

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. Hussnain Raza Sheikh, Hosting PK; Ghulam Mustafa, dmcnic.com; Pharma Medical, Pharma Medical; and Joony Smith
Case No. D2025-1505

1. The Parties

The Complainant is Eli Lilly and Company, United States of America (“United States” or “U.S”), represented by Faegre Drinker Biddle & Reath LLP, United States.

The Respondents are Hussnain Raza Sheikh, Hosting PK, Pakistan; Ghulam Mustafa, dmcnic.com, Pakistan; Pharma Medical, Pharma Medical, Pakistan; and Joony Smith, United States.

2. The Domain Names and Registrar

The disputed domain names <mounjarobrazil.org>, <mounjarobuyonlineireland.org>, <mounjaroitalia.com>, <mounjarokuwait.org>, <mounjaronetherlands.org>, <mounjarophilippines.org>, <mounjaroqatar.org>, <mounjaroromania.org>, and <mounjaroswitzerland.org> are registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 13, 2025. On April 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 15, 2025, 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 (DATA REDACTED) and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 22, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the 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 the disputed domain names are under common control. The Complainant filed an amendment to the Complaint on April 25, 2025.

The Center verified that the Complaint together with the amendment to the 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 April 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 19, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on May 20, 2025.

The Center appointed Knud Wallberg as the sole panelist in this matter on May 30, 2025. 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 an American pharmaceutical company headquartered in Indiana, United States, and has been in the pharmaceutical industry for over 145 years.

The Complainant's Mounjaro product is an injectable pharmaceutical product for the treatment of type two diabetes, approved by the United States Food and Drug Administration on May 13, 2022. In 2023, the Complainant's sales of Mounjaro products exceeded USD 5 billion globally.

The Complainant owns multiple trademark registrations for the MOUNJARO mark in 60 countries, including U.S. Registration No. 6,809,369, registered on August 2, 2022, with priority dating back to November 5, 2019.

The Complainant also has an Internet presence for its Mounjaro products, available at "www.mounjaro.com", which redirects to "www.mounjaro.lilly.com".

The highly similar content of the websites associated with the disputed domain names displays the Complainant's trademarks, copyright-protected images, and copies of the Complainant's marketing materials, imitating the look of the Complainant's official website and the websites are used to purportedly sell gray market or potentially counterfeit versions of the Complainant's prescription-only Mounjaro products without the required prescription in jurisdictions where the products are not authorized for distribution.

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.

Notably, the Complainant contends that:

(1) The disputed domain names are confusingly similar to trademarks in which the Complainant has rights. The Complainant has rights to the MOUNJARO trademark and each of the disputed domain names contains the MOUNJARO trademark in its entirety with the addition of specific country names and in one case also the terms "buy" and "online".

(2) The Respondents have no rights or legitimate interests in the disputed domain names. The Complainant has not given the Respondents permission, authorization, consent, or license to use its marks. There is no evidence that the Respondents are commonly known by either of the disputed domain names. Moreover, the Respondents are neither using the disputed domain names in connection with a bona fide offering of goods and services, nor making a legitimate noncommercial or fair use of the disputed domain names. Instead, the Respondents registered the disputed domain names using a privacy-shielding service to direct Internet traffic and sell gray market or potentially counterfeit versions of the Complainant's Mounjaro products in jurisdictions where the product has not been legally approved for distribution (and where a

prescription cannot be legally obtained). The Respondents carry on these activities while failing to disclose their lack of a relationship with the Complainant.

(3) The disputed domain names should be considered as having been registered and used in bad faith. The Respondents are purporting to sell the Complainant's goods under disputed domain names comprising the Complainant's mark, accompanied only by descriptive terms, which is indicative of bad faith registration and use. The Respondents are using the Complainant's marks to drive Internet traffic to their websites under the disputed domain names to profit from the sale of gray market or counterfeit products. Registering the disputed domain names that contain the Complainant's mark is evidence that the Respondents have engaged in a pattern of registering domain names for commercial gain and confirms that the disputed domain names were registered and are being used in bad faith.

The Complainant requests the transfer of the disputed domain names.

B. Respondents

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

6. Discussion and Findings

Consolidation: Multiple Respondents

The amendment to the Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The 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 the 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 the 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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel notes the following similarities between the disputed domain names:

- all the disputed domain names follow similar naming conventions which incorporate the MOUNJARO mark in its entirety with the addition of a country name and in one instance also two additional descriptive terms;
- all the disputed domain names are being used for virtually identical websites displaying the Complainant's trademarks, copyright-protected images, and copies of the Complainant's marketing materials;
- all the disputed domain names were registered through the same Registrar, between January 21, and February 8, 2025, and the Respondents use the same name server.

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.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, various geographical terms, and in one of the disputed domain names also the terms "buy" and "online", 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 mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 3.0](#), 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 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.

Panels have held that the use of a domain name for illegitimate activity here, claimed sale of possible counterfeit goods or illegal pharmaceuticals can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), 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.

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 3.0](#), section 3.2.1.

All the disputed domain names resolve to virtually identical websites displaying the Complainant's trademarks, copyright-protected images, and copies of the Complainant's marketing materials, imitating the look of the Complainant's official website, and purportedly sell gray market or potentially counterfeit versions of the Complainant's prescription-only Mounjaro products without the required prescription in jurisdictions where the products are not authorized for distribution. Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [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 [the respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

Moreover, panels have held that the use of a domain name for illegal activities, such as in the present case – selling prescription drugs without requiring a prescription and/or selling to countries where the pharmaceutical product does not have marketing authorization – constitutes use in bad faith. [WIPO Overview 3.0](#), section 3.4.

Based on the available record, the Panel finds 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 names <mounjarobrazil.org>, <mounjarobuyonlineireland.org>, <mounjaroitalia.com>, <mounjarokuwait.org>, <mounjaronetherlands.org>, <mounjarophilippines.org>, <mounjaroqatar.org>, <mounjaroromania.org>, and <mounjaroswitzerland.org> be transferred to the Complainant.

/Knud Wallberg/

Knud Wallberg

Sole Panelist

Date: June 13, 2025