

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. Igor Matheus Da Silva
Case No. D2026-0826

1. The Parties

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

The Respondent is Igor Matheus Da Silva, Brazil.

2. The Domain Name and Registrar

The disputed domain name <mounjarooofficial.com> is registered with Squarespace Domains II LLC (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 (REDACTED FOR PRIVACY) 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 March 7, 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 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 30, 2026.

The Center appointed Rodrigo Velasco Santelices as the sole panelist in this matter on April 7, 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 Eli Lilly and Company, a corporation organized under the laws of the State of Indiana, U.S., owner of trademark MOUNJARO. The Complainant's rights in the MOUNJARO mark date back to November 5, 2019, when it filed for registration of the mark with the U.S. Patent and Trademark Office. The mark was registered on the principal register (Registration No. 6,809,369) on August 2, 2022, in association with pharmaceutical preparations for the treatment of diabetes.

The Complainant also holds a trademark registration for the mark MOUNJARO in Brazil under Reg. No. 919,475,787, which was applied for on March 26, 2020, and registered on November 24, 2020, and benefits from a claim to the priority of the U.S. registration of November 5, 2019.

The U.S. Food and Drug Administration ("FDA") announced its approval of the medication Tirzepatide under the brand name MOUNJARO for use in connection with injectable pharmaceutical products for the treatment of type 2 diabetes on May 13, 2022. The Complainant launched the product in June of 2022, and by the end of 2022, the product produced nearly 280 million dollars (\$280,000,000.00) in revenue.

At the time of filing this Complaint, governing bodies similar to the FDA have approved the MOUNJARO product for distribution in various formats in each of the following countries outside the U.S.: Argentina, Australia, Austria, Bahrain, Belgium, Brazil, Bosnia and Herzegovina, Bulgaria, Canada, China, Colombia, Croatia, Cyprus, the Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hong Kong, China, Hungary, India, Indonesia, Ireland, Israel, Italy, Japan, Kuwait, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Malta, Mexico, the Netherlands (Kingdom of the), Norway, Oman, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Republic of Korea, Spain, Sweden, Switzerland, Taiwan, Province of China, Thailand, Türkiye, the United Arab Emirates, and the United Kingdom.

To date, the Complainant has obtained at least 143 registrations for the MOUNJARO mark in 91 countries around the world and at least 24 registrations of the MOUNJARO Logo in 22 countries.

The Complainant also has an Internet presence for its MOUNJARO product (available at <mounjaro.com>, which redirects to <mounjaro.lilly.com>). The Complainant registered the <mounjaro.com> domain name on October 21, 2019, which is used to advertise and provide information regarding its MOUNJARO product. Because the Respondent registered the disputed domain name on March 13, 2025, Complainant's rights in the MOUNJARO mark clearly pre-date Respondent's registration date.

At the time of filing of the Complaint, the dispute domain name resolved to a website purporting to offer the Complainant's products in Portuguese. At the time of this Decision, the disputed domain name does not resolve to an active website, but to a screen stating "Oops! Algo deu errado 😞 Seu site está passando por um problema. Por favor, entre em contato com o administrador da hospedagem para resolver esta situação ou tente novamente".

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 it is the owner of the registered trademark MOUNJARO, so it cannot be questioned that the disputed domain name <mounjarooficial.com> is confusingly similar to the Complainant's trademark since it reproduces the MOUNJARO mark in its entirety, followed by a descriptive term.

Further, the Complainant submits that the disputed domain name consists of the highly distinctive MOUNJARO mark and the descriptive term "oficial" equivalent to "official" in Portuguese; in addition to the generic Top-Level Domain ".com". It is well settled that the addition of a descriptive term, such as "official" or "official" does not obviate a finding of confusing similarity.

The Respondent is neither using the disputed domain name in connection with a bona fide offering of goods and services nor making a legitimate noncommercial or fair use of the disputed domain name. Instead, the Respondent has registered the disputed domain name with a privacy-shielding service and has used the disputed domain name to direct Internet traffic to a website posing as Complainant and selling either counterfeit or gray market versions of Complainant's products, all without disclosing the Respondent's lack of a relationship with the Complainant.

First, the Respondent purports to offer the Complainant's goods for sale but appears to offer gray market or counterfeit goods. In particular, the Respondent, describing itself as "Eli Lilly of Brazil", purports to ship the Complainant's MOUNJARO brand product across Brazil despite not being an authorized distributor. Instead, the website associated with the disputed domain name includes links to message a WhatsApp account to facilitate sale of the products. The above confirms that the goods offered by the Respondent are either gray market goods or counterfeit goods.

Second, the Respondent fails to accurately disclose its relationship with the Complainant. Instead, it claims to be an official website for the Complainant in Brazil, operating under the name "Eli Lilly of Brazil". This leads Internet users to falsely believe that the Respondent's website is the Complainant's official website, that the Respondent is an authorized distributor of MOUNJARO product, or that the Respondent owns the mark.

Lastly, the Respondent had constructive notice of the MOUNJARO mark, in light of the Complainant's multiple trademark registrations throughout the world, including in the U.S. and Brazil. The Complainant has not given the Respondent permission, authorization, consent, or license to use its MOUNJARO mark.

B. Respondent

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

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 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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms here, “official”, 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.

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 that 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 with 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. Further, the Panel considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.1](#), section 2.5.1.

Panels have held that the use of a domain name for illegitimate activity here, the sale of counterfeit goods or (unlicensed) pharmaceuticals, passing off and phishing, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

In the present case, the Panel notes that the Complainant’s trademark MOUNJARO was registered several years prior to the registration of the disputed domain name <mounjaroofficial.com>. The trademark MOUNJARO is well known for its medical products, so the Respondent knew or should have known the Complainant’s trademark when registering the disputed domain name. The Panel finds that this fact cannot be a simple coincidence.

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 finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, or endorsement of the disputed domain name, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name <mounjarooofficial.com> constitutes 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 name <mounjarooofficial.com> be transferred to the Complainant.

/Rodrigo Velasco Santelices/
Rodrigo Velasco Santelices
Sole Panelist
Date: April 20, 2026