

## **ADMINISTRATIVE PANEL DECISION**

Eli Lilly and Company v. Saed alenezi, Mounjaro Kuwait  
Case No. D2025-3270

### **1. The Parties**

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

The Respondent is Saed alenezi, Mounjaro Kuwait.

### **2. The Domain Name and Registrar**

The disputed domain name <mounjarokuwait1.com> is registered with Tucows Domains Inc. (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 name. On August 15, 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 (Contact Privacy Inc. Customer 0174277869) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 19, 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 Complaint on August 19, 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 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 17, 2025.

The Center appointed Alvaro Loureiro Oliveira as the sole panelist in this matter on September 23, 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 international pharmaceutical company that has been in business for over 145 years. The Complainant has introduced to market drugs such as Prozac, Zyprexa, and Cialis, and developed a method to mass-produce penicillin as early as the 1940s.

Among its most successful products is MOUNJARO, a diabetes medication (tirzepatide) launched in 2022, with global sales exceeding USD 11.5 billion in 2024. The Complainant holds over 90 trademark registrations for MOUNJARO and its equivalents across more than 60 jurisdictions, including Kuwait.

The Complainant's trademark portfolio includes US Registration No. 6,809,369 for MOUNJARO, registered on August 2, 2022, with priority dating back to November 5, 2019. The Complainant also owns United Kingdom Registration UK00003608193 for MOUNJARO, filed on March 11, 2021, and registered on July 16, 2021.

The Complainant also has an Internet presence, primarily through its website at the domain name <mounjaro.com>. The Complainant registered the domain name <mounjaro.com> on October 21, 2019, and uses it to advertise and provide information regarding its MOUNJARO pharmaceutical.

The disputed domain name was registered on March 4, 2025, and redirects to a commercial website that sells MOUNJARO-branded medication without requiring a prescription. It also offers competing pharmaceutical products (such as Ozempic) and fails to disclose any lack of affiliation with 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 Complainant's rights in the MOUNJARO mark (the "Mark") date back to as early as November 5, 2019, when it filed for registration of the Mark with the US Patent and Trademark Office. Moreover, Complainant also owns registrations in Kuwait for the MOUNJARO trademark (Registration No. KW1627708) and the Arabic equivalent of MOUNJARO (Registration No. KW1641777).

The Complainant states that the disputed domain name is confusingly similar to the trademark MOUNJARO – in fact, the disputed domain name includes the trademark MOUNJARO in its entirety, together with the with the non-distinguishing geographic designation "kuwait" and the number "1".

The Respondent has no rights nor legitimate interests in the disputed domain name, as the Respondent has not acquired any trademark rights with respect to the disputed domain name. As stated by the documents presented, the registration and use of the trademark MOUNJARO predates the registration of the disputed domain name in several years. Moreover, the Respondent is not commonly known by the disputed domain name. The Respondent has also not secured a license nor any other authorization from the Complainant to use the trademark.

Lastly, the disputed domain name resolves to a commercial website that sells MOUNJARO-branded medication without requiring a prescription. It also offers competing pharmaceutical products (such as Ozempic) and fails to disclose any lack of affiliation with the Complainant. The site gives a false impression of legitimacy, even using the “Mounjaro” name in its copyright notice and offering sales through WhatsApp, a channel unsuitable for sensitive medical transactions. The page for which the disputed domain name directs creates a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation or endorsement.

In sum, the Complainant alleges that it is clear that the Respondent has no rights or legitimate interests in the disputed domain name, and that the disputed domain name was registered and is being used in bad faith.

## **B. Respondent**

The Respondent did not reply to the Complainant’s contentions

## **6. Discussion and Findings**

The Policy, in its paragraph 4(a), determines that three elements must be present and duly proven by a complainant to obtain relief. These elements are:

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

The disputed domain name is confusingly similar to the MOUNJARO trademark, as the former is entirely incorporated in the disputed domain name.

The Complainant has presented consistent evidence of ownership of the trademark MOUNJARO in jurisdictions throughout the world, by presenting registrations for it, as well as comprehensive evidence of the use of the trademark. The addition of the geographical term “kuwait” and the number “1” in the disputed domain name does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s MOUNJARO trademark.

The trademark is clearly recognizable in the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. See section 1.8 of the [WIPO Overview 3.0](#).

Lastly, the Panel notes that, in accordance with section 1.11.1 of the [WIPO Overview 3.0](#), the generic Top-Level Domain (“gTLD”), in this case “.com”, is typically disregarded under the first element.

Given the above, the Panel concludes that the disputed domain name is confusingly similar to the registered trademark of the Complainant.

## **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.

Given the clear evidence that the trademark MOUNJARO is registered in the name of the Complainant and is widely known as identifying the Complainant’s successful product, that the Complainant has not licensed it to the Respondent to use, and the evidence that the Respondent is using the disputed domain name in connection with a web page, displaying the Complainant’s MOUNJARO trademark and also offering competing pharmaceutical products (such as Ozempic) without requiring prescription and failing to disclose any lack of affiliation with the Complainant, the Panel finds that the Complainant has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name.

In the absence of a Response, the Respondent has not rebutted such prima facie case.

The Panel, thus, finds for the Complainant under the second element of the Policy.

## **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 finds that the Respondent has probably registered the disputed domain name with the purpose of taking unfair advantage of the Complainant’s mark. The addition of the geographical term “kuwait” in the disputed domain name points towards the Respondent’s likely intent to give the impression that the disputed domain name, which reproduces the Complainant’s MOUNJARO trademark, is associated with the Complainant, focusing in the market of that specific region. In the absence of any reasonable explanation for the selection of the disputed domain name by the Respondent, and in the circumstances of this case, the Panel finds that it is more likely than not that the disputed domain name has been registered to take unfair advantage of the trademarks owned by the Complainant.

It is a fact that the disputed domain name resolves to a commercial website that sells MOUNJARO-branded medication without requiring a prescription, also offering competing pharmaceutical products (such as Ozempic), and fails to disclose any lack of affiliation with the Complainant. The site gives a false impression of legitimacy, even using the “Mounjaro” name in its copyright notice and offering sales through WhatsApp, a channel the Complainant contends is unsuitable for sensitive medical transactions.

The page for which the disputed domain name directs creates a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation or endorsement, suggests that the Respondent’s main goal is to profit from the confusion created among Internet users.

Hence, the Panel finds that the Respondent has registered and used the disputed domain name deliberately in order to take advantage of the Complainant's reputation in its trademarks and to give credibility to its operation of the website at the disputed domain name for commercial gain.

In the totality of the circumstances, the Panel finds 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 <mounjarokuwait1.com> be transferred to the Complainant.

*/Alvaro Loureiro Oliveira /*

**Alvaro Loureiro Oliveira**

Sole Panelist

Date: October 6, 2025