

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. Bruno Dutra
Case No. D2026-3517

1. The Parties

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

The Respondent is Bruno Dutra, Brazil, self-represented.

2. The Domain Name and Registrar

The disputed domain name <mounjaroinovador.site> 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 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 the same day, 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 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 amended Complaint on August 12, 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 August 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 8, 2026. The Respondent did not submit a formal Response. Accordingly, the Center notified the Respondent's default on September 9, 2026.

On August 19, 2026, the Center informed the Registrar, with copy to the Parties, that the disputed domain name was due to expire on September 6, 2026. On September 1, 2026, the Complainant's representative confirmed that the required payment had been made. On September 2, 2026, the Registrar confirmed that the disputed domain name had been renewed until September 6, 2027.

On September 9, 2026, the Respondent stated by email that he no longer held the disputed domain name. Between September 10, 2026, and September 17, 2026, the Respondent sent several further email communications expressing his willingness to resolve the dispute and, on September 14, 2026, consenting to the transfer of the disputed domain name to the Complainant without payment and without admission of liability. On September 14, 2026, the Center informed the Parties that the Complainant could request the suspension of the proceeding to explore settlement. On the same day, the Complainant asked that the proceeding continue. On September 22, 2026, the Center informed the Parties that, in the absence of a formal request for suspension from the Complainant, it would proceed with the matter.

The Center appointed Gonalo M. C. Da Cunha Ferreira as the sole panelist in this matter on September 22, 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 headquartered in Indiana, United States, with an extensive international presence. The Complainant has been using the mark "MOUNJARO" ("MOUNJARO Trade Mark") with respect to its medication Tirzepatide. The United States Food and Drug Administration approved the same for the treatment of type 2 diabetes on May 13, 2022, and the Complainant launched the product in June 2022. Its MOUNJARO product has been authorised for distribution in numerous jurisdictions worldwide, including Brazil. The evidence submitted with the Complaint shows substantial and increasing worldwide sales of the product since its launch.

The Complainant owns numerous registrations for the MOUNJARO Trade Mark in jurisdictions worldwide, including the following:

- United States Trade Mark Registration No. 6809369 for MOUNJARO (word mark), filed on November 5, 2019, and registered on August 2, 2022, in class 5;
- European Union Trade Mark Registration No. 018209187 for MOUNJARO (word mark), filed on March 11, 2020, and registered on September 8, 2020, in class 5; and
- United Kingdom Trade Mark Registration No. UK00003608193 for MOUNJARO (word mark), filed on March 11, 2021, and registered on July 16, 2021, in class 5.

The Complainant also owns the domain name <mounjaro.com>, registered on October 21, 2019, which redirects to its official website concerning the MOUNJARO product.

The disputed domain name was registered on September 6, 2025. According to screen captures dated August 3, 2026, submitted with the Complaint, it resolved to a Portuguese-language website directed at consumers in Brazil. The website prominently used the expression "Mounjaro de Pobre" ("Poor Man's Mounjaro") and offered a purported natural weight-loss recipe for BRL 29.90, claiming that users could lose up to 10 kilograms in one month. Through a checkout page operated by a third-party payment processor, the website also offered additional paid products, including access to a WhatsApp group, a weight-loss application, a home exercise guide, and a daily diet plan delivered through WhatsApp. The website displayed testimonials from purported customers across Brazil, did not identify its operator, and contained no disclaimer regarding the lack of any relationship with the Complainant.

In its informal communications after the Response deadline, the Respondent stated that the website had been shut down, that it had generated no sales, commissions, leads, customer data, or revenue, and that it had received no paid traffic. It also stated that it did not intend to use the disputed domain name and that its renewal had occurred automatically.

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:

1. the Complainant owns registered rights in the MOUNJARO Trade Mark, dating back to a United States registration, registered on August 2, 2022, which predate the registration of the disputed domain name on September 6, 2025;
2. the MOUNJARO product, approved by the United States Food and Drug Administration on May 13, 2022, and launched in June 2022, has generated substantial and increasing revenue and has received extensive media coverage worldwide;
3. the MOUNJARO Trade Mark is an invented and highly distinctive term, which prior UDRP panels have found to be widely recognised as designating the Complainant's product;
4. the disputed domain name incorporates the MOUNJARO Trade Mark in its entirety together with the descriptive Portuguese term "inovador", meaning "innovative", which does not prevent a finding of confusing similarity, and the generic Top-Level Domain ("gTLD") ".site" is to be disregarded;
5. there is no evidence that the Respondent is commonly known by the disputed domain name;
6. the Respondent used the disputed domain name for a Portuguese-language website targeting Brazilian consumers, which traded on the MOUNJARO Trade Mark to sell a natural weight-loss recipe product called "Mounjaro de Pobre" ("Poor Man's Mounjaro") together with add-on services delivered through WhatsApp, and which is neither a bona fide offering of goods or services nor a legitimate non-commercial or fair use;
7. the website neither discloses the absence of any relationship with the Complainant nor identifies its operator, which leads Internet users to believe that it is the Complainant's official website or that the Respondent is an authorised distributor of the MOUNJARO product;
8. the Complainant has not given the Respondent any permission, authorisation, consent, or licence to use the MOUNJARO Trade Mark in the disputed domain name;
9. the Respondent registered the disputed domain name with knowledge of the widely recognised MOUNJARO Trade Mark, in order to trade on the Complainant's reputation by selling a weight-loss product competing with the Complainant's pharmaceutical products;
10. the Respondent uses the disputed domain name to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the MOUNJARO Trade Mark;
11. the content of the website, including the prominent "Mounjaro de Pobre" branding, testimonials from purported customers across Brazil, and claims of weight-loss results similar to those associated with the MOUNJARO product, misleads Internet users into believing that the website is associated with the Complainant;

12. the registration, by a party with no relationship to the Complainant, of a domain name confusingly similar to a coined and widely known Trade Mark is evidence of opportunistic bad faith, and the relatively recent launch of the MOUNJARO product does not weigh against that finding; and

13. the use of the MOUNJARO Trade Mark in connection with an unauthorised weight-loss product is potentially misleading and harmful to consumers, who may rely on unverified health claims based on their trust in the Complainant's brand.

B. Respondent

The Respondent did not submit a formal Response. In its informal email communications after the Response deadline, the Respondent states that:

1. it is no longer considered the holder of the disputed domain name, believed that it had already been deleted, and had asked the Registrar to cancel it;
2. the renewal of the disputed domain name occurred automatically through the Registrar and did not reflect any intention to retain or resume its use;
3. the website has been shut down and it does not intend to use the disputed domain name;
4. the website generated no sales, commissions, leads, customer data, or revenue and received no paid traffic; and
5. it is willing to transfer the disputed domain name to the Complainant without payment and without admission of liability, and he requests that his explanations be brought to the Panel's attention.

6. Discussion and Findings

Preliminary Issue: Informal Communications and Consent to Transfer

The Respondent did not submit a formal Response. Its subsequent email communications, which were copied to the Complainant and form part of the case file, contain both factual assertions and an express consent to transfer. Under paragraph 10(d) of the Rules, the Panel determines the admissibility, relevance, materiality, and weight of the evidence. The Panel has considered those communications to the extent relevant to this Decision.

Where a respondent has consented on the record to the transfer sought by a complainant, many panels will order the transfer solely on the basis of that consent. A panel may nevertheless proceed to a substantive decision where the circumstances warrant it, including where the respondent has expressly disclaimed bad faith or liability, or where the complainant has not accepted the unilateral consent and has expressed a preference for a recorded decision on the merits. WIPO Overview of WIPO Panel Views on Selected UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.10.

Here, the Respondent consented to the transfer "without admission of liability" and asked that its explanations be brought to the Panel's attention. The Complainant did not request suspension of the proceeding and asked that it continue. In these circumstances, the Panel considers it appropriate to determine the Complaint on the merits.

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 MOUNJARO Trade Mark and the disputed domain name. [WIPO Overview 3.1](#), section 1.7.

The Complainant has shown rights in respect of the MOUNJARO Trade Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain name incorporates the MOUNJARO Trade Mark in its entirety, followed by the Portuguese term "inovador", meaning "innovative". The MOUNJARO Trade Mark remains clearly recognisable within the disputed domain name, and the addition of that term does not prevent a finding of confusing similarity. [WIPO Overview 3.1](#), section 1.8.

The gTLD ".site" is a standard registration requirement and, as such, is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the Panel finds that the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a non-exhaustive list of circumstances in which a 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 recognised 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. Where a complainant makes out a prima facie case, the burden of production shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests, although the burden of proof remains on the complainant. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the record, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Complainant has not licensed or otherwise authorised the Respondent to use the MOUNJARO Trade Mark or to register a domain name incorporating it. There is no evidence that the Respondent, whose name bears no resemblance to the disputed domain name, has been commonly known by the disputed domain name or holds any trade mark rights in the term "mounjaro".

The record shows that the Respondent used the disputed domain name for a commercial website offering, under the name "Mounjaro de Pobre", a purported natural weight-loss recipe and additional paid products through a checkout page operated by a third-party payment processor. The website used the Complainant's coined MOUNJARO Trade Mark to market an unrelated weight-loss offering, claimed weight-loss results of up to 10 kilograms in one month, did not identify its operator, and contained no disclaimer regarding the lack of any relationship with the Complainant.

Such use trades on the reputation of the Complainant's MOUNJARO Trade Mark and suggests sponsorship or endorsement by the Complainant. It does not constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the disputed domain name. [WIPO Overview 3.1](#), sections 2.5.1 and 2.5.3.

The Respondent's informal communications do not rebut the Complainant's prima facie case. The assertion that the website generated no sales or revenue does not establish rights or legitimate interests, since the relevant issue is the nature of the use made of the disputed domain name, which was a commercial offering through a functioning checkout process. Likewise, the subsequent closure of the website does not confer rights or legitimate interests retroactively, and the Respondent's communications disclose no circumstance of the kind contemplated by paragraph 4(c) of the Policy or otherwise.

Accordingly, the Panel finds that the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out non-exhaustive circumstances that evidence registration and use of a domain name in bad faith. A complainant may also establish bad faith through other evidence showing that a respondent seeks to take unfair advantage of, abuse, or otherwise engage in conduct detrimental to the complainant's trade mark.

The Complainant's registered rights in the coined MOUNJARO Trade Mark predate the registration of the disputed domain name. By September 6, 2025, when the disputed domain name was registered, the MOUNJARO product had been on the market for more than three years and had achieved substantial commercial success and media attention.

The disputed domain name reproduces the MOUNJARO Trade Mark in its entirety and adds only the laudatory Portuguese term "inovador". More decisively, the associated website prominently marketed a purported weight-loss product as "Mounjaro de Pobre" and made repeated references to the MOUNJARO name. The composition of the disputed domain name and the content of the website leave no plausible doubt that the Respondent knew of the Complainant and deliberately targeted its MOUNJARO Trade Mark when registering the disputed domain name. [WIPO Overview 3.1](#), sections 3.1.4 and 3.2.1.

The Respondent used the disputed domain name to attract Internet users to a commercial website offering a paid weight-loss recipe and additional paid products and services, including access to a WhatsApp group, a weight-loss application, a home exercise guide, and a daily diet plan. By using the Complainant's distinctive MOUNJARO Trade Mark to promote those products and services, without any disclaimer regarding the lack of a relationship with the Complainant, the Respondent intentionally sought to create a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the website for commercial gain. This conduct falls within paragraph 4(b)(iv) of the Policy.

Paragraph 4(b)(iv) of the Policy concerns an intentional attempt to attract Internet users for commercial gain; proof that sales were actually completed is not required. The Respondent's assertion that the website generated no sales or revenue therefore does not displace the evidence of bad faith. The subsequent closure of the website does not prevent a finding of bad faith either, as the current non-use of the disputed domain name, in the circumstances of this case, does not alter the character of the earlier registration and use established by the record. [WIPO Overview 3.1](#), section 3.3. Nor does the Respondent's post-Complaint offer to transfer the disputed domain name, made without admission of liability, alter that conduct.

Having found bad faith under paragraph 4(b)(iv) of the Policy, the Panel need not address the Complainant's remaining arguments.

In light of the above, the Panel finds that the disputed domain name has been registered and is being used in bad faith. The Panel finds that 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 <mounjaroinovador.site> be transferred to the Complainant.

/Gonçalo M. C. Da Cunha Ferreira/

Gonçalo M. C. Da Cunha Ferreira

Sole Panelist

Date: September 30, 2026