

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. Julian Rhoden
Case No. D2025-1894

1. The Parties

The Complainant is Eli Lilly and Company, United States of America ("United States" or "USA"), represented by Faegre Drinker Biddle & Reath, United States.

The Respondent is Julian Rhoden, Brazil.

2. The Domain Name and Registrar

The disputed domain name <mounjarotrick.online> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 12, 2025. On May 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 13, 2025, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 15, 2025, 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 amendment to the Complaint on May 15, 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 Respondent of the Complaint, and the proceedings commenced on May 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 10, 2025. The Respondent sent an email communication to the Center on May 28, 2025. On May 30, 2025, the Center sent an email regarding possible settlement to the Parties, however, the Complainant did not request suspension before the due date. Accordingly, the Center notified the commencement of panel appointment process on June 11, 2025.

The Center appointed Gareth Dickson as the sole panelist in this matter on June 27, 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 a corporation organised under the laws of the State of Indiana with its principal place of business at Lilly Corporate Center, Indianapolis, Indiana, USA. The Complainant is a global pharmaceutical company engaged in the discovery, development, manufacture, and sale of pharmaceutical products.

The Complaint is based on rights in its MOUNJARO trade mark (the “Mark”), which the Complainant offers in connection with injectable pharmaceutical products for the treatment of type 2 diabetes. The Complainant is the owner of a large number of registrations for the Mark around the world. In the United States, it has registered the Mark with number 6,809,369 and a registration date of August 2, 2022, with product sales under the Mark having begun two months beforehand. The Complainant also owns the domain name <mounjaro.com>, registered on October 21, 2019, which it uses to promote the MOUNJARO product.

The disputed domain name <mounjarotrick.online> was registered on December 24, 2024. The website to which the disputed domain name resolves promotes a product branded as “Mounjaro Natural Trick”, without disclosing any relationship (or lack of any relationship) between the Respondent and the Complainant.

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 the disputed domain name is confusingly similar to the Mark, which it says is distinctive and which it registered prior to the Respondent’s registration of the disputed domain name. The Complainant further contends that the Respondent is not commonly known by the disputed domain name and, rather than making a legitimate noncommercial or fair use of it, is using it in a manner that causes consumer confusion. Accordingly, the Complainant submits that the Respondent lacks rights or legitimate interests in the disputed domain name. Based on the same facts, the Complainant asserts that the Respondent’s use of the disputed domain name constitutes bad faith under the Policy.

B. Respondent

The Respondent did not submit a formal response to the Complainant’s contentions. However, on May 28, 2025, the Center received an email purportedly from the Respondent in relation to the Complaint. The body of that email stated as follows (emphasis in the original):

“I am writing in response to the Complaint filed against me under Case No. [D2025-1894](#).

*I hereby acknowledge the Complaint and wish to **voluntarily consent** to the **remedy requested by the Complainant**. I do **not intend to submit a formal response** contesting the claim.*

*I agree to **transfer the disputed domain name** to the Complainant and waive any further rights or interest related to this domain.*

Please proceed with the necessary steps to implement the transfer. I am available should you require any further information or confirmation.

Thank you for your attention and support.”

6. Discussion and Findings

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 Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 1.7.

The Complainant has shown rights in respect of a trade mark 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 name. Accordingly, the disputed domain name is 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, “trick”) 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 3.0](#), 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 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 Respondent's express confirmation that it would not contest the Complainant's claim tends to support the arguments relied on by the Complainant.

Furthermore, the Panel considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1. The Respondent's use of the disputed domain name in connection with offering a competing product under a similar or identical name without authorization does not amount to a legitimate noncommercial or fair use.

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name after the Complainant had obtained registered rights in the Mark and had launched its product globally. The Complainant's evidence indicates that the disputed domain name resolves to a website offering a competing product under a similar or identical name, without authorization and without any clear identification of the website operator or a disclaimer of affiliation. The Panel finds this use to be misleading and to have the potential to confuse consumers.

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. In this Complaint, paragraph 4(b)(iv) of the Policy is applicable: by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Mark as to the source, sponsorship, affiliation, or endorsement of its website or a product or service on its website.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 name <mounjarotrick.online> be transferred to the Complainant.

/Gareth Dickson/

Gareth Dickson

Sole Panelist

Date: July 16, 2025