WIPO
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ORGANIZATION

**ARBITRATION
AND
MEDIATION CENTER**

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. amitahha liu, liuamitahha, liu amitahha, liuamitahha
Case No. D2026-2462

1. The Parties

The Complainant is Philip Morris Products S.A., Switzerland, represented by Akran Intellectual Property, Italy.

The Respondents are amitahha liu, liuamitahha, Hong Kong, China, liu amitahha, Hong Kong, China, and liuamitahha, Hong Kong, China.

2. The Domain Names and Registrars

The disputed domain names <iqo-1.com>, <iqo-2.com>, and <iqo-3.com> are registered with GMO Internet Group, Inc. d/b/a Onamae.com. The disputed domain names <iqo-4.com>, <iqo-8.com>, and <iqo-9.com> are registered with Gname.com Pte. Ltd.. The disputed domain names <iqo-5.com>, <iqo-6.com>, and <iqo-7.com> are registered with Name SRS AB (the "Registrars").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 6, 2026. On June 8, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On June 9, 2026, the Registrars 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 (Whois Privacy Protection Service by onamae.com, Redacted for Privacy by Shield Whois, Redacted for Privacy, Protected Protected, Shiled Whois) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 10, 2026, providing the registrant and contact information disclosed by the Registrars, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint June 15, 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 Respondents of the Complaint, and the proceedings commenced on July 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 23, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on August 4, 2026.

The Center appointed Manuel Wegrostek as the sole panelist in this matter on August 7, 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 a group company of Philip Morris International Inc., a leading international tobacco and smoke-free products company with a portfolio reaching approximately 180 countries, featuring global brands like MARLBORO. As part of a major corporate transformation, the company has shifted significant focus away from traditional combustible cigarettes toward Reduced Risk Products, alternatives defined by Philip Morris International Inc. as having the potential to present less risk of harm to smokers who switch.

At the center of this smoke-free portfolio is the product IQOS, a tobacco heating system developed by Philip Morris International Inc. The device utilizes a precisely controlled heating mechanism that warms specially designed tobacco sticks to generate a nicotine-containing aerosol without combustion. First introduced in 2014, the IQOS System has since expanded into roughly 84 international markets. To date, the IQOS System has attracted approximately 33 million relevant consumers globally and is distributed almost exclusively through Philip Morris International Inc.'s official IQOS stores and dedicated websites.

The Complainant is the owner of numerous trademark registrations for IQOS ("IQOS" "Trademark"), including:

- International Trademark Registration IQOS No. 1218246, registered July 10, 2014;

- Chinese Trademark Registration IQOS No.16314286, registered on May 14, 2016; and

- International Trademark Registration IQOS No. 1338099, registered on November 22, 2016.

The Complainant is also the owner of several domain names including the IQOS Trademark, such as <iqos.com>, registered on April 25, 1997.

The disputed domain names registered with GMO Internet Group, Inc. d/b/a Onamae.com: <iqo-1.com> and <iqo-2.com> were both registered on February 11, 2026, and <iqo-3.com> was registered on March 2, 2026. The disputed domain names registered with Gname.com Pte. Ltd: <iqo-4.com> on March 12, 2026, <iqo-8.com> on May 4, 2026, and <iqo-9.com> on May 14, 2026. The disputed domain names registered with Name SRS AB: <iqo-5.com> on April 11, 2026, <iqo-6.com> on April 17, 2026, and <iqo-7.com> April 22, 2026. The Complainant provided evidence that the disputed domain names previously each redirected to the same active website prominently displaying the IQOS Trademark and logo, allegedly offering the Complainant's IQOS System as well as selling and offering third party products of other commercial origin.

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.

On the first element of the Policy, the Complainant claims that the disputed domain names are confusingly similar to the IQOS Trademark. The name “iqo” is quasi-identical to the Complainant’s registered IQOS trademarks and a misspelt version of the IQOS trademark, together with a progressive single number from one to nine.

On the second element of the Policy, the Complainant contends that the Respondents had no rights or legitimate interests in respect of the disputed domain names. Further, the Complainant has not found anything that would suggest that the Respondents have been using “IQOS” in any other way that would provide legitimate rights in any of the disputed domain names. It is also clear that no license or authorization of any other kind, has been given by the Complainant to the Respondents, to use the IQOS Trademark. It is highly unlikely that the Respondents did not know of the Complainant’s legal rights in the IQOS Trademark. In fact, it is rather obvious that it is the fame of the trademarks that has motivated the Respondents to register the disputed domain names.

On the third element of the Policy, the Complainant asserts that the Respondents have registered and used the disputed domain names in bad faith. The IQOS Trademark is globally well-known. The Respondents cannot claim to have been using the IQOS Trademark, without being aware of the Complainant’s rights to it. The Complainants logo was prominently displayed on the website as well as other products and Trademarks of the Complainant. The website displayed the Complainant’s official product images of different-flavored heats used for the IQOS System without authorization, while falsely claiming copyright over the material. Additionally, the website also featured other well-known trademarks of the Complainant, such as the TEREA trademark, which is part of the IQOS System. This illegitimate and false claim of rights in the Complainant’s official copyright protected material further supports the false impression that the Websites are endorsed by the Complainant, which it is not. Moreover, the fact that the Respondents are not only offering the Complainant’s products but third-party products of other commercial origin is in itself sufficient to exclude a legitimate interest in the form of a bona fide offering of goods. Consequently, the Respondents have used the disputed domain name to intentionally attempt to attract Internet users to a website for commercial gain, by creating a likelihood of confusion with the Complainant’s IQOS Trademark as to the source, sponsorship, affiliation or endorsement of its website.

B. Respondent

The Respondents did not reply to the Complainant’s contentions.

6. Discussion and Findings

6.1 Preliminary Issues: Consolidation

Even though the Registrars have indicated slightly different names for the registrants of the disputed domain names, the spelling of the name is highly similar. Moreover, the Complainant has provided evidence showing that the disputed domain names resolve to websites with highly similar content, and, thus, the corresponding websites are likely subject to common control. It is thus highly probably that the disputed domain names are held by the same Respondent or are under common control. There is no indication that the consolidation would not be fair and equitable to all parties. For these reasons, the proceedings are consolidated. The named registrants are hereinafter collectively referred to as the “Respondent”.

6.2 Merits

Paragraph 15(a) of the Rules requires that the Panel’s decision be made “on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

The Complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the Complaint with respect to each disputed domain name, namely that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

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

(iii) the disputed domain name has been registered and is 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 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 disputed domain names are confusingly similar to the IQOS Trademark. The disputed domain names comprise of a variation of the IQOS trademark, together with a progressive single number from one to nine. The Panel finds the mark is recognizable within the disputed domain names. WIPO Overview 3.1, section 1.7. The disputed domain names consisting of a variation of the Complainants Trademark (in this case, in the Panel's view, an obvious/intentional misspelling) and the addition of the single numbers one to nine, does not prevent a finding of confusing similarity under the first element. WIPO Overview 3.1, sections 1.8 and 1.9.

Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy.

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.

Panels have held that the use of a domain name for illegal activity, e.g. 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 Complainant has not authorized, licensed, or permitted the Respondent to register or use the disputed domain names or to use the IQOS Trademark. The Panel finds that there are no indications that the Respondent is commonly known by the disputed domain names or otherwise have any rights to or legitimate interests in the disputed domain names. Further, the disputed domain names are not used for a bona fide offering of goods or services. Rather, the disputed domain names previously resolved each to active websites prominently displaying the IQOS Trademark as well as the IQOS logo, claiming to offer some of the Complainant´s and third parties' goods.

The website linked to the disputed domain names did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant, thus creating the false impression that the Respondent might be authorized by or affiliated with the Complainant.

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 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.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. Panels also have held that the use of a domain name for illegitimate activity (as applicable here impersonation, passing off) can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith. WIPO Overview 3.1, section 3.1.4.

Moreover, 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.

In the present case the disputed domain names are confusingly similar to the IQOS Trademark, with a misspelling of the Trademark by leaving out the letter "s" and adding a hyphen as followed by a single number from one to nine. Considering the distinctiveness and notoriety of the IQOS Trademark, and the websites hosted at the disputed domain names, Internet users may think the disputed domain names are connected to the Complainant and would resolve to websites related to the Complainant. The previously active websites displayed products of the Complainant's as well as third party products of other commercial origin. Moreover, the websites linked to the disputed domain names did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant. On the contrary the fact that there even was a copyright notice at the bottom of the websites claiming copyright in the material presented on the website only strengthened the false impression that there is an affiliation with the Complainant. In addition, the disputed domain names´ website showed pictures of the Complainant's products while displaying some of his other well-known Trademarks such as the TEREA Trademark. As shown above, the Respondent lacks rights or legitimate interests in the disputed domain names. Therefore, the evidence leads to the conclusion that the Respondent has registered and used the disputed domain names to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the IQOS Trademark.

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 <iqo-1.com>, <iqo-2.com>, <iqo-3.com>, <iqo-4.com>, <iqo-5.com>, <iqo-6.com>, <iqo-7.com>, <iqo-8.com>, and <iqo-9.com> be transferred to the Complainant.

/Manuel Wegrostek/
Manuel Wegrostek
Sole Panelist
Date: August 21, 2026