ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. 哲 高, 高哲
Case No. D2026-1085

1. The Parties

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

The Respondent is 哲 高, 高哲, Hong Kong, China.

2. The Domain Names and Registrar

The disputed domain names <iqoos.vip> and <iqosvip.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 March 13, 2026. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On March 18, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names that differed from the named Respondent (Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot, The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 19, 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 March 25, 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 March 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 16, 2026.

The Center appointed Matthew Kennedy as the sole panelist in this matter on April 23, 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 is part of the Philip Morris International Inc. group of companies ("PMI"). PMI has developed a tobacco heating device named IQOS, into which specially designed TEREA tobacco sticks are inserted and heated to generate a nicotine-containing aerosol (collectively referred to as the "IQOS System"). The IQOS System was first launched by PMI in Japan in 2014 and is available elsewhere but not in mainland China. The latest generation of this technology is called ILUMA. The Complainant holds trademarks in multiple jurisdictions, including the following:

- International trademark registration number 1218246 for IQOS, registered on July 10, 2014;
- International trademark registration number 1558395 for IQOS and device, registered on September 17, 2020;
- International trademark registration number 1764390 for ILUMA, registered on October 12, 2023; and
- International trademark registration number 1765887 for TEREA, registered on October 19, 2023.

The above trademark registrations are current.

The Respondent is apparently an individual based in Hong Kong, China.

The disputed domain name <iqoos.vip> was registered on December 28, 2025, and the disputed domain name <iqosvip.com> was registered on December 26, 2025. They resolve to similar websites mainly in Chinese, each presented as an "IQOS Smoker Online Store". The websites purportedly offer for sale the IQOS System, including ILUMA devices and TEREA tobacco sticks (the latter labelled in Japanese). The websites display the Complainant's product images and the Complainant's IQOS and device trademark and they explain that the IQOS host is a heated cigarette device launched by Philip Morris. The contact information consists of a WhatsApp number in Hong Kong, China. The website at the disputed domain name <iqoos.vip> also purportedly offers third party products for sale.

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 its IQOS trademarks.

The Respondent has no rights or legitimate interests in respect of the disputed domain names. The Complainant has not licensed or otherwise permitted the Respondent to use any of its trademarks or to register domain names incorporating its IQOS trademark. The Respondent is not an authorized distributor or reseller of the IQOS System. Its websites sell third party products of other commercial origin.

The disputed domain names were registered and are being used in bad faith. The Respondent knew of the Complainant's IQOS trademark when it registered the disputed domain names. The Respondent registered and used the disputed domain names with the intention to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant's registered IQOS trademark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its websites.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that a complainant must prove each of the following elements with respect to the disputed domain names:

(i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the complainant has rights; and

(ii) the respondent has no rights or legitimate interests in respect of the disputed domain names; and

(iii) the disputed domain names have been registered and are being 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 names. See 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 the IQOS trademark for the purposes of the Policy. See WIPO Overview 3.1, section 1.2.1.

The Panel finds the IQOS mark is recognizable within both disputed domain names. The disputed domain name <iqoos.vip> contains a variation of the mark (with a misspelt double "o") while the disputed domain name <iqosvip.com> contains the mark with the addition of the letters "vip". Despite these differences, the IQOS mark remains clearly recognizable within both disputed domain names. Their only additional element is a generic Top-Level Domain ("gTLD") extension (variously ".vip" or ".com") which, as a standard requirement of domain name registration, may be disregarded in the assessment of confusing similarity for the purposes of the Policy. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. See WIPO Overview 3.1, sections 1.7, 1.8, 1.9, and 1.11.1.

Therefore, 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. See WIPO Overview 3.1, section 2.1.

In the present case, the disputed domain names resolve to websites that are each presented as an "IQOS Smoker Online Store", purportedly offering for sale the Complainant's products, displaying the Complainant's IQOS and device mark, ILUMA mark, and TEREA mark, and referring to the Complainant's company group by name. Regardless of whether the products offered for sale are genuine, the websites give the impression that they are operated by, or affiliated with, the Complainant. Yet the Complainant submits that the Respondent is not an authorized distributor or reseller of the IQOS system. In addition, the website at the disputed domain name <iqoos.vip> also purportedly offers third party products for sale. These facts show that the Respondent's use of the disputed domain names is not in connection with a bona fide offering of goods or services. See *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903.

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.

Based on the record, 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 fourth circumstance is as follows:

"(iv) by using the [disputed] domain name, [the respondent has] intentionally attempted to attract, for commercial gain, Internet users to [the respondent's] website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] web site or location."

In the present case, the disputed domain names were registered in 2025, years after the registration of the Complainant's IQOS trademark. The disputed domain name <iqoos.vip> has no apparent meaning other than as an obvious misspelling of the IQOS mark plus a gTLD extension. The disputed domain name <iqosvip.com> wholly incorporates the IQOS mark, which is a coined term with no meaning other than as the Complainant's trademark, adding only the abbreviation "vip" (meaning "Very Important Person"). The disputed domain names resolve to websites purportedly offering for sale the Complainant's products, displaying its IQOS and device mark, ILUMA mark, and TEREA mark, and referring to the Complainant's company group by name. In view of these circumstances, the Panel finds that the Respondent was aware of the Complainant and its IQOS mark at the time when it registered the disputed domain names.

As regards use, the disputed domain names resolve to websites purportedly offering for sale the Complainant's products, giving the false impression that they are operated by, or affiliated with, the Complainant. In addition, the website at the disputed domain name <iqoos.vip> also purportedly offers third party products for sale. This use is intentional and for commercial gain. Given the findings in Section 6.B above, the Panel finds that, by using the disputed domain names, 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 mark as to the source, sponsorship, affiliation or endorsement of those websites or of the products on those websites, within the terms of paragraph 4(b)(iv) of the Policy.

Therefore, 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 <iqoos.vip> and <iqosvip.com> be transferred to the Complainant.

/Matthew Kennedy/
Matthew Kennedy
Sole Panelist
Date: May 5, 2026