ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Eli Lilly and Company v. Lilian Pereira, Yuri Morningstar
Case No. D2026-0907

1. The Parties

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

The Respondent is Lilian Pereira, Brazil; and Yuri Morningstar, Brazil.

2. The Domain Names and Registrar

The disputed domain names <mounjarocapsulas.site> and <mounjaronaturall.online> are registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 2, 2026. On March 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 4, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (LT) and contact information in the Complaint. On March 6, 2026, the registrant Lilian Periera sent an email to the Center copying the Complainant's legal representatives.

Following further communication between the Center and the Registrar, the Center sent an email communication to the Complainant on March 10 ,2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on March 11, 2026.

The Center verified that the Complaint together with the amended 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 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 17, 2026.

The Center appointed Karen Fong as the sole panelist in this matter on April 24, 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 produces and sells an injectable pharmaceutical product for the treatment of type 2 diabetes under the brand name MOUNJARO. On May 13, 2022, the United States 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. The Complainant launched the product in June 2022 and by the end of 2022 the product had generated nearly USD 280 million in revenue. Sales of the MOUNJARO product generated revenue of USD 5.16 billion dollars in 2023, USD 11.4 billion in 2024 and USD 22 billion in 2025. The products have received substantial media coverage since its launch. MOUNJARO has also been approved by regulatory authorities equivalent to the FDA in numerous countries around the world including Brazil where the Respondents appear to be based. Tirzepatide is also associated with weight loss in users.

The MOUNJARO is registered as a trademark in 91 jurisdictions around the world including the following:

- United States Trade Mark Registration No. 6809369 for MOUNJARO registered on August 2, 2022;
- Brazil Trade Mark Registration No. 919475787 for MOUNJARO registered on November 24, 2020; and
- European Union Trade Mark Registration No. 018209187 for MOUNJARO registered on September 8, 2020.
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(individually and collectively, the "Trade Mark").

The Complainant owns the domain name <mounjaro.com> which redirects to website "www.mounjaro.lily.com". It was registered on October 21, 2019.

The disputed domain name <mounjarocapsulas.site> ("Domain Name A") was registered by Lilian Pereira on May 26, 2025. The registrant appears to be based in Brazil. Domain Name A resolves to a website offering for sale dietary supplement products called MOUNJARO CAPS which purport to help with weight loss. The Trade Mark is featured prominently on the website. The website also depicts bottles of capsules branded with the Trade Mark MOUNJARO with the word "CAPS" appearing in much smaller font beneath the Trade Mark. It also includes "before" and "after" images of individuals who purport to have taken the products. The prices of the products depending on the number of bottles purchased, with separate prices offered for one, three, five and ten bottles. The product is said to be made up of beetroot fibre, psyllium, citric pectin, agar-agar and chrome ("Website A").

The disputed domain name <mounjaronaturall.online> ("Domain Name B") was registered by Yuri Morningstar on November 28, 2025. The registrant also appears to be based in Brazil. Domain name B resolves to a website offering for sale dietary supplement products called MOUNJARO NATURAL, which purport to assist with weight loss. The Trade Mark is featured prominently on the website. The website also depicts bottles of capsules branded with the Trade Mark MOUNJARO with the word "NATURAL" appearing in smaller font beneath the Trade Mark. It also includes "before" and "after" images of people who purport to have taken the products. The prices of the products decrease depending on the number of bottles purchased, with separate prices offered for one, three, five and ten bottles. The product is said to be made up of beetroot fibre, psyllium, citric pectin, agar-agar, chrome and Vitamin B12 ("Website B").

Domain Name A and Domain Name B are referred to collectively as the "Domain Names" whilst Website A and Website B are referred to collectively as the "Websites".

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 Domain Names.

Notably, the Complainant contends that the Domain Names are confusingly similar to the Trade Mark in which it has rights, that the Respondents have no rights or legitimate interests with respect to the Domain Names, and that the Domain Names were registered and are being used in bad faith. The Complainant requests transfer of the Domain Names.

B. Respondents

The Respondents did not formally reply to the Complainant's contentions. However, prior to the commencement of the proceedings, the registrant of Domain Name A, Lilian Pereira, emailed the Center in Portuguese. She stated that she was the registrant of Domain Name A, but that Domain name B was not her responsibility. She further stated that she had asked the Registrar to cancel Domain Name A because she had not used it for a long time, that it had been an unsuccessful test registration, and that she wished to avoid any complications. She added that automatic renewal had already been disabled and that Domain name A would expire on May 26, 2026 if cancellation was not processed earlier due to the UDRP dispute lock. She also reiterated her good faith in resolving the matter.

6. Discussion and Findings

6.1. Preliminary Issues

A. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the Domain Name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple Domain Name registrants pursuant to paragraph 10(e) of the Rules.

The Domain Name registrants did not formally comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the Domain Names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.1"), section 4.11.2.

As regards common control, the Panel notes the following:

(1) Both Domain Names incorporate the Trade Mark together with a descriptive term and resolve to websites in Brazilian Portuguese which prominently display the Trade Mark and offer for sale goods bearing the Trade Mark;

(2) The Websites offer for sale weight loss products which purport to contain almost identical ingredients which are offered for sale in the same quantities namely packs of one, three, five and ten bottles.

(3) Both Websites use “before” and “after” images of individuals who are presented as having taken the products, as part of the same overall marketing presentation for the allegedly weight-loss products;

(4) The Domain Names were registered through the same Registrar and privacy shielding service within a short space of time in 2025;

(5) Both the Domain Names have the same name-servers;

(6) The Respondents failed to file formal responses.

The Panel has taken into account Lilian Pereira’s statement that she is not responsible for Domain Name B. However, this statement is not determinative. It is not supported by any evidence, and it does not address the objective similarities between the Domain Names, the Websites, the Registrar and privacy shielding service, the name servers, and the manner in which the Domain Names have been used. In the Panel’s view, those factors are sufficient to support a finding, on the balance of probabilities, that the Domain Names are subject to common control by the Respondents. The above pattern evidences common conduct based on the registration and use of the Domain Names and that such conduct interferes with the Trade Mark. The Respondents had the opportunity but did not respond to the Complaint. As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different Domain Name registrants (referred to below as “the Respondent”) in a single proceeding.

6.2. Substantive Issues

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 trade mark and the disputed domain name. WIPO Overview 3.1, section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the entirety of the Trade Mark is reproduced within the Domain Names. Accordingly, the Domain Names are confusingly similar to the Trade Mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

While the addition of the terms “capsulas” and “naturall” after the Trade Mark may bear on assessment of the second and third elements, the Panel finds the addition of these words does not prevent a finding of confusing similarity between the Domain Names and the Trade Mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

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 the 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. 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 the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Domain Names. 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 Domain Names such as those enumerated in the Policy or otherwise. 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.

In the present case, the Panel considers that the Respondent must have been aware of the Trade Mark when it registered the Domain Names given the reputation of the Trade Mark, following the rapid success of the Complainant's product since its launch in 2022. It is therefore implausible that the Respondent was unaware of the Complainant when it registered the Domain Names.

In the WIPO Overview 3.1, section 3.2.2 states as follows:

"Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant's mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant's mark. Further factors including the nature of the domain name, the chosen top-level domain, any use of the domain name, or any respondent pattern, may obviate a respondent's claim not to have been aware of the complainant's mark."

The fact that there is a clear absence of rights or legitimate interests coupled with the Respondent's choice of the two Domain Names without any explanation is also a significant factor to consider (as stated in WIPO Overview 3.1, section 3.2.1). The Domain Names fall into the category stated above and the Panel finds that the registration is in bad faith.

Further, the Panel considers that the addition of the terms "capsulas" and "naturall" to the Trade Mark in the Domain Names reinforces a finding of bad faith registration. The term "capsulas" is the Portuguese word meaning capsules, and describes the form of the products offered on Website A. The term "naturall" is not standard Portuguese, but appears to be a misspelling of "natural", corresponding to the presentation of the products offered on Website B as "MOUNJARO NATURAL". These terms are directly connected to the Respondent's use of the Domain Names to offer purported weight-loss capsule products, and reinforce the inference that the Respondent registered and used the Domain Names with the Complainant's Trade Mark in mind.

The Panel further finds that Domain Names are being used in bad faith. The Websites prominently display the Trade Mark and offer for sale products bearing the Trade Mark without any authorisation from the Complainant. The products are presented as weight-loss products which have the same effect as the Complainant's genuine products. This is calculated to mislead Internet users to believe its affiliation with the

Complainant.

The Websites were set up to deliberately mislead Internet users that they are connected to, authorised by, or affiliated with the Complainant. The Respondent employed the fame of the Trade Mark to mislead Internet users into visiting the Websites instead of the Complainant's particularly as the Websites do not have any information as to the relationship with the Complainant. From the above, the Panel concludes that the Respondent has intentionally attempted to attract, for commercial gain, by misleading Internet users into believing that the Websites and the products purportedly offered for sale and sold on them are those of or authorised or endorsed by the Complainant.

It is highly likely that Internet users, when typing the Domain Names into their browser or finding them through a search engine, would have been looking for a site operated by the Complainant rather than the Respondent. The Domain Names are likely to confuse Internet users trying to find the Complainant's official website. Such confusion will inevitably result due to the fact that all the Domain Names comprise the Trade Mark as the dominant element of the Trade Mark.

Accordingly, the Panel finds that, by using the Domain Names, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Websites by creating a likelihood of confusion with the Complainant's Trade Mark as to the source, sponsorship, affiliation, or endorsement of the Websites and of the products offered on them. The Panel therefore concludes that the Domain Names were registered and are being used in bad faith under 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 names <mounjarocapsulas.site> and <mounjaronaturall.online> be transferred

/Karen Fong/
Karen Fong
Sole Panelist
Date: May 15, 2026