

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. Felipe Matheus Alves dos Santos
Case No. D2026-3541

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 Felipe Matheus Alves dos Santos, Brazil.

2. The Domain Name and Registrar

The disputed domain name <canetamounjaro.shop> 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 11, 2026. On August 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 12, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 13, 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 13, 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 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 4, 2026.

The Center appointed Philippe Gilliéron as the sole panelist in this matter on September 4, 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 pharmaceutical company seated in Indianapolis, United States of America.

The Complainant owns the trademark MOUNJARO, that was registered in the United States on August 2, 2022 under number 6,809,369 with a priority date as of November 5, 2019 in association with pharmaceutical preparations for the treatment of diabetes.

The United States Food and Drug Administration ("FDA") approved the medication of Tirzepatide under the brand name MOUNJARO and its use in connection with injectable pharmaceutical products for the treatment of type 2 diabetes on May 13, 2022.

The 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 have continued to increase since then, with more than USD 5.16 billion in revenue in 2023, USD 11.5 billion in 2024, and close to USD 23 billion in 2025.

Several governing bodies similar to the FDA have approved MOUNJARO for distribution in their respective jurisdiction, such as Argentina, Australia, Austria, Bahrain, Belgium, Brazil, Bosnia and Herzegovina, Bulgaria, Canada, China, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hong Kong, China, Hungary, India, Indonesia, Ireland, Israel, Italy, Japan, Kuwait, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Netherlands (Kingdom of the), Norway, Oman, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Republic of Korea, Spain, Sweden, Switzerland, Taiwan Province of China, Thailand, Türkiye, United Arab Emirates, and United Kingdom.

To date, the Complainant claims it has obtained at least 143 registrations for the MOUNJARO mark (or its foreign language equivalents) in 91 jurisdictions around the world and at least 24 registrations of the MOUNJARO logo in 22 jurisdictions.

The Complainant has also owned the domain name <mounjaro.com> since October 21, 2019.

On June 10, 2026, the Respondent registered the disputed domain name. The disputed domain name leads to a website that sells what appear to be counterfeit versions of the Complainant's MOUNJARO products without a prescription, all while falsely representing itself as "Eli Lilly Brasil® Distribuidora de produtos farmaceuticos" (in English "Eli Lilly Brazil® Pharmaceutical Distributor"). According to the Complainant, the website displays AI-generated product imagery with misspellings such as "mouryaro" on a product box image, and the page text refers to the product variously as "Monjauro", "Monjjauro", and "mourjoro". The only contact information provided on the website is a number, which is not the Complainant's legitimate contact information.

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 its MOUNJARO trademark as it entirely incorporates it and that the addition of the descriptive term “caneta”, which means “pen” in Portuguese, does not prevent a finding of confusing similarity.

The Complainant then argues that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent has never been authorized or licensed by the Complainant to use its MOUNJARO trademark. The Respondent is not known by the disputed domain name and is not using the disputed domain name in connection with a bona fide offering of goods or services. The false representation of affiliation with the Complainant, together with incorporation of the Complainant's trademark in the disputed domain name, leads Internet users to falsely believe that the Respondent's website is the Complainant's official website or that the Respondent is an authorized distributor of MOUNJARO brand product. Such a use is not legitimate.

The Complainant finally is of the view that, in light of the use made of the disputed domain name as described above, the Respondent was obviously aware of the Complainant's trademarks when it registered the disputed domain name. As a result, the disputed domain name was registered and is being used in bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to “[...] decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

Pursuant to paragraph 4(a) of the Policy, the Complainant must prove each of the following three elements to obtain an order that the disputed domain name should be transferred:

- (i) the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or a service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

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 of WIPO Panel Views on Select UDRP Questions ([“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, “caneta”, 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.

Panels have held that the use of a domain name for an illegal activity, here, claimed sale of counterfeit goods, 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.

In the present case, the Panel notes that the Respondent was obviously aware of the Complainant’s trademark when it registered the disputed domain name, as evidenced by the fact that the website affiliated to the disputed domain name sells what appear to be counterfeit versions of the Complainant’s MOUNJARO product without a prescription, all while falsely representing itself as “Eli Lilly Brasil® Distribuidora de produtos farmaceuticos” (in English “Eli Lilly Brazil® Pharmaceutical Distributor”).

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.

Panels have held that the use of a domain name for an illegal activity, here, claimed sale of counterfeit goods, 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 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 <canetamounjaro.shop> be transferred to the Complainant.

/Philippe Gilliéron/

Philippe Gilliéron

Sole Panelist

Date: September 4, 2026