

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. Willian Perna
Case No. D2025-2659

1. The Parties

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

The Respondent is Willian Perna, Brazil.

2. The Domain Name and Registrar

The disputed domain name <mounjaronatural.solutions> 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 July 7, 2025. On July 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 8, 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, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 10, 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 July 11, 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 July 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 4, 2025. The Respondent sent an email communication to the Center on July 18, 2025. However, the Respondent did not file any formal Response. Accordingly, the Center notified the commencement of panel appointment process on August 5, 2025.

The Center appointed Emre Kerim Yardimci as the sole panelist in this matter on August 13, 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 multinational pharmaceutical company, with headquarters in Indianapolis, United States. The Complainant commercializes in numerous countries throughout the world an injectable prescription-only pharmaceutical product for the treatment of diabetes under the mark MOUNJARO.

The Complainant owns various trademark registrations for MOUNJARO, among which:

- United States trademark registration no. 6809369, registered on August 2, 2022 in class 5;
- United States trademark registration no. 7068463, registered on May 30, 2023 in class 44;
- United Kingdom trademark registration no. UK00003608193, registered on July 16, 2021 in class 5;
- European Union trademark registration no. 018209187, registered on September 8, 2020 in class 5; and
- Brazilian trademark registration no. 919,475,787, registered on November 24, 2020 in class 5.

The Complainant owns the domain name <mounjaro.com>, registered on October 21, 2019, where it advertises and provides information on the products sold under its MOUNJARO trademark.

The disputed domain name was registered on January 30, 2025.

The disputed domain name resolved to a website indicating “Mounja Natural” with the annotation of “Lançamento em breve” which means “coming soon” in English. The Complainant has provided evidence in that the disputed domain name resolved to a website that offers a competitive weight loss product (“Mounja Fit Black”) as a capsule alternative to the Complainant’s MOUNJARO product. By the time of this decision, the disputed domain name resolved to an inactive website.

5. Parties’ Contentions

A. Complainant

The Complainant asserts that the disputed domain name is identical or at least confusingly similar to the Complainant’s trademark MOUNJARO and the addition of the word “natural” is not sufficient to distinguish the disputed domain name from the mark but on the contrary, such addition reinforces the association of the disputed domain name with the Complainant’s mark.

The Complainant considers that the Respondent has no rights or legitimate interests in respect of the disputed domain name, mainly because the Complainant has neither licensed nor otherwise authorized the Respondent to use its marks or to apply for or use any domain name incorporating the trademarks of the Complainant and the Respondent does not appear to be known by the disputed domain name.

Instead, the Respondent has registered the disputed domain name utilizing a privacy-shielding service to redirect Internet traffic to a website that sells alternative products to the Complainant’s MOUNJARO product in Brazil, where the product has not been legally approved for distribution, and therefore without a valid prescription.

The Respondent's use does not comply with the Oki Data Test criteria (see *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)).

The Complainant contends that the Respondent has registered and is using the disputed domain name in bad faith. It is clear that the Respondent was aware of the rights the Complainant has in the trademark at the time of the registration of the disputed domain name. The Complainant claims that the Respondent is using the disputed domain name with the aim to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark and for the purpose of disrupting the Complainant's business and targeting the Complainant's trademark. Doing that, the Respondent has hidden its identity by providing false and inaccurate Whois information.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. The Respondent simply replied that it received the notification and that it does not understand English.

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, for this Complaint to succeed in relation to the disputed domain name, the Complainant must prove the followings:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. As indicated above, the Complainant holds several trademark registrations.

The disputed domain name is confusingly similar to the Complainant's mark MOUNJARO with the addition of the word "natural". Several UDRP panels have ruled that the mere addition of a term does not prevent a finding of confusing similarity between a disputed domain name and a complainant's registered trademark.

In addition, the Panel finds that the Complainant's trademark is clearly recognizable within the disputed domain name.

As regards the generic Top-Level Domain ("gTLD") ".solutions", it is typically disregarded under the confusing similarity test.

In regard to the disputed domain name, the addition of the term "natural" to the Complainant's mark does not prevent the finding of confusing similarity. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.8.

Accordingly, the Panel holds that the disputed domain name is confusingly similar for the purposes of the Policy with a trademark in which the Complainant has rights. As such the Panel holds that paragraph 4(a)(i) of the Policy has been satisfied.

B. Rights or Legitimate Interests

The onus is on the Complainant to make out at least a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name, and it is then for the Respondent to rebut this case. See section 2.1 of the [WIPO Overview 3.0](#).

The Panel accepts the Complainant's submissions that the Respondent does not appear to be commonly known by the disputed domain name, has not used, or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, and is not making a legitimate noncommercial or fair use of the disputed domain name.

The Respondent has not filed any formal Response.

The disputed domain name directed to a website Respondent is using for offering a competitive weight loss product as a capsule alternative to Complainant's MOUNJARO product. As the Respondent has not filed a Response, the Panel considers the claims and evidence submitted by the Complainant as plausible and accurate.

Such use of the disputed domain name does not meet the requirements established by the "Okidata Test", because the Respondent seems to offer competing good/services ("Mounja Fit Black"), and that the website to which the disputed domain name resolved does not disclose the lack of relationship between the Respondent and the Complainant. *Okidata Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), and [WIPO Overview 3.0](#), section 2.8.

In addition, the use of a domain name for illegal activity cannot confer rights or legitimate interests on the Respondent. Section 2.13 of the [WIPO Overview 3.0](#). Previous panels have held that the use of a domain name for illegal or fraudulent activity, here claimed as sale of gray market or illegal pharmaceuticals, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Furthermore, the Panel finds that the disputed domain name carries a risk of implied affiliation with the Complainant. See section 2.5.1 of the [WIPO Overview 3.0](#).

The Complainant has made out its prima facie case under this element of the Policy and the Respondent has failed to rebut it.

Accordingly, the Complainant succeeds in relation to the second element of the Policy.

C. Registered and Used in Bad Faith

The Panel accepts the Complainant's assertions that the trademark MOUNJARO is a well-known trademark. The incorporation of a well-known trademark into the disputed domain name by a registrant having no plausible explanation for doing so, in and of itself, creates a presumption of bad faith.

As the Complainants submit, it is inconceivable that the Respondent would not have known of the Complainant's mark given that the disputed domain name directed to a website which Respondent was using for offering a competitive weight loss product as a capsule alternative to Complainant's MOUNJARO product.

It is clear that the Respondent has targeted the Complainant and their trademark to benefit its own commercial activities.

Moreover, panels have held that the use of a domain name for illegal activities, such as claimed 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.

The Panel holds that by using the disputed domain name, the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its websites in the sense of Policy, paragraph 4(b)(iv).

Therefore, the Panel is convinced that the Respondent has registered and is using the disputed domain name in bad faith.

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 <mounjaronatural.solutions> be transferred to the Complainant.

/Emre Kerim Yardimci/

Emre Kerim Yardimci

Sole Panelist

Date: August 29, 2025