ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. Clinton Ngwa
Case No. D2026-3519

1. The Parties

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

Respondent is Clinton Ngwa, United States of America.

2. The Domain Name and Registrar

The Disputed Domain Name <elmejormounjaroonline.com> is registered with OwnRegistrar, 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 (WhoisSecure) and contact information in the Complaint. The Center sent an email communication to Complainant on August 11, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on August 14, 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 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 6, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 7, 2026.

The Center appointed Richard W. Page as the sole panelist in this matter on September 11, 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

Complainant is a corporation organized under the laws of the State of Indiana, with its principal place of business in Indianapolis, Indiana. Complainant is a global pharmaceutical company.

Complainant owns registered trademark rights in MOUNJARO, including United States Trademark Registration No. 6,809,369, registered on August 2, 2022, for pharmaceutical preparations for the treatment of diabetes, and European Union Trademark Registration No. 018209187, registered on September 8, 2020.

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 on May 13, 2022. Complainant launched the product in June of 2022, and by the end of 2022, the product produced nearly USD 280 million in revenue. Sales of MOUNJARO continued to increase since its launch, with Complainant’s 2023 year-end financial report announcing revenue of more than USD 5.16 billion in connection with the product during the 2023 fiscal year, and Complainant’s year-end 2024 financial report announcing revenue of more than USD 11.5 billion during the 2024 fiscal year. Complainant’s 2025 year-end financial report announced the product produced over USD 22 billion worldwide in the 2025 fiscal year.

The record indicates that MOUNJARO has been approved for distribution in numerous jurisdictions outside the United States. Complainant has obtained at least 143 registrations for the MOUNJARO trademark, or its foreign-language equivalents, in 91 jurisdictions, as well as at least 24 registrations for the MOUNJARO logo in 22 jurisdictions.

Complainant also has an Internet presence for its MOUNJARO product (available at <mounjaro.com> domain name which redirects to <mounjaro.lilly.com>). Complainant registered the <mounjaro.com> domain name on October 21, 2019, which is used to advertise and provide information regarding its MOUNJARO product.

The Disputed Domain Name was registered on February 26, 2026. The Disputed Domain Name resolves to a website offers MOUNJARO product without requiring the necessary prescription and competing products.

5. Parties’ Contentions

A. Complainant

Complainant contends that the entirety of the MOUNJARO Mark is contained in the Disputed Domain Name with the addition of the phrase “elmejor” (meaning “the best” in Spanish) and the term “online” (referring to the Internet).

Complainant submits that it has used this domain name to identify a website since at least as early as May 17, 2022. Because Respondent registered the Disputed Domain Name on February 26, 2026, Complainant’s rights in the MOUNJARO Mark clearly pre-date Respondent’s registration date for the Disputed Domain Name, and Complainant has both senior and exclusive rights in the MOUNJARO Mark.

Complainant further submits that Respondent is not commonly known by the Disputed Domain Name, and that Respondent has no license or other authority to use the MOUNJARO Mark in a domain name or in any other way.

Complainant further submits that Respondent's website sells to consumers counterfeit or grey market versions of Complainant's MOUNJARO product, including those in Spain where the product is approved but available only on prescription, without disclosing Respondent's lack of relationship with Complainant. Complainant further submits that such sales can be neither bona fide nor legitimate. Complainant further submits that filling drug orders without the required prescription is a hazard to public safety because of the potential lack of proper titration for the MOUNJARO dosages.

Complainant alleges that Respondent's action constitutes bad faith registration and use of the Disputed Domain Name pursuant to paragraph 4(b)(iv) of the Policy.

Complainant concludes that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable."

Even though Respondent has failed to file a Response or to contest Complainant's assertions, the Panel will review the evidence proffered by Complainant to verify that the three essential elements of the claims are met. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.3.

Paragraph 4(a) of the Policy directs that Complainant must prove each of the following three elements:

i) that the Disputed Domain Name is identical or confusingly similar to the MOUNJARO Mark in which Complainant has rights; and,

ii) that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and,

iii) that the Disputed Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

WIPO Overview 3.1, section 1.2.1 states that registration of a trademark, here the MOUNJARO Mark, prima facie satisfies the threshold requirement of Complainant having trademark rights for purposes of standing to file a UDRP case.

Complainant has shown rights in respect of the MOUNJARO Mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

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 MOUNJARO Mark and the Disputed Domain Name. WIPO Overview 3.1, section 1.7.

The entirety of the MOUNJARO Mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the MOUNJARO Mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms. Here "elmejor" and "online," may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 1.8.

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 Respondent may demonstrate rights or legitimate interests in the Disputed Domain Name:

(i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services; or

(ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or

(iii) you [Respondent] are making a legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the MOUNJARO Mark.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving that Respondent lacks rights or legitimate interests in the Disputed Domain Name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of Respondent. As such, where Complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. WIPO Overview 3.1, section 2.1.

Having reviewed the available 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.

The record shows that Respondent uses the Disputed Domain Name for a commercial website offering MOUNJARO products without a prescription, and competing products, while failing to disclose any relationship with Complainant. Such use does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

Panels have held that the use of the Disputed Domain Name for illegitimate activity, here claimed as the sale of counterfeit goods or unauthorized pharmaceuticals, can never confer rights or legitimate interests on 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 the Disputed Domain Name in bad faith.

Paragraph 4(b) of the Policy sets forth four nonexclusive criteria for Complainant to show bad faith registration and use of the Disputed Domain Name:

(i) circumstances indicating that you [Respondent] have registered or you have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainant who is the owner of the MOUNJARO Mark or to a competitor of Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or

(ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owner of the MOUNJARO Mark from reflecting the MOUNJARO Mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you [Respondent] have registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the Disputed Domain Name, you [Respondent] have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the MOUNJARO Mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your website or location.

The Panel finds that the actions of Respondent satisfy the criteria of paragraph 4(b)(iv) of the Policy and that Respondent has registered and used the Disputed Domain Name in bad faith.

Panels have held that the use of the Disputed Domain Name for illegitimate activity, here claimed as the sale of counterfeit goods or unauthorized pharmaceuticals, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Disputed Domain Name 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 <elmejormounjaroonline.com> be transferred to the Complainant.

/Richard W. Page/
Richard W. Page
Sole Panelist
Date: September 16, 2026