

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. 鑫傑 周
Case No. D2026-1959

1. The Parties

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

1.2 The Respondent is 鑫傑 周, China.

2. The Domain Names and Registrar

2.1 The disputed domain names <ilumalabs.online>, <iqoslabs.shop>, and <iqosshop.net> (the “Disputed Domain Names”) are registered with GoDaddy.com, LLC (the “Registrar”)

3. Procedural History

3.1 The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 6, 2026. On May 7 and 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Names. On May 8, 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 (Private Registration, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 11, 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 May 18, 2026.

3.2 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”).

3.3 In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on May 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 8, 2026.

3.4 The Center appointed Ike Ehiribe as the sole panelist in this matter on June 12, 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

4.1 The Complainant, Philip Morris Products S.A., is a Swiss company established under the laws of Switzerland and is a subsidiary of Philip Morris International Inc. The Complainant has been described as one of the leading international tobacco and smoke-free products companies with products sold in 180 countries. The Complainant's brand portfolios are said to include MARLBORO classified as the international selling cigarette brand since 1972. The Complainant has also developed a number of Reduced Risk Products (RRPs) products which are said to present less risk of harm to smokers. One of the Reduced Risk Products developed and sold by the Complainant is a tobacco heating system called IQOS described as being a controlled heating device into which specially designed tobacco sticks are inserted and heated to provide a flavourful nicotine-containing aerosol (collectively known as the "IQOS System").

4.2 The IQOS System it is said was first launched in Nagoya, Japan in 2014 and is now available in key cities in around 84 markets around the world. The Complainant states further that having invested over USD 12.5 billion into science and research of developing smoke-free products and extensive international sales the IQOS System has achieved considerable international success such that approximately 33 million relevant consumers are using the Complainant's smoke-free products including the IQOS System worldwide. The Complainant also owns a large portfolio of well-known trademarks for its smoke-free products registered in numerous jurisdictions not limited to Taiwan Province of China, some of which are listed below as follows:

A) Taiwan Province of China Registration IQOS (word) No.01718976 registered on July 15, 2015;

B) Taiwan Province of China Registration IQOS (device). No. 01845937 registered on June 1, 2017; and

C) Taiwan Province of China Registration ILUMA No. 02077219 registered on August 1, 2020.

4.3 The Respondent 鑫傑 周, it is said is from China, and is said to have created the Disputed Domain Names on diverse dates as follows: (i) <iqoslabs.shop> on March 5, 2026; (ii) <ilumalabs.online> on March 5, 2026 and (iii) <iqosshop.net> on February 24, 2026.

4.4 Evidence shows that the Disputed Domain Names resolve or redirect to websites purportedly offering IQOS System products and competing third-party tobacco products.

5. Parties' Contentions

A. Complainant

5.1 The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Names.

5.2 Notably, the Complainant contends that upon a comparison of the Complainant's trademarks namely, the IQOS and ILUMA trademarks, and the Disputed Domain Names, <iqoslabs.shop>, <ilumalabs.online>, and <iqosshop.net>, it will be discovered that the Disputed Domain Names clearly reproduce the Complainant's trademarks in their entirety. This is despite the inclusion of other non-distinctive terms in the Disputed Domain Names. See *Philip Morris USA Inc. v. Steven Scully, J&S Auto Repair*, WIPO Case No. [D2015-1001](#). In addition, the Complainant contends that the Top-Level Domain ("TLD") in a disputed domain name is normally disregarded when conducting a confusing similarity test as it is seen as a standard registration requirement. The Complainant further contends that the addition of mere generic descriptive or geographical words in a trademark does nothing to prevent a finding of confusing similarity. See *AB Electrolux v. ID Shield Service, Domain ID Shield Service CO., Limited / Maksim, zanussi-shop.com*, WIPO Case No. [D2015-2027](#).

5.3 The Complainant submits that the Respondent lacks any rights or legitimate interests in the Disputed Domain Names since the Complainant has not licensed or otherwise permitted the Respondent to use any of its trademarks or to register any domain names incorporating its trademarks. The Respondent is not making a legitimate noncommercial or fair use of the Disputed Domain Names as the Respondent has demonstrated a clear intention to obtain unfair commercial gain, with a view to misleadingly diverting consumers or to tarnish the trademarks owned by the Complainant. The Complainant states in support that the Respondent is not an authorised distributor or reseller of the Complainant's IQOS System, secondly, the websites associated with the Disputed Domain Names are selling competing tobacco products of other commercial origin, thirdly, the websites to which the Disputed Domain Names resolve do not meet the requirements set by other panels for a bona fide offering of goods or services. See *Oki Data Americas, Inc. v. ASD Inc.*, WIPO Case No. [D2001-0903](#).

5.4 On the question of bad faith use and registration, the Complainant submits that it is evident from the Respondent's use of the Disputed Domain Names that the Respondent knew of the Complainant's IQOS and ILUMA trademarks before registering the Disputed Domain Names. The Complainant states that the terms IQOS and ILUMA are imaginative terms unique to the Complainant and are not commonly used to refer to tobacco products or electronic devices. Secondly, the Complainant submits that it is evident from the use of the Respondent that the Disputed Domain Names were registered with the intention to attract for commercial gain Internet users by creating a likelihood of confusion with the Complainant's registered trademarks as to the source, sponsorship, affiliation, or endorsement of its websites or products or service on its websites. The Complainant elaborates further by asserting that the Respondent's reproduction of the Complainant's trademarks in the Disputed Domain Names is clearly suggesting to Internet visitors that the Complainant or an affiliated dealer of the Complainant is the source of the websites to which the Disputed Domain Names resolve considering the Respondent's use of adapted images of the Complainant's official product images accompanied by copyright notices claiming the copyright for the websites and their content. Thirdly, the Complainant submits that not only is the Respondent using the IQOS and ILUMA trademarks for the purposes of offering for sale the IQOS System, but is also, offering for sale third party products of other commercial entities. Thus, it is asserted that such abusive use of the Complainant's trademarks for purposes of promoting competing products is tantamount to clear cut trademark infringement and constitutes clear evidence of bad faith use. Fourthly, the Complainant submits that the Respondent's use of a privacy protection service to shield its true identity may in itself constitute a factor indicating bad faith use.

B. Respondent

5.5 The Respondent did not reply to the Complainant's contentions and therefore, the Panel shall draw such adverse inferences from the Respondent's failure to respond as may be deemed appropriate.

6. Discussion and Findings

A. Identical or Confusingly Similar

6.1 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 trademarks and the Disputed Domain Names. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

6.2 The Complainant has shown through various trademark registrations not only in Taiwan Province of China and other jurisdictions registered rights in respect of the IQOS and ILUMA trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

6.3 The Panel finds both the IQOS and ILUMA trademarks are clearly recognizable within the Disputed Domain Names. Accordingly, the Panel finds the Disputed Domain Names are confusingly similar to the Complainant's trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

6.4 In addition, the Panel finds that the addition of terms such as "shop" and "labs" does not prevent a finding of confusing similarity between the Disputed Domain Names and the Complainant's trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

6.5 The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

6.6 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.

6.7 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.

6.8 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. On the contrary, the Respondent's activities demonstrate a clear intention to obtain an unfair commercial gain with a view to misleadingly diverting consumers and or to tarnish the Complainant's trademarks. The Respondent does not only offer for sale the Complainant's products for sale but also the third party products, which cannot be considered as bona fide offering goods. Furthermore, the Panel considers that the composition of the Disputed Domain Names carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.1](#), section 2.5.1.

6.9 The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

6.10 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.

6.11 In the present case, the Panel notes that the Respondent evidently knew of the Complainant's trademarks before registering the Disputed Domain Names. Clearly, the Respondent's use of the Disputed Domain Names demonstrates bad faith use since the Respondent has deployed adapted images of the Complainant's product images. The Respondent does not only offer for sale the Complainant's products for sale but also the third-party products. Therefore, the Respondent's attempt to attract for commercial gain Internet users by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites to which the Disputed Domain Names resolve and or the products displayed thereon is further evidence of continuous bad faith use.

6.12 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.

6.13 In addition, the Panel finds that the Respondent's use of a privacy protection service to shield its true identity may constitute a factor indicating bad faith use. See [WIPO Overview 3.1](#), section 3.6. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Names constitutes bad faith under the Policy.

6.14 The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

7.1 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, namely <ilumalabs.online>, <iqoslabs.shop>, and <iqosshop.net>, be transferred to the Complainant.

/Ike Ehiribe/

Ike Ehiribe

Sole Panelist

Date: June 30, 2026