

## **ADMINISTRATIVE PANEL DECISION**

Eli Lilly and Company v. Rafael Morais  
Case No. D2026-0856

### **1. The Parties**

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

Respondent is Rafael Morais, Brazil.

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

The disputed domain name <mounjaroh.com> 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 27, 2026. On February 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 2, 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 (not available / HOSTINGER operations, UAB (Registrar)) and contact information in the Complaint. The Center sent an email communication to Complainant on March 2, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. 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 Respondent of the Complaint, and the proceedings commenced on March 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 24, 2026. Respondent sent email communications to the Center on March 4, and 23, 2026.

The Center appointed Yijun Tian as the sole panelist in this matter on April 1, 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**

##### **A. Complainant**

Complainant, Eli Lilly and Company, is a corporation organized under the laws of the State of Indiana, USA, and a globally renowned pharmaceutical company with substantial goodwill and worldwide recognition. Among its products is “Mounjaro”, used for the treatment of type 2 diabetes. Following U.S. Food and Drug Administration approval on May 13, 2022, Complainant launched Mounjaro in June 2022, generating approximately USD 280 million in revenue in 2022, increasing to over USD 5.16 billion in 2023, USD 11.54 billion in 2024, and over USD 22.9 billion worldwide in 2025 (Annexes 3–8 to the Complaint). The product has also been approved in numerous jurisdictions worldwide.

Complainant has rights in the MOUNJARO mark and owns numerous registrations worldwide, including the United States trademark registered on August 2, 2022 (U.S. Registration No. 6809369), based on an application filed on November 5, 2019, and the Brazilian trademark registered on November 24, 2020 (Reg. No. 919475787), claiming priority from the U.S. filing date (Annex 9 to the Complaint). Complainant holds at least 143 registrations for the MOUNJARO mark in 91 countries, and at least 24 registrations for the MOUNJARO logo in 22 countries (Annex 9 to the Complaint).

Complainant operates its website at <mounjaro.com>, registered on October 21, 2019, which redirects to <mounjaro.lilly.com> and provides information about its Mounjaro product (Annexes 10–11 to the Complaint).

##### **B. Respondent**

Respondent is Rafael Morais, Brazil.

The disputed domain name was registered on January 18, 2026. According to the Complaint and supporting evidence, the disputed domain name resolves to a website that does not offer Complainant's genuine goods, but instead promotes competing and infringing products via referral links to <mounjax.com>, using marks visually and phonetically similar to Complainant's MOUNJARO mark (e.g., “Mounjax”), thereby creating a misleading impression of affiliation with or endorsement by Complainant.

#### **5. Parties' Contentions**

##### **A. Complainant**

Complainant contends that the disputed domain name is confusingly similar to its MOUNJARO trademark, as it incorporates the mark in its entirety with only a minor misspelling (the addition of an “h”). Such a trivial alteration does not prevent a finding of confusing similarity.

Complainant contends that Respondent lacks rights or legitimate interests in the disputed domain name.

Complainant contends that the disputed domain name was registered and is being used in bad faith.

Complainant requests that the disputed domain name be transferred to it.

## **B. Respondent**

Respondent did not formally reply to Complainant's contentions, but sent four emails indicating a willingness to sell the disputed domain name to Complainant in order to settle the matter.

## **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 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.

Based on the available record, the Panel finds 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 Panel finds that Complainant's MOUNJARO mark is recognizable in its entirety within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to Complainant's mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

While the addition of the letter "h" may bear on the assessment of the second and third elements, the Panel finds that the addition of this letter does not prevent a finding of confusing similarity between the disputed domain name and the MOUNJARO mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.9.

Based on the available record, 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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 record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

More specifically:

(i) there has been no evidence adduced to show that Respondent has used the disputed domain name in connection with a bona fide offering of goods or services. Respondent has not provided evidence or reasons to justify the choice of the term "mounjaro", which is the same as Complainant's MOUNJARO trademark, in the disputed domain name. There has been no evidence to show that Complainant has licensed or

otherwise permitted Respondent to use the MOUNJARO trademark or to register or use any domain name incorporating the MOUNJARO marks;

(ii) there has been no evidence adduced to show that Respondent has been commonly known by the disputed domain name. The named Respondent is Rafael Morais, Brazil, and there is no evidence that Respondent has been commonly known as “mounjaro”. There is also no evidence of any registered trademark rights, in the name of Respondent, corresponding to the disputed domain name. The disputed domain name was registered in 2026, well after Complainant’s MOUNJARO trademarks were registered internationally; and

(iii) there has been no evidence adduced to show that Respondent was making a legitimate noncommercial or fair use of the disputed domain name. On the contrary, rather than offering any independent goods or services, the disputed domain name resolved to a website that promoted competing products and created a misleading impression of affiliation with or endorsement by Complainant through the use of confusingly similar branding and redirection to third-party commercial websites.

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.

In the present case, the Panel finds that Respondent has registered and used the disputed domain name in bad faith.

Based on the information provided by Complainant, the Panel finds that Complainant has established rights and a reputation in the MOUNJARO mark in connection with its products for the treatment of type 2 diabetes. The MOUNJARO mark has been registered internationally since at least 2022. The disputed domain name, registered in 2026, incorporates Complainant’s MOUNJARO mark in its entirety, subject only to a minor misspelling. In these circumstances, it is not conceivable that Respondent was unaware of Complainant’s mark at the time of registration.

This conclusion is reinforced by Respondent’s use of the disputed domain name. The disputed domain name resolves to a website that does not offer Complainant’s genuine goods, but instead promotes competing and infringing products under names such as “Mounjax”, which are visually and phonetically similar to Complainant’s mark. Such conduct demonstrates that Respondent was targeting Complainant’s mark and seeking to exploit its goodwill.

Respondent has no relationship with Complainant and has not been authorized to use the MOUNJARO mark. By using the disputed domain name in this manner, Respondent has created a likelihood of confusion with Complainant’s mark as to source, sponsorship, affiliation, or endorsement.

The Panel therefore concludes that Respondent is using a confusingly similar disputed domain name with the intention to attract, for commercial gain, Internet users to Respondent’s website by creating a likelihood of confusion with Complainant. Such use constitutes bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Based on the available record, 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 <mounjaroh.com> be transferred to Complainant.

*/Yijun Tian/*

**Yijun Tian**

Sole Panelist

Date: April 14, 2026