ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. 哥 哲, 哲 高, 高哲
Case No. D2026-2868

1. The Parties

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

Respondents are 哥 哲, China, 哲 高, 高哲, Hong Kong, China.

2. The Domain Names and Registrar

The disputed domain names <iqosshop.vip>, <terea-hk.com>, and <tereashop.vip> are registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 1, 2026. On July 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On July 3, 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 (Dynadot Privacy Service) and contact information in the Complaint.

The Center sent an email communication to Complainant on July 6, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainant filed an amended Complaint on July 14, 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 Respondents of the Complaint, and the proceedings commenced on July 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 6, 2026. Respondents did not submit any response. Accordingly, the Center notified Respondents’ default on August 13, 2026.

The Center appointed Marina Perraki as the sole panelist in this matter on August 16, 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

Complainant is part of the Philip Morris International Inc. group of companies ("PMI group"), active in the tobacco industry, with products sold in approximately 180 countries. PMI group has been transforming its business from combustible cigarettes to Reduced Risk Products ("RRPs"), which PMI group defines as products that present, are likely to present, or have the potential to present less risk of harm to smokers who switch to those products versus continued smoking. One of these products, developed and sold by PMI group, is a tobacco heating system branded as IQOS. IQOS is a controlled heating device into which specially designed tobacco sticks under the brand names HEETS, HEATSTICKS, DELIA, LEVIA or TEREA are inserted and heated to generate a flavourful nicotine-containing aerosol (together "the IQOS System"). IQOS was first launched by PMI group in 2014. Today the IQOS System is available in approximately 84 markets across the world. Per Complainant, PMI group has invested USD 12.5 billion into the science and research of developing smoke-free products and extensive international sales and as a result the IQOS brand has gained considerable international reputation, with approximately 33 million users. Per Complainant, the IQOS System products have been almost exclusively distributed through PMI group's official IQOS stores and websites and selected authorized distributors and retailers.

Complainant is the owner of numerous IQOS and TEREA trademark registrations. These include:

- Chinese trademark registration No. 37632252 IQOS (device) registered on December 21, 2019 for goods in international class 34;

- Chinese trademark registration No. 43074545 TEREA (word) registered on October 14, 2021 for goods in international class 34;

- International trademark registration No. 1338099 IQOS (word and device mark), registered on November 22, 2016 for services in international class 35, and

- International trademark registration No. 1765887 TEREA (word) registered on October 19, 2023 for goods in international class 34.

The disputed domain name <terea-hk.com> was registered on February 26, 2025. The disputed domain names <tereashop.vip> and <iqosshop.vip> were registered on December 26, 2025. The disputed domain name <tereashop.vip> leads to a website (the "Website") prominently displaying the trademarks and logos of Complainant and purporting to be an official online retailer of Complainant's IQOS System in China. The Website is an online shop allegedly selling and offering Complainant's IQOS System as well as competing third-party products of other commercial origin. It shows imagery of Complainant's official IQOS store get-up and adaptations of Complainant's official product images, while it provides a copyright notice at the bottom of the page claiming copyright in the material presented on the Website. It does not show clear details regarding the provider of the Website nor does it acknowledge Complainant as the brand owner of the IQOS System. The disputed domain name <terea-hk.com> leads to a similar website purportedly selling Complainant's products and then to a parking page with Pay-Per-Click ("PPC") links. Currently the disputed domain name <terea-hk.com> leads to a malicious site warning webpage. The disputed domain name <iqosshop.vip> leads to a parking/inactive webpage.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

B. Respondent

Respondents did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to each disputed domain name:

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

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

(iii) the disputed domain name has been registered or is being used in bad faith.

6.1 Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names <tereashop.vip> and <iqosshop.vip> are registered by the same Respondent. The names of two Respondents are similar to each other.

As regards all three disputed domain names, they were registered close to one another, namely on February 26, 2025 and December 26, 2025, while they all share the same Registrar.

Furthermore, per Complainant and not rebutted by Respondents, the (i) copyright claims, (ii) "about us" sections and (iii) the claims that the respective online stores are official retailers of Complainant's IQOS products on the websites connected to or previously connected to the disputed domain names <tereashop.vip> and <terea-hk.com> are highly similar.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as the "Respondent") in a single proceeding.

6.2 Substantive Issues

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 3.1, section 1.7.

Complainant has shown rights in respect of IQOS and TEREA trademarks for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the marks are recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the marks for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms here, "shop" and "-hk", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the marks for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

The generic Top-Level Domains ("gTLDs") ".vip" and ".com" are disregarded, as gTLDs typically do not form part of the comparison on the grounds that they are required for technical reasons (*Rexel Developpements SAS v. Zhan Yequn*, WIPO Case No. D2017-0275; *Hay & Robertson International Licensing AG v. C. J. Lovik*, WIPO Case No. D2002-0122).

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. WIPO Overview 3.1, section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names. Respondent has not rebutted 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.

Prior to the notice of the dispute, Respondent did not demonstrate any use of the disputed domain names or a trademark corresponding to the disputed domain names in connection with a bona fide offering of goods or services.

On the contrary, as Complainant demonstrated, the disputed domain names resolved to the Website, which suggested falsely that it is of an affiliated entity or of an authorized partner of Complainant or to PPC or inactive websites.

Per Complainant, Respondent is not an affiliated entity or an authorised distributor or reseller of Complainant and no agreement, express or otherwise, exists allowing the use of Complainant's trademarks on the Website and the use of the disputed domain names by Respondent.

Further, per Complainant, Complainant's IQOS branded products are not sold in China.

A distributor or reseller can be making a bona fide offering of goods and thus have a legitimate interest in a domain name only if the following cumulative requirements are met (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903; WIPO Overview 3.1, section 2.8.1: (i) respondent must actually be offering the goods at issue; (ii) respondent must use the site to sell only the trademarked goods; (iii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and (iv) respondent must not try to "corner the market" in domain names that reflect the trademark.

These requirements are not cumulatively fulfilled in the present case. The disputed domain name <tereashop.vip> falsely suggest that the Website is an official site of Complainant or of an entity affiliated to or endorsed by Complainant. The Website extensively reproduces, without authorization by Complainant, Complainant's trademarks, without any disclaimer of association (or lack thereof) with Complainant.

Furthermore, the use of a domain name which intentionally trades on the fame of another and suggests affiliation with the trademark owner cannot constitute a bona fide offering of goods or services (*Madonna Ciccone, p/k/a Madonna v. Dan Parisi and "Madonna.com"*, WIPO Case No. D2000-0847; *AB Electrolux v. Handi Sofian, Service Electrolux Lampung*, WIPO Case No. D2016-2416; WIPO Overview 3.1, section 2.5).

As Complainant has demonstrated, the Website offers for sale also competing tobacco products and other products of third parties. The Website furthermore creates the false impression that Complainant has officially introduced the IQOS System into the Chinese market.

Panels have held that the use of a domain name for illegitimate activity here, claimed passing off, and other types of fraud, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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 Panel concludes that Respondent has registered and used the disputed domain names in bad faith. As per Complainant, Complainant's IQOS trademark is well known for RRP smoking devices. Furthermore, "iqos" and "terea" are fictitious words. Because the IQOS and the TEREA marks had been widely used and registered at the time of the disputed domain names registrations, the Panel finds it more likely than not that Respondent had Complainant's marks in mind when registering the disputed domain names (*Tudor Games, Inc. v. Domain Hostmaster, Customer ID No. 09382953107339 dba Whois Privacy Services Pty Ltd / Domain Administrator, Vertical Axis Inc.*, WIPO Case No. D2014-1754; *Parfums Christian Dior* v. *Javier Garcia Quintas and Christiandior.net*, WIPO Case No. D2000-0226).

As regards bad faith use of the disputed domain names <tereashop.vip> and <terea-hk.com>, Complainant has demonstrated that the disputed domain names <tereashop.vip> and <terea-hk.com> were used to resolve to the Website, which prominently displayed Complainant's registered trademark, thereby giving the false impression that it was operated by Complainant, or a company affiliated to Complainant or an authorised dealer of Complainant or to PPC website, as the case may be. The disputed domain names <tereashop.vip> and <terea-hk.com> were therefore used to intentionally create a likelihood of confusion with Complainant's trademark and business as to the source, sponsorship, affiliation, or endorsement of the websites they resolve to. This can be used in support of bad faith registration and use (*Booking.com BV v. Chen Guo Long*, WIPO Case No. D2017-0311; *Ebel International Limited v. Alan Brashear*, WIPO Case No. D2017-0001; *Walgreen Co. v. Muhammad Azeem / Wang Zheng*, *Nicenic International Group Co., Limited*, WIPO Case No. D2016-1607; *Oculus VR, LLC v. Sean Lin*, WIPO Case No. DCO2016-0034; and WIPO Overview 3.1, section 3.1.4).

The bad faith use of Respondent was further indicated by the fact that the Website created the false impression that Complainant offers for sale its IQOS products in China, while it is not.

The Panel considers the following factors: (i) the reputation of Complainant's marks, (ii) the failure of Respondent to submit a Response, and (iii) the fact that the Website was offering competing tobacco and other products of third parties, given that, as Complainant has demonstrated, the disputed domain names resolved to the Website which gives the false impression that it is operated by Complainant or an official retailer of Complainant and that the IQOS Products are offered for sale in China where Complainant does not currently offer its IQOS Products.

Furthermore, Panels have held that the use of a domain name for illegal activity here claimed passing off constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Panels have found further that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of Complainant's trademark, and the composition of the disputed domain name <iqosshop.vip>, and finds that in the circumstances of this case the passive holding of the disputed domain name <iqosshop.vip> does not prevent a finding of bad faith under the Policy.

The Panel finds that 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 <iqosshop.vip>, <terea-hk.com>, and <tereashop.vip> be transferred to Complainant.

/Marina Perraki/
Marina Perraki
Sole Panelist
Date: August 30, 2026