered under the ".com", may typically be disregarded when assessing whether a domain name is identical or confusingly similar to a trademark, as it is a technical requirement of registration. [WIPO Overview 3.1](#), section 1.11.1.

The Panel finds that 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 that 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 3.1](#), 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.

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.

The Panel notes that while the overall burden of proof rests with the Complainant, a Complainant is only required to make out a prima facie case that the Respondent lacks rights or legitimate interests. The Respondent is not affiliated with the Complainant, has not been authorized to use the Complainant’s trademarks, and there is no evidence of any bona fide offering of goods or services in the disputed domain names.

The Complainant states that they have not authorized the Respondent to use the ZYN trademark or to register domain names incorporating it.

As reflected in section 2.1 of the [WIPO Overview 3.1](#), once a complainant establishes a prima facie case that the respondent lacks rights or legitimate interests, the burden of production shifts to the respondent. In the present case, the Panel finds that the Complainant has established such a prima facie case. The disputed domain names incorporate the Complainant’s trademark in its entirety and are used in connection with websites offering products identified as ZYN products, prominently displaying the Complainant’s trademark and associated branding elements.

Panels have recognized that resellers may, in certain circumstances, have a legitimate interest in using a domain name containing a complainant’s mark (see [WIPO Overview 3.1](#), section 2.8.1). However, such use must meet specific conditions, including the requirement that the respondent accurately disclose its relationship with the trademark owner and not falsely suggest affiliation.

Here, the Panel finds that the Respondent’s use does not meet these conditions. The websites to which the disputed domain names resolve do not disclose any lack of relationship with the Complainant and, on the contrary, are presented in a manner that suggests an official or authorized source. The use of the Complainant’s trademark in the disputed domain names, combined with the overall presentation of the websites, carries a risk of implied affiliation.

Furthermore, the Respondent has registered multiple domain names incorporating the Complainant’s trademark, which supports a finding that the Respondent is not making a bona fide offering of goods or services.

In the absence of any evidence to the contrary, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The [WIPO Overview 3.1](#), section 2.1.

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 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.

The Panel finds that the Respondent was aware of the Complainant and the ZYN trademark at the time of registration of the disputed domain names. The trademark is distinctive, and the Respondent has incorporated it in its entirety across the disputed domain names.

In the present case, the Panel notes that the Complainant's ZYN trademarks predate the registration of the disputed domain names. Given the mark's distinctiveness and the reputation of the trademarks, the Panel finds it inconceivable that the Respondent was unaware of the Complainant's rights when registering the disputed domain names.

The Panel concludes that the disputed domain names were registered in bad faith.

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 3.1](#), section 3.2.1.

The disputed domain names resolve to websites that use the Complainant's trademark, product images, and branding elements, and present themselves in a manner that suggests an official or authorized online source. Such use is likely to mislead Internet users into believing that the websites are operated by, affiliated with, or endorsed by the Complainant.

In these circumstances, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant's trademark as to source, sponsorship, affiliation, or endorsement, within the meaning of paragraph 4(b)(iv) of the Policy. Panels have held that the use of a domain name for illegitimate activity or illegal activity, here, claimed as passing off, or other types of fraud, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

Moreover, as reflected in section 3.1.4 of the [WIPO Overview 3.1](#), the use of the domain names for impersonation or to falsely suggest affiliation with a trademark owner constitutes evidence of bad faith. The Panel considers that the Respondent's conduct falls within this category.

Finally, the registration of multiple domain names incorporating the Complainant's trademark, as it is in the present case, supports a finding of a pattern of conduct indicative of bad faith (see [WIPO Overview 3.1](#), section 3.1.2).

Accordingly, the Panel finds that the disputed domain names were registered and are being used in bad faith.

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 <zynvipcluba.com>, <zynvipclub.com>, <zynvipclubs.com>, <zynvipclubus.com>, <zynvipclubx.com>, and <zynvipworld.com> be transferred to the Complainant.

/Ada L. Redondo Aguilera/

Ada L. Redondo Aguilera

Sole Panelist

Date: April 2, 2026