

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. Paulo Vitor Muquem Junior, Lucas santos and
Cristovao Xavier
Case No. D2025-3263

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 Respondents are Paulo Vitor Muquem Junior, Brazil, Lucas santos, Brazil and Cristovao Xavier, United Kingdom.

2. The Domain Names and Registrars

The disputed domain names <brazilianzepbound.com> and <mounjaronaturale.site> are registered with GoDaddy.com, LLC.

The disputed domain name <mounjaronatural-app.fun> is registered with Hostinger Operations, UAB.

Both Registrars are herein collectively referred to as (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 14, 2025. On August 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 15, 18, and 19, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 21, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaints 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. The Complainant filed an amendment to the Complaint on August 22, 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 August 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 16, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on September 17, 2025.

The Center appointed Zoltán Takács as the sole panelist in this matter on September 24, 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 in this proceeding is a major American pharmaceutical company.

One of the Complainant’s products is a drug for the treatment of type 2 diabetes approved by the United States Food and Drug Administration (“FDA”) under the brand name MOUNJARO which the Complainant launched in June of 2022 with the revenue of more than USD 5.16 billion in 2023.

The Complainant also manufactures and markets a pharmaceutical preparation for the treatment of obesity approved by the FDA under the brand name ZEPBOUND which the Complainant launched in December of 2023 with the revenue of close to USD 5 billion in 2024.

Both ZEPBOUND AND MOUNJARO are widely used for the treatment of diabetes.

The Complainant owns multiple trademark registrations for MOUNJARO and ZEPBOUND around the world, including by way of example:

- United States Trademark Registration No. 6809369 for the mark MOUNJARO registered on August 2, 2022; and
- United States Trademark Registration No 7288373 for the mark ZEPBOUND registered on January 23, 2024.

The Complainant also owns the domain names <mounjaro.com> registered on October 21, 2019 and <zepbound.com> registered on April 13, 2022 to host websites that provide information relating to its MOUNJARO and ZEPBOUND products.

The disputed domain name <brazilianzepbound.com> was registered on May 8, 2025 and according to the evidence provided by the Complainant it used to resolve to a webpage which caption displayed: “He’ll Never Snub You Again After You Try This Fat-Melting Pink Salt Recipe” and appears to offer for sale a weight-loss product under the name SLIMJARO. Currently the disputed domain name resolves to an inactive webpage stating only: “404 Not Found – nginx/1.24.0 (Ubuntu)”.

The disputed domain name <mounjaronatural-app.fun> was registered on May 23, 2025 and has been resolving to a webpage which caption displays: “Trick That’s Helping Women Burn Fat in Record Time – Inspired by Mounjaro’s dual – hormone effect – but 100% natural and side-effect free” and includes a video demonstration.

The disputed domain name <mounjaronaturale.site> was registered on March 25, 2025 and has been resolving to a webpage in Italian which caption according to Google Translate displays: “No Ozempic...Only 4 ingredients! This is the new recipe that celebrities are using to lose up to 6 KILOS IN JUST 10 DAYS!” and includes a non-functional video demonstration.

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:

- the disputed domain names which incorporate its trademarks with the addition of the terms “naturale”, “natural”, “app” and “brazilian” are confusingly similar to the Complainant’s trademarks;
- the Respondents have no rights or legitimate interests in respect of the disputed domain names since they are unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy;
- the Respondents registered the disputed domain name with knowledge of the Complainant’s rights considering that the Respondents are purporting to offer “natural” versions of the Complainant’s products under the domain names containing the Complainant’s marks, which is evidence of bad faith registration and use of the disputed domain names.

The Complainant requests that the disputed domain names be transferred from the Respondents to the Complainant.

B. Respondents

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

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended 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 that: (i) the disputed domain names were registered within relatively short period of time; (ii) the disputed domain names incorporate the Complainant’s trademarks plus descriptive terms; and (iii) the disputed domain names have been resolving or have

resolved to webpages relating to offerings of products purporting to be either “natural” alternatives to or are competing with the Complainant’s products.

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 disputed domain names contain the Complainant’s MOUNJARO and ZEPBOUND trademarks which are recognizable within the disputed domain names. The addition of the terms “brazilian”, “natural”, “app” and “naturale” to the trademarks in the disputed domain names does not prevent a finding of confusing similarity between the disputed domain names and the trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 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.

The Panel notes that it is evident that the Complainant has not authorized, licensed, or allowed the Respondent to use its trademarks in the disputed domain names.

The Respondent’s use of the disputed domain names which incorporate the Complainant’s trademarks to resolve to webpages offering weight loss products purporting to be “natural” versions of the Complainant’s products or are competing with the Complainant’s products does not amount to use for a bona fide offering of goods and services and cannot create rights or legitimate interests in the disputed domain name. [WIPO Overview 3.0](#), section 2.5.3.

As mentioned above the disputed domain name <brazilianzepbound.com> currently resolves to an inactive webpage stating only: “404 Not Found – nginx/1.24.0 (Ubuntu)”. This error message means that the access to the webpage one is trying to open has been denied either on purpose or due to misconfiguration.

Accordingly, the Respondent is either using the disputed domain name for some concealed purpose or it is passively holding it. Regardless of which is the case, this use cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name.

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.

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

In the present case, the Panel notes that the Complainant's trademarks have no dictionary meaning; these are the terms invented by and unique to the Complainant and therefore highly distinctive for the corresponding products.

The Respondent has been using or has used the disputed domain names which incorporate the Complainant's trademarks to lure Internet users to their own websites offering weight loss products purported to be either "natural" alternatives to or are competing with the Complainant's products.

These facts are in view of the Panel evidence of the Respondent's actual knowledge of the Complainant's trademarks at the time of registration of the disputed domain names, as well as of the targeting of the trademark owner within the meaning of paragraph 4(b)(iv) of the Policy.

In case the disputed domain name <brazilianzepbound.com> the "404 Not Found – nginx/1.24.0 (Ubuntu)" error message displayed on the webpage at the disputed domain name could mean that the Respondent is using it for some concealed purpose, which if so, would be a further indication of the Respondent bad faith.

If, however, this error message means that the Respondent has put the disputed domain name to a passive use - which is also the current status of the disputed domain name – that would not alter the Panel's conclusion either, since non-use of the disputed domain name does not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. In this context, the Panel notes the reputation of the Complainant's trademark in the relevant sector, the nature of the disputed domain name and the previous use of the disputed domain name and finds that in the circumstance of this case the passive holding of the disputed domain name does not prevent a finding of 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 names <brazilianzepbound.com>, <mounjaronatural-app.fun> and <mounjaronaturale.site> be transferred to the Complainant.

/Zoltán Takács/

Zoltán Takács

Sole Panelist

Date: October 3, 2025