# ADMINISTRATIVE PANEL DECISION

Philip Morris Products S.A. v. Mawdud Ahmmed, Terea Dubai Shop
Case No. D2026-3369

## 1. The Parties

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

The Respondent is Mawdud Ahmmed, Terea Dubai Shop, Bangladesh.

## 2. The Domain Name and Registrar

The disputed domain name <tereastick.com> is registered with Hostinger Operations, UAB (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 29, 2026. On July 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 30, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Privacy Protection Provided by Hostinger,) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 3, 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 August 7, 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 August 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 31, 2026.

The Center appointed Rodrigo Azevedo as the sole panelist in this matter on September 2, 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 Swiss company that is part of the group of companies affiliated to Philip Morris International Inc. (jointly referred to as "PMI"). The Complainant is a leading international tobacco and smoke-free products company, with products sold in approximately 180 countries.

Among the Complainant's smoke-free products is a tobacco heating system called "IQOS", a heating device into which specially designed tobacco sticks under brand names including TEREA are inserted and heated to generate a nicotine-containing aerosol.

The Complainant owns a large portfolio of trademark registrations for TEREA in numerous jurisdictions, including International Registration TEREA No. 1765887, registered on October 19, 2023, and United Arab Emirates Registration TEREA No. 322508, registered on March 28, 2020.

The disputed domain name <tereastick.com> was registered on March 5, 2026.

The disputed domain name is not currently pointing to any active website but rather to a parked page by the Registrar. According to the evidence in the record, the disputed domain name recently resolved to an online shop purportedly offering for sale the Complainant's TEREA products, with prices displayed in United Arab Emirates Dirham (AED). The website prominently featured the mark TEREA together with expressions such as "Terea Dubai", "Terea UAE Shop", and "Your Trusted Source for buying Terea in UAE", and reproduced the Complainant's official product images. The website displayed only a small disclaimer at the bottom of the homepage and did not identify the responsible legal entity operating the shop.

**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 name.

Notably, the Complainant contends that:

(i) The disputed domain name is identical or confusingly similar to the Complainant's trademark. The Complainant asserts that it owns longstanding rights in the TEREA trademark through numerous registrations worldwide. The disputed domain name incorporates the TEREA trademark in its entirety, adding only the generic and descriptive term "stick", which is descriptive of the product itself, since TEREA sticks are the tobacco sticks used with the IQOS ILUMA device. According to the Complainant, the addition of this term does not prevent the TEREA trademark from being recognizable in the disputed domain name and, if anything, enhances the likelihood of confusion, while the generic Top-Level Domain ("gTLD") ".com" is to be disregarded.

(ii) The Respondent has no rights or legitimate interests in the disputed domain name. The Complainant contends that the Respondent is not affiliated with the Complainant and has not been licensed, authorized, or otherwise permitted to use the TEREA trademark or to register any domain name incorporating it, and is not an authorized distributor or reseller of the IQOS System or TEREA products. The Complainant submits that the Respondent's use of the disputed domain name does not meet the requirements for a bona fide offering of goods established in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903, because the website , prominently reproduces the TEREA trademark and the Complainant's official product images, uses marketing language suggesting an official affiliation, and fails to identify the entity responsible for the website. The Complainant adds that a small disclaimer at the foot of the homepage is insufficient to avoid the false impression of affiliation.

(iii) The disputed domain name was registered and is being used in bad faith. The Complainant contends that the TEREA trademark is a purely imaginative term unique to the Complainant and not commonly used to refer to tobacco products, so that the Respondent could not plausibly have been unaware of it, particularly as the Respondent began purportedly offering the Complainant's TEREA products immediately after registering the disputed domain name. The Complainant submits that the Respondent registered and used the disputed domain name to attract Internet users, for commercial gain, by creating a likelihood of confusion with the TEREA trademark as to the source, sponsorship, affiliation, or endorsement of the website. The Complainant further relies on the Respondent's adoption of the TEREA mark as its organization name ("Terea Dubai Shop"), the reproduction of official product images (some bearing health warnings in a language other than that of the intended UAE market), the absence of any legal or corporate identification on the website, and the Respondent's use of a privacy service to conceal its identity.

**B. Respondent**

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

## 6. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to be entitled to a transfer of the disputed domain name, a complainant shall prove the following three elements:

(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 record shows valid registrations of the TEREA trademark obtained by the Complainant, including United Arab Emirates Registration TEREA No. 322508, registered in 2020. Based on the available record, the Panel finds 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 trademark TEREA is wholly encompassed within the disputed domain name, together with the term "stick", as well as the gTLD extension ".com". Although the addition of other terms (here, "stick") may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

It is also well established that the addition of a gTLD, such as ".com", is typically disregarded when determining whether a domain name is confusingly similar to a complainant's trademark as such is viewed as a standard registration requirement. WIPO Overview 3.1, section 1.11.1.

The Panel finds that the disputed domain name is confusingly similar to the Complainant's TEREA trademark, and that 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.

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 name. 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 name such as those enumerated in the Policy or otherwise.

The Complainant has not licensed nor authorized the use of its trademark to the Respondent.

The Complainant brought evidence that the disputed domain name was recently linked to a website purportedly offering for sale the Complainant's TEREA products while prominently reproducing the Complainant's TEREA trademark and official product images, and using expressions such as "Terea Dubai", "Terea UAE Shop", and "Your Trusted Source for buying Terea in UAE", thereby suggesting that the website is operated by or affiliated/authorized by the Complainant. Such use does not satisfy the requirements for a bona fide offering of goods established in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903, in particular because the website does not prominently disclose the absence of any relationship between the Respondent and the trademark owner. The small disclaimer at the foot of the homepage, which does not even identify the entity operating the website, is, in the Panel's view, insufficient to dispel the false impression of an affiliation with the Complainant given the prominent presence of the Complainant's trademark throughout the website and in the disputed domain name. Such use cannot confer rights or legitimate interests on the Respondent.
Based on the available 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.

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.

The Panel concludes that it is unlikely that the Respondent was unaware of the Complainant's trademark and that the registration of the disputed domain name was a mere coincidence. When the disputed domain name was registered (in 2026), the TEREA trademark was already registered and directly connected with the Complainant's tobacco products for use with the IQOS System.

The term “terea” is imaginative and unique to the Complainant and is not commonly used to refer to tobacco products, and the Respondent began purportedly offering the Complainant’s TEREA products immediately after registering the disputed domain name.

The Panel further considers that the addition of the descriptive term “stick” to the disputed domain name enhances the potential for confusion, as it suggests that the website is an official channel for the Complainant’s TEREA tobacco sticks.

The content of the website — including the reproduction of the Complainant’s TEREA trademark and official product images, and statements such as “Your Trusted Source for buying Terea in UAE” — makes clear to the Panel that the Respondent intentionally attempted to attract the Complainant’s customers, for commercial gain, to its website by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the website.

The Panel notes the existence of a small disclaimer at the bottom of the homepage.  However, this reference contrasts with the general impression created by the disputed domain name and the website, in which the references to TEREA are ostensive and where the responsible legal entity operating the website is not identified, and is insufficient to avoid a finding of bad faith.  The Panel further notes that the Respondent’s use of a privacy service to conceal its identity and the absence of any legal or corporate identification on the website are additional factors supporting a finding of bad faith.

Finally, the absence of a formal reply from the Respondent to the Complainant’s contentions and of any justification for the use of the Complainant’s trademark is further evidence of bad faith in registering and using the disputed domain name in the present case.

The current use of the disputed domain name to resolve to a parked page by the Registrar does not preclude this finding.

Having reviewed the available record, the Panel finds the registration and use of the disputed domain name constitute bad faith under the Policy, and that the third element of the Policy has been established.

## 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 name <tereastick.com> be transferred to the Complainant.

*/Rodrigo Azevedo/*
**Rodrigo Azevedo**
Sole Panelist
Date:  September 17, 2026