

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. vanessa macedo, Club Mounjaro
Case No. D2026-0823

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 vanessa macedo, Club Mounjaro, Portugal.

2. The Domain Name and Registrar

The disputed domain name <clubmounjaro.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 February 25, 2026. On February 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 26, 2026, 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 0176112892) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 27, 2026, 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 February 27, 2026.

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 March 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 24, 2026.

The Center appointed Rodrigo Azevedo as the sole panelist in this matter on March 31, 2026. 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 Eli Lilly and Company, a global pharmaceutical company engaged in the development, manufacture, and commercialization of pharmaceutical products, including medications for the treatment of diabetes.

The Complainant is the owner of trademark registrations for the mark MOUNJARO in numerous jurisdictions worldwide, including the United States Trademark Registration No. 6809369 for MOUNJARO, filed on November 5, 2019 and registered on August 2, 2022.

The Complainant also owns and operates domain names incorporating its MOUNJARO mark, including the domain name <mounjaro.com>, which was registered on October 21, 2019.

The disputed domain name <clubmounjaro.com> was registered on September 7, 2025.

The disputed domain name points to a global cloud-based e-commerce platform, which allows you to create, manage and customize virtual stores in a simple way, but is not currently linked to any active store. The Complainant brought evidence that the disputed domain name was recently used to point to an online store reproducing the MOUNJARO brand, in which competing products were offered without adequately clarifying the non-existence 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:

(i) The disputed domain name is identical or confusingly similar to the Complainant's trademark. The Complainant contends that it owns valid trademark rights in the mark MOUNJARO, which predates the registration of the disputed domain name. The disputed domain name incorporates the highly distinctive MOUNJARO mark in its entirety, together with the descriptive term "club", which does not prevent a finding of confusing similarity. The Complainant further asserts that the addition of a generic Top-Level Domain ("gTLD") (".com") is a standard registration requirement and should be disregarded for purposes of comparison.

(ii) The Respondent has no rights or legitimate interests in the disputed domain name. The Complainant contends that the Respondent is not affiliated with, licensed, or otherwise authorized to use the Complainant's MOUNJARO mark. On the website at the disputed domain name, the Respondent purports to offer for sale the Complainant's goods that are at best gray market or counterfeit goods. The Respondent's product directly competes against the Complainant's MOUNJARO brand product and the Respondent fails to accurately disclose its relationship (or lack thereof) with the Complainant. The Respondent had constructive notice of the MOUNJARO mark, in light of the Complainant's multiple trademark registrations throughout the world, including in the United States. The Respondent is not commonly known by the disputed domain name and has not made a bona fide offering of goods or services or legitimate noncommercial or fair use of the

disputed domain name. Any use of the disputed domain name that trades on the reputation of the MOUNJARO mark cannot confer rights or legitimate interests.

(iii) The disputed domain name was registered and is being used in bad faith. The Complainant contends that the Respondent registered the disputed domain name with knowledge of the Complainant's well-known MOUNJARO mark and with the intention of exploiting its reputation. MOUNJARO brand product has been referred to as a "blockbuster" success and has received substantial media coverage worldwide. The Respondent is using the Complainant's mark to drive Internet traffic to its website, where it is using the disputed domain name to sell competitive products. Prior Panels have found that the sale of competing products constitutes bad faith attraction for commercial gain under the Policy. Moreover, the Respondent is using the disputed domain name to offer prescription-only products without any apparent requirement for a prescription, which further supports a finding of bad faith. The Respondent has registered the disputed domain name to prevent the Complainant from using its trademark in a corresponding domain name, which is evidence of bad faith of use and registration of the disputed domain name under the Policy. Lastly, the Respondent's use of the Complainant's mark in the disputed domain name is potentially harmful to the health of many unsuspecting consumers who may purchase products advertised through the Respondent's website under the mistaken impression that they are dealing with the Complainant or an authorized distributor of the Complainant and, therefore, will be receiving safe and effective drugs approved by health authorities around the world.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to be entitled to a transfer of the disputed domain name, a complainant shall prove the following three elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) the respondent has no rights or legitimate interests in respect of 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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

Annex 9 to the Complaint shows valid registrations of MOUNJARO trademarks obtained by the Complainant since at least 2020. Based on the available record, the Panel finds the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The trademark MOUNJARO is wholly encompassed within the disputed domain name, together with the prefix "club", as well as with the gTLD extension ".com".

Although the addition of other terms (here, "club") 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 3.1](#), section 1.8.

It is also well established that the addition of a gTLD, such as “.com”, is typically disregarded when determining whether a domain name is confusingly similar to a complainant’s trademark as such is viewed as a standard registration requirement. [WIPO Overview 3.1](#), section 1.11.1.

The Panel finds that the disputed domain name is confusingly similar to the Complainant’s MOUNJARO trademark, and that 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 3.1](#), 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 Complainant has not licensed nor authorized the use of its well-known trademark to the Respondent, and the Panel finds no indication that the Respondent is commonly known by the disputed domain name.

Furthermore, the Complainant has shown that the disputed domain name was recently linked to a website reproducing the Complainant’s MOUNJARO mark. However, according to the Complainant, the Respondent is not an authorized reseller, nor has it obtained any permission for such reproduction of trademark.

Additionally, although encompassing the Complainant’s trademark MOUNJARO in the disputed domain name, such website also offered for sale competing products and did not accurately and prominently disclose the Respondent’s -lack of- relationship with the trademark holder. Therefore, the Respondent does not pass the “Oki Data test” to characterize a legitimate interest in the disputed domain name (see *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)).

Based on the available record, 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 3.1](#), section 3.2.1.

The Panel concludes that it is not likely that the Respondent was not aware of the Complainant's trademark and that the registration of the disputed domain name was a mere coincidence.

When the disputed domain name was registered (in 2025) the MOUNJARO trademark was already famous and directly connected with the Complainant's medicine products.

Also, the Panel considers that the addition of the prefix "club" to the disputed domain name is not sufficient to eliminate the potential for confusion, and may even be interpreted as an allusion to an official MOUNJARO channel.

Actually, the content on the website recently linked to the disputed domain name - including reproductions of the Complainant's trademark and descriptions of its products - makes clear that the Respondent intentionally attempted to attract the Complainant's customers, for commercial gain, to its website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the website.

The situation is aggravated by the said offer of competing products through a domain name that reproduces the Complainant's trademark.

Finally, the absence of a formal reply from the Respondent to the Complainant's contentions and of any justification for the use of the Complainant's trademark is further evidence of bad faith in registering and using the disputed domain name in the present case.

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 <clubmounjaro.com> be transferred to the Complainant.

/Rodrigo Azevedo/

Rodrigo Azevedo

Sole Panelist

Date: April 14, 2026