ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Eli Lilly and Company v. Boris Djordjevic
Case No. D2026-3511

1. The Parties

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

The Respondent is Boris Djordjevic, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <mounjaro-official.com> is registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 7, 2026. On August 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 10, 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, Domain Protection Services, Inc.) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 11, 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 August 11, 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 August 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 1, 2026. The Respondent sent an email communication to the Center on August 12, 2026.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on September 2, 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 a pharmaceutical company and owns numerous trademark registrations for MOUNJARO such as:

- United States of America trademark registration No. 7,068,463, registered on May 30, 2023;
- United Kingdom trademark registration No. UK00003608193, registered on July 16, 2021;
- European Union Trade Mark registration No. 018209187, registered on September 8, 2020;
- New Zealand trademark registration No. 1143992, registered on September 29, 2020.

The disputed domain name was registered on January 30, 2026 and resolves to a website, which displays the Complainant's trademark MOUNJARO with its logo and provides information on the Complainant's product and information on use destined to patients. A disclaimer in small letters states that the website is not affiliated with 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 the disputed domain name is confusingly similar to the Complainant's trademark, which is highly distinctive. The disputed domain name reproduces the Complainant's trademark in its entirety. The addition of the term "official" does not eliminate confusing similarity but instead increases confusion. The generic Top-Level Domain ".com" is a registration requirement.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name. The Respondent is not 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. The disputed domain name is being used to direct Internet traffic to a website that impersonates the Complainant. The small-font disclaimer is not sufficient to cure the overall impression of sponsorship or affiliation. Also, the failure to accurately identify the Respondent on the website under the disputed domain name is further evidence of a lack of rights or legitimate interests. The disputed domain name carries a risk of implied affiliation with the Complainant. The Complainant has not given the Respondent permission, authorization, consent, or license to use its MOUNJARO mark.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Respondent was aware of the Complainant's trademark which was registered prior to the creation of the disputed domain name and the disputed domain name resolves to a website that displays the Complainant's trademarks and detailed product information typically found on the Complainant's website. The disclaimer does not cure the initial interest confusion or negate a finding of bad faith. The Complainant's trademark is widely known. The Respondent was under an obligation to conduct reasonable due diligence.

B. Respondent

The Respondent did not submit a formal response. Instead, on August 12, 2026, the Respondent sent an email stating that the website at the disputed domain name has been taken down and consenting to the transfer of the disputed domain name.

6. Discussion and Findings

6.1 Preliminary Issue: Respondent's Consent to Remedy

Section 4.10 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1") notes that where the respondent has given its consent on the record to the transfer (or cancellation) remedy sought by the complainant, many panels will order transfer solely on that basis. Panels may, however, proceed to a substantive decision on the merits where, inter alia, the complainant has not agreed to accept such consent and has expressed a preference for a recorded decision on the merits.

In the present case, the Respondent stated that it did not intend to contest the proceedings and had no objection to transfer of the disputed domain name. The Complainant has not agreed to accept such consent. The Panel therefore considers it appropriate to determine the Complaint on the merits under paragraph 4(a) of the Policy.

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 trademark and the disputed domain name. 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 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. Instead, upon notice of the dispute, the Respondent agreed to the transfer of the disputed domain name to the Complainant. The Panel infers from this communication that the Respondent does not have any rights or legitimate interests in the disputed domain name, otherwise the Respondent would have come forward with them, and that the Respondent does not object to the transfer of the disputed domain name to the Complainant.

The Panel also notes that the composition of the disputed domain name, merely adding to the Complainant's trademark a hyphen and the team "official", implies affiliation or sponsorship by the Complainant. WIPO Overview 3.1, section 2.5.1.

Panels have held that the use of a domain name for illegitimate activity, here, claimed passing off, 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.

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 notes that the Respondent was aware of the Complainant's trademark as the disputed domain name resolves to a website, which displays the Complainant's trademark, together with information on the Complainant's product and how to use it. Additionally, the Complainant's trademark was registered for over five years by the time the disputed domain name was registered.

Panels have held that the use of a domain name for illegitimate activity, here, claimed passing off, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel notes the disclaimer in small letters on the website. However, as stated in section 3.7 of the WIPO Overview 3.1, where the overall circumstances of a case point to the respondent's bad faith, the mere existence of a disclaimer cannot cure such bad faith.

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 <mounjaro-official.com> be transferred to the Complainant.

/Nayiri Boghossian /
Nayiri Boghossian
Sole Panelist
Date: September 2, 2026