

ADMINISTRATIVE PANEL DECISION

Swedish Match North Europe,
Philip Morris International, Inc. v. tim son, tim son
Case No. D2026-0658

1. The Parties

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

The Respondent is tim son, tim son, China.

2. The Domain Name and Registrar

The disputed domain name <saleforzyn.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 February 16, 2026. On February 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 17, 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 (“Private Registration”) and contact information in the Complaint. The Center sent an email to the Complainant on February 17, 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 23, 2026. In accordance with the Rules, paragraph 5, the due date for the Response was March 15, 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 of America. 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 of America, 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 of America are owned by the entity identified as Pinkerton Tobacco Co, a US company affiliated with the same corporate group.

The disputed domain is <saleforzyn.com> registered on March 29, 2025.

The Registrar's verification further indicates that the registrant of the disputed domain name is the same individual or entity, identified as "tim son" with the same organization name.

According to the evidence submitted by the Complainant, the disputed domain name resolved to a website that offers for sale products identified as ZYN products and also sells other competitive products. This website displays product images, promotional materials, and branding elements associated with the ZYN trademark, and adopts a layout and presentation suggestive of an official or authorized online store.

The website does not provide clear information regarding the identity of the operator or its relationship (if any) with the Complainant. They further use the designation "zyn" or similar terms in various elements of the website, 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 name is confusingly similar to the Complainant's ZYN trademark, since the disputed domain name incorporates the Complainant ZYN trademark in its entirety, together with additional terms "sale for".

It is asserted that the addition of the use of such terms is insufficient to render the disputed domain name distinct from the ZYN trademark.

The Complainant asserts that the Respondent has no rights or legitimate interests regarding the disputed domain name. According to the Complainant, the Respondent has not made any legitimate or fair use of the disputed domain name. The Complainant further alleges that the Respondent registered and used the disputed domain name in bad faith. The Complainant requests the transfer of the disputed domain name 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 relatively straightforward comparison between the Complainant's trademark and the disputed domain name. 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 name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. Although the addition of other terms such as "sale" and "for" here may bear on the 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 name and the mark for the Policy. [WIPO Overview 3.1](#), section 1.8.

Furthermore, the Panel finds that the generic Top-Level Domain ("gTLD") in the present case, the disputed domain name is registered under the ".com", which 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 rests with the Complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests may involve the difficult task of proving a negative. Accordingly, where a complainant establishes a prima facie case, the burden of production shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain name. See [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds that the Complainant has established such a prima facie case. The Respondent is not affiliated with the Complainant, has not been authorized to use the ZYN trademark, and has failed to submit any response or evidence rebutting the Complainant's showing.

The disputed domain name incorporates the Complainant's trademark in its entirety and is used in connection with a website prominently displaying the Complainant's trademark, product images, and branding elements, while also offering products identified as competitive third-party products.

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 that the respondent offers only the trademarked goods, accurately and prominently disclose its relationship with the trademark owner, and avoid falsely suggesting sponsorship or affiliation. In the present case, these conditions are not met. The website to which the disputed domain name resolves does not disclose the lack of relationship with the Complainant and, on the contrary, is presented in a manner that suggests an official or authorized source. Moreover, the website offers not only products identified as ZYN products but also competitive products, which further supports the finding that the Respondent is not making a bona fide offering of goods or services.

According to the evidence presented by the Complainant in the present case and under these circumstances, and 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 name.

Accordingly, 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 name. The trademark is distinctive, and the Respondent has incorporated it in its entirety in the disputed domain name. Also, the Complainant's trademark registrations predate the registration of the disputed domain name by several years. The disputed domain name reproduces the Complainant's trademark in its entirety, together with the terms "sale" and "for", which reinforce rather than dispel the association with the Complainant's products and commercial activities.

Further evidence shows that the disputed domain name resolves to a website prominently displaying the Complainant's trademark, product images, and branding elements, in a manner suggestive of an official or authorized online store. The website does not disclose any lack of relationship with the Complainant and is instead presented to create the false impression of sponsorship, affiliation, or endorsement by the Complainant.

Moreover, the website offers not only products identified as ZYN products but also competitive third-party products. In the Panel's view, this use strengthens the inference that the Respondent intentionally sought to capitalize on the goodwill associated with the Complainant's trademark for commercial gain.

In these circumstances, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the website associated with the disputed domain name 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.

The Panel further considers that the Respondent's conduct amounts to impersonation or false suggestion of affiliation, which panels have consistently regarded as evidence of bad faith under the Policy. See [WIPO Overview 3.1](#), section 3.1.4.

Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith.

The Panel therefore finds that the third element of the Policy has been established.

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 <saleforzyn.com> be transferred to the Complainant.

/Ada L. Redondo Aguilera/

Ada L. Redondo Aguilera

Sole Panelist

Date: April 1, 2026