ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Eli Lilly and Company v. lilly pharma
Case No. D2026-0824

1. The Parties

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

The Respondent is lilly pharma, Brazil.

2. The Domain Name and Registrar

The disputed domain name <lillypharma.lat> is registered with Hostinger Operations, UAB (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 27, 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 (The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 2, 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 March 2, 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 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 25, 2026. The Respondent sent some email communications to the Center on March 5 and 6, 2026, and the Complainant confirmed the intention to have a decision issued in relation to the present matter on March 6, 2026, regardless of the Respondent's willingness to transfer the

disputed domain name. The Respondent did not file any formal response. Accordingly, the Center notified the commencement of panel appointment process on March 31, 2026.

The Center appointed Tommaso La Scala as the sole panelist in this matter on April 8, 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 in this administrative proceeding is a renown US pharmaceutical company established in 1876 and operating worldwide under the LILLY trademark used for over 100 years to denote its business activity.

The Complainant owns several international and national trademarks for LILLY, including – as a mere example – the US registration No. 1,226,434, filed in 1981 and registered on February 8, 1983, for class 5 (goods) and duly renewed over the years. The Complainant also owns many domain names comprehensive of the LILLY trademark, such as <lilly.com>, registered in 1991.

The disputed domain name was registered on January 29, 2026, and it has been used to resolve to a website prominently displaying the Complainant's logo, mimicking the layout, look and feel of the Complainant's official website. Such website was used – among others – to sell drugs and pharmaceutical products manufactured purportedly by the Complainant, but also by the Complainant's competitors.

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:

(a) the disputed domain name is confusingly similar to the Complainant's trademarks;

(b) the Respondent lacks any rights or legitimate interests in the disputed domain name; and

(c) the Respondent registered and is using the disputed domain name in bad faith, namely for impersonating the Complainant in order to mislead Internet users for undue commercial purposes.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions but simply informed the Complainant and the Center that the website connected to the disputed domain name was taken down, thereby expressing a willingness to settle the dispute.

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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has established rights in the LILLY trademark.

The disputed domain name consists of the LILLY trademark with the sole addition of the term "pharma". This Panel agrees with the Complainant's assertion that the Complainant's mark is recognizable within the disputed domain name and that such addition definitely does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademarks: see, in this regard, *Eli Lilly and Company v. Jay Adams*, WIPO Case No. D2025-3281).

Therefore, the Panel finds the disputed domain name to be confusingly similar to the LILLY trademark in which the Complainant has rights. Accordingly, 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 3.1, section 2.1.

This Panel finds that the Complainant has made a prima facie case that the Respondent does not have rights or legitimate interests in the disputed domain name. As a matter of fact, the Respondent does not appear to be commonly known by the name "lilly" and/or any similar name. The Respondent has no connection to or affiliation with the Complainant, and the Complainant has not licensed or otherwise authorized the Respondent to use or register any domain name incorporating the Complainant's trademark. The Respondent does not appear to make any legitimate noncommercial or fair use of the disputed domain name, nor any use in connection with a bona fide offering of goods or services. Lastly, the Respondent has used the disputed domain name to pass it off as the Complainant, even for selling goods manufactured by Complainant's competitors. The Respondent's use of the name "lilly pharma" in registration details does not confer any rights or legitimate interests on the Respondent under the circumstances of this case.

Having reviewed the available record and considering that 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 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.

The Complainant has documented that the Respondent has purposely registered and used the disputed domain name to attempt to defraud others by passing it off as the Complainant's official website / a Complainant's authorized channel. This conduct is, in the Panel's view, sufficient to show that the Respondent not only knew of the Complainant and its trademarks but intentionally intended to divert Internet users.

The Panel finds that the Respondent's use of the disputed domain name constitutes a disruption of the Complainant's business and qualifies as bad faith registration and use under the Policy.

Furthermore, the fact that the Respondent was using the Complainant's Mark to drive Internet traffic to its website to sell products manufactured by the Complainant's competitors is also clear evidence of bad faith.

The Panel finds the third element of the Policy has been established.

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 <lillypharma.lat> be transferred to the Complainant.

/Tommaso La Scala/
Tommaso La Scala
Sole Panelist
Date: April 22, 2026