WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. Tom William
Case No. D2026-2747

1. The Parties

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

The Respondent is Tom William, China.

2. The Domain Names and Registrar

The disputed domain names <terea-host.com>, <terea-kindss.com>, <terea-remix.com>, and <terea-skit.com> are registered with Internet Domain Service BS Corp (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 24, 2026. On June 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 25, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 29, 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 July 2, 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 July 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 3, 2026.

The Center appointed Reynaldo Urtiaga Escobar as the sole panelist in this matter on August 5, 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.

The proceeding is conducted in English, this being the language of the disputed domain names' registration agreement, as confirmed by the Registrar.

4. Factual Background

The Complainant is a wholly-owned subsidiary of Philip Morris International Inc. ("PMI" or "the Complainant's parent company"), a global tobacco and smoke-free products corporation whose products are sold in approximately 180 countries. PMI's brand portfolio includes MARLBORO, one of the world's top-selling cigarette brands since 1972. PMI's corporate website is "www.pmi.com".

The Complainant's parent company has developed numerous Reduced-Risk Products (RRPs), including the heated tobacco device branded as IQOS. The IQOS device heats specially designed consumable sticks marketed by PMI under several brands, including HEETS, HEATSTICKS, DELIA, LEVIA, and TEREA, which produce a flavorful nicotine-containing aerosol (the "IQOS System").

The IQOS System has achieved considerable international success and reputation. To date, the IQOS System has been almost exclusively distributed through PMI's official IQOS stores and websites and selected authorized distributors and retailers.

For its smoke-free products, the Complainant owns a large portfolio of registered trademarks, including:

- International Registration IQOS (device) No. 1338099 registered on November 22, 2016, designating Albania, Armenia, Australia, Azerbaijan, Bosnia and Herzegovina, Bahrain, Belarus, Colombia, Algeria, Egypt, European Union, Georgia, Israel, India, Iceland, Japan, Republic of Korea, Kazakhstan, Morocco, Monaco, Montenegro, Mexico, Norway, New Zealand, Oman, Philippines, Serbia, Russian Federation, Singapore, Türkiye, Ukraine, United States of America;

- International Registration TEREA (word/device) No. 1629687 registered on August 26, 2021, designating Australia, Bahrain, Brazil, Canada, Colombia, Curaçao, United Kingdom, Georgia, Indonesia, Israel, Iceland, Mexico, Malaysia, Norway, New Zealand, Philippines, Trinidad and Tobago, Uzbekistan, Albania, Armenia, Bosnia and Herzegovina, Belarus, Egypt, Kyrgyzstan, Kazakhstan, Morocco, Monaco, Moldova (Republic of), Montenegro, Republic of North Macedonia, Serbia, Ukraine, Viet Nam;

- International Registration TEREA (word) No. 1765887 registered on October 19, 2023, designating Afghanistan, Bonaire, Sint Eustatius and Saba, Botswana, Cabo Verde, Jamaica, Lao People's Democratic Republic, Mauritius, Malawi, Syrian Arab Republic, Turkmenistan, Zimbabwe, Iran (Islamic Republic of), Kenya, Mongolia, Mozambique, Eswatini, Tajikistan;

The disputed domain names were registered on the following dates: (i) <terea-kindss.com> was registered on June 3, 2026; <terea-remix.com>, was registered on June 14, 2026; <terea-skit.com>, was registered on June 16, 2026; and <terea-host.com> was registered on June 22, 2026.

The disputed domain names currently resolve to inactive pages, but at the time of filing of Complaint, were used to host websites purporting to be an official online shop for the Complainant's trademarked TEREA heated tobacco units and other products of the Complainant (as well as of products of competitors in regard to the website at the disputed domain name <terea-host.com>), in Taiwan Province of China.

5. Parties' Contentions

A. Complainant

The Complainant submits that:

(i) It is the registered owner of the TEREA mark in numerous jurisdictions, including, but not limited to, Taiwan Province of China;

(ii) The disputed domain names identically adopt the Complainant's TEREA mark;

(iii) It cannot be questioned that the disputed domain names are confusingly similar to the Complainant's TEREA registered trademarks;

(iv) The disputed domain names reproduce the Complainant's TEREA mark in its entirety together with the non-distinctive and descriptive words 'kindss', 'remix', 'skit', and 'host';

(v) Any Internet user visiting a website under the disputed domain names will reasonably expect to find a website commercially linked to the owner of the TEREA mark;

(vi) It has not licensed or otherwise permitted the Respondent to use any of its trademarks or to register domain names incorporating its TEREA mark;

(vii) The Respondent is not making a legitimate noncommercial or fair use of the disputed domain names;

(viii) The Respondent's behavior shows a clear intent to obtain an unfair commercial gain with a view to misleadingly divert consumers or tarnish the trademarks owned by the Complainant;

(ix) The Respondent is not an authorized distributor or reseller of the IQOS System or TEREA tobacco products;

(x) The Respondent is not only offering the Complainant's products but also competing tobacco products, which fails to satisfy the criteria for a bona fide offering of goods and services under the *Oki Data* test as laid out in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903;

(xi) The disputed domain names per se suggest an affiliation with the Complainant and its TEREA mark as they reproduce the Complainant's TEREA registered mark;

(xii) The TEREA trademark is shown at the top of the Respondent's websites hosted on the disputed domain names;

(xiii) The Respondent's websites hosted on the disputed domain names use the Complainant's official product images without the Complainant's authorization, while falsely claiming copyright in this material;

(xiv) It is evident from the Respondent's use of the disputed domain names that the Respondent knew of the Complainant's TEREA mark when registering the disputed domain names;

(xv) The term "terea" is purely imaginative and unique to the Complainant;

(xvi) The Respondent registered and used the disputed domain names with the intention to attract, for commercial gain, Internet users to the websites by creating a likelihood of confusion with the Complainant's registered TEREA mark as to the source, sponsorship, affiliation, or endorsement of its websites, which constitutes bad faith under paragraph 4(b)(iv) of the Policy;

(xvii) By reproducing the Complainant's registered trademark in the disputed domain names and the title of the website, the Respondent is clearly suggesting to any Internet user that the Complainant is the source of the website, which is not the case;

(xviii) The Respondent's purported recent involvement in prior UDRP proceedings shows a pattern of bad faith conduct in connection with domain names incorporating the Complainant's marks.

B. Respondent

The Respondent failed to reply to the Complainant's contentions.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed in this administrative proceeding, the Complainant must prove that:

(i) the disputed domain names are identical or confusingly similar to trademarks or service marks in which the Complainant has rights;

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

(iii) the disputed domain names were registered and are being used in bad faith.

These elements are discussed in turn below. In considering these elements, paragraph 15(a) of the Rules provides that the Panel shall decide the Complaint on the basis of statements and documents submitted and in accordance with the Policy, the Rules, and any other rules or principles of law that the Panel deems applicable.

A. Identical or Confusingly Similar

It is well settled 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 produced documentary evidence proving ownership of the trademark registrations described in section 4 *supra*.

Accordingly, the Panel is satisfied that the Complainant has shown rights in the TEREA marks as required by Policy paragraph 4(a)(i). WIPO Overview 3.1, section 1.2.1.

The Panel notes that the TEREA marks are clearly recognizable within each of the disputed domain names. Although the addition of the terms "kindss", "remix", "skit", and "host" may bear on the assessment of the second and third elements, the Panel finds that the addition of such terms do not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

Moreover, it is well accepted that the generic Top-level-Domain ("gTLD"), in this case ".com", is typically disregarded when assessing the confusing similarity between a trademark and a domain name. WIPO Overview 3.1, section 1.11.1.

In sum, the disputed domain names are found to be confusingly similar to the TEREA marks in which the Complainant has rights.

Based on the available record, 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 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.

The Complainant alleges that the disputed domain names were initially associated with unauthorized online shops allegedly selling IQOS and TEREA products, and were subsequently configured to redirect visitors from <terea-kindss.com>, <terea-remix.com>, and <terea-skit.com> to <terea-host.com>, a website purporting to be the Complainant's official online shop in Taiwan Province of China.

This allegation is unrefuted by the Respondent.

The Complainant has also produced printouts from June 15, 2026, of websites associated with <terea-remix.com>, and <terea-host.com>, displaying profusely the IQOS and TEREA marks, together with images of the heating device and heated tobacco sticks marketed by the Complainant under these marks.

The website at the disputed domain name <terea-remix.com> read:

*"*TEREA Official Website
TEREA's official website offers in-stock Japanese IQOS cartridges and IQOS devices, recommends flavors of heated tobacco devices and cartridges for the whole family, and features the most popular TEREA cartridges for IQOS ILUMA. For those seeking a healthier and cleaner alternative to traditional cigarettes, the heated tobacco IQOS meets the diverse needs of users*"*.

Along the same lines, the website at the disputed domain name <terea-host.com>, read:

*"*IQOS Taiwan Exclusive Store
The official IQOS Taiwan store offers genuine IQOS heated tobacco devices and dedicated TEREA tobacco cartridges in stock, along with a variety of IQOS tobacco cartridge flavors to choose from. All products are 100% authentic from Japan, ensuring the best user experience.*"*

Overall, the Panel notes from the record that:

i) The websites at the disputed domain names <terea-remix.com>, and <terea-host.com> pass off as the Complainant's official stores for genuine IQOS and TEREA products;

ii) The Respondent is not an authorized distributor of the Complainant's IQOS and TEREA products;

iii) All the disputed domain names currently resolve to blank pages; and

iv) The Respondent has not contested any of the Complainant's assertions.

Considering the totality of the above circumstances, the Panel finds that the Complainant has proven the second limb of Policy paragraph 4(a).

C. Registered and Used in Bad Faith

Pursuant to Policy, paragraph 4(a)(iii), in order to be granted relief, the Complainant must show that the disputed domain name was registered and is being used in bad faith.

Paragraph 4(b) of the Policy sets forth the following non-exhaustive grounds of bad faith registration and use:

"(i) circumstances indicating that you [the respondent] have registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your [the respondent's] documented out-of-pocket costs directly related to the domain name; or

(ii) you [the respondent] have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you [the respondent] have engaged in a pattern of such conduct; or

(iii) you [the respondent] have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you [the respondent] have intentionally attempted to attract, for commercial gain, Internet users to your [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 your [the respondent's] website or location or of a product or service on your [the respondent's] website or location."

In the Policy context, bad faith is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark. See section 3.1 of the WIPO Overview 3.1.

The Panel takes notice that the Complainant's IQOS and TEREA trademarks were used within the websites at the disputed domain names <terea-remix.com> and <terea-host.com>. These websites, now inactive, falsely claimed to be the Complainant's official and exclusive stores offering genuine IQOS and TEREA products in Taiwan Province of China.

The Respondent appears to have shut down its websites associated with the disputed domain names after the filing of the Complaint.

In the Panel's view, the use of the disputed domain names to pass off as an official reseller of the Complainant's products, the inherent distinctiveness of the TEREA mark, and the worldwide sales of TEREA-branded heated tobacco sticks are factors that, taken together, clearly indicate that the registration and use of the disputed domain names constitute an abuse of the Complainant's TEREA international marks and as such, amount to bad faith under the Policy.

Finally, as noted by the Complainant, the Respondent was one of the respondents in *Philip Morris Products S.A. v. James Bruseklin, Tom William, 林栋 (Lin Dong), 广东秉诚咨询有限公司 (GuangDongBingChengZiXunYouXianGongSi), 林栋(lindong), 广东秉诚咨 询有限公司 (guang dong bing cheng zi xun you xian gong si) and 林栋, 广 东秉诚咨询有限公司*, WIPO Case No. D2026-2004, where the panelist found that, just as it occurred here, "the disputed domain names were used to resolve to websites misrepresenting themselves, purporting to be official online stores for IQOS and/or TEREA products targeting consumers in Taiwan Province of China".

To the same effect, the Panel takes notice of the recent decision issued in *Philip Morris Products S.A. v. Tom William, Wong Frank, Chen Junbin*, WIPO Case No. D2026-1845, also implicating the Respondent in a UDRP proceeding submitted by the Complainant. The panelist in that case found that "the respondent has registered and used the disputed domain names for hosting websites which, inter alia by reproducing the complainant's trademarks and product images, gives Internet users the impression that the websites are official websites of the complainant or its licensee and that the Respondent is an authorised reseller of the Complainant's products".

The cases in point demonstrate that the Respondent has engaged in a pattern of bad faith through multiple abusive domain name registrations targeting the Complainant's trademarks.

The Panel therefore concludes that the Respondent has registered and used the disputed domain names in bad faith as per paragraph 4(b)(iv) of the Policy by intentionally attempting to attract, for commercial gain, Internet users to its website(s) by creating a likelihood of confusion with the Complainant's TEREA mark as to the source, sponsorship, affiliation, or endorsement of its website(s).

The Complainant has discharged its burden in relation to paragraph 4(a)(iii) of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(a) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <terea-host.com>, <terea-kindss.com>, <terea-remix.com>, and <terea-skit.com> be transferred to the Complainant.

/Reynaldo Urtiaga Escobar/
Reynaldo Urtiaga Escobar
Sole Panelist
Date: August 21, 2026