

## **ADMINISTRATIVE PANEL DECISION**

British American Tobacco (Brands) Limited v. 广东秉诚咨询有限公司  
(GuangDongBingChengZiXunYouXianGongSi)  
Case No. D2026-0599

### **1. The Parties**

The Complainant is British American Tobacco (Brands) Limited, United Kingdom, represented by Com Laude Limited, United Kingdom.

The Respondent is 广东秉诚咨询有限公司 (GuangDongBingChengZiXunYouXianGongSi), China.

### **2. The Domain Name and Registrar**

The disputed domain name <glo-virto.com> is registered with Chengdu West Dimension Digital Technology Co., Ltd. (the "Registrar").

### **3. Procedural History**

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on February 12, 2026. On February 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 24, 2026, 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 25, 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 in English on February 27, 2026.

On February 25, 2026, the Center informed the parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On February 27, 2026, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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 in Chinese and English of the Complaint, and the proceeding commenced on March 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 24, 2026.

The Center appointed Sebastian M.W. Hughes as the sole panelist in this matter on March 31, 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**

##### **A. Complainant**

The Complainant is an entity within the British American Tobacco group of companies ("BAT"). BAT is a business founded in 1902 and headquartered in London, United Kingdom, selling various nicotine-related products around the world.

The Complainant markets and sells a range of heated tobacco products under the trade marks GLO and VIRTO. The Complainant also owns registrations in jurisdictions worldwide for the trade marks GLO and VIRTO (the "Trade Mark(s)"), including European Union registration No. 015179922 for the GLO Trade Mark, with a registration date of July 6, 2016; Chinese registration No. 82353004 for the GLO Trade Mark, with a registration date of August 14, 2025; European Union registration No. 018856511 for the VIRTO Trade Mark, with a registration date of August 19, 2023; and Chinese registration No. 72057967 for the VIRTO Trade Mark, with a registration date of December 14, 2023.

##### **B. Respondent**

The Respondent is apparently a company incorporated in China.

##### **C. The Disputed Domain Name**

The disputed domain name was registered on January 3, 2026.

##### **D. Use of the Disputed Domain Names**

The disputed domain name is resolved to a predominantly Chinese language website, containing the headline "GLO HILO Plus 加熱煙主機官網" (GLO HILO Plus heated cigarette official website), prominently displaying the GLO Trade Mark, containing photographs and graphical illustrations of the Complainant's heated tobacco products, and containing a link to a third party website which previously offered heated tobacco products of a competitor of the Complainant (the "Respondent's Website").

#### **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.

Notably, the Complainant contends that the Complainant has registered and used the disputed domain name in bad faith, in order to market and sell its products as well as those of its competitors without the authorization or approval of the Complainant via the Respondent's Website, under the false guise of an "official website".

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **6.1 Preliminary Issue: Language of the Proceeding**

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the facts that (1) the disputed domain name consists of the Complainant's English Trade Mark in Latin text; (2) the Trade Marks have no meaning in Chinese; and (3) the Respondent's Website contains English language headings, and contains a link which redirects to a domain name consisting of English language terms – all of which demonstrate that the Respondent has some proficiency in the English language.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

### **6.2 Substantive Issues**

#### **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 trade mark and the disputed domain name. [WIPO Overview 3.1](#), section 1.7.

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

The entirety of the marks is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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 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 name. 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 name such as those enumerated in the Policy or otherwise.

Panels have held that the use of a domain name for illegitimate activity (here, claimed as applicable to this case: passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

The Complainant has rights in the Trade Marks, established before the registration of the disputed domain name. The disputed domain name consists of both of the Trade Marks. In light also of the manner of use of the Respondent’s Website, the Panel finds that the Respondent knew or should have known of the Complainant’s Trade Marks when registering the disputed domain name. The Respondent’s use of the disputed domain name constitutes bad faith under paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegitimate activity (here, claimed as applicable to this case: 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 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 <glo-virto.com> be transferred to the Complainant.

*/Sebastian M.W. Hughes/*

**Sebastian M.W. Hughes**

Sole Panelist

Date: April 9, 2026