ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Eli Lilly and Company v. Mai Kim My Hanh
Case No. D2026-3567

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 Mai Kim My Hanh, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <buttiemmounjaro.com> is registered with Mat Bao Corporation (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 11, 2026. On August 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 13, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 3, 2026.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on September 3, 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 founded in the United States in 1876. One of the Complainant's drugs is the medication Tirzepatide which the Complainant sells under the MOUNJARO trademark for use in connection with injectable pharmaceutical products for the treatment of type 2 diabetes.

The United States Food and Drug Administration ("FDA") announced its approval of the Tirzepatide medication on May 13, 2022, having the Complainant launched the MOUNJARO product in June of 2022. The Complainant's 2025 year-end financial report announced that the MOUNJARO product produced over USD 22,965,000,000.00 worldwide in the 2025 fiscal year (Annex 9 to the Complaint).

The MOUNJARO product has been approved for distribution in the following countries, in addition to the United States: Argentina, Australia, Austria, Bahrain, Belgium, Brazil, Bosnia and Herzegovina, Bulgaria, Canada, China, Colombia, Croatia, Cyprus, the Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Ireland, Israel, Italy, Japan, Kuwait, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Netherlands (Kingdom of the), Norway, Oman, Panama, Peru, the Philippines, Poland, Portugal, Qatar, Romania, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Republic of Korea, Spain, Sweden, Switzerland, Taiwan, Thailand, Türkiye, the United Arab Emirates, and the United Kingdom.

The Complainant is the owner of the United States trademark registration No. 6,809,369 for the MOUNJARO word mark, filed on November 5, 2019, and registered on August 2, 2022. In addition to that, the Complainant obtained 143 registrations for the MOUNJARO mark (or its foreign language equivalents) in 91 jurisdictions around the world as well as 24 registrations for the MOUNJARO and device mark in 22 jurisdictions (Annex 11 to the Complaint).

The Complainant also owns and operates the domain name <mounjaro.com>, registered on October 21, 2019.

Past UDRP panels have already found that the Complainant's MOUNJARO trademark is an invented word that is distinctive and widely recognized to designate the Complainant's pharmaceutical product (*Eli Lilly and Company v. Shoaib Manzoor, XMart Host, Zain Ali and Rauf Bhatti*, WIPO Case No. D2023-3674; *Eli Lilly and Company v. Janni Louche*, WIPO Case No. D2023-3787).

The disputed domain name was registered on January 23, 2026, and at the time of this Decision does not resolve to an active webpage. The disputed domain name has been used in the past in connection with a webpage prominently displaying the MOUNJARO trademark purportedly offering the Complainant's products without a prescription, also not disclosing the Respondent's lack of a relationship with the Complainant (Annex 14 to the Complaint).

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 consists of the highly distinctive MOUNJARO trademark and the term "buttiem" (Vietnamese for "injection pen") which does not prevent a finding of confusing similarity.

Regarding the absence of the Respondent's rights or legitimate interests, the Complainant argues that:

i. the Respondent has not been commonly known by the disputed domain name;

ii. the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain misleadingly to divert consumers or to tarnish the Complainant's trademark, given that the website that used to be available at the disputed domain name offered unauthorized and likely counterfeit or grey market versions of the Complainant's MOUNJARO product without a prescription, all while failing to disclose Respondent's lack of a relationship with Complainant (Annex 14 to the Complaint);

iii. the website under the disputed domain name allowed Internet users to purchase MOUNJARO brand product without any indication that a prescription was required what cannot support a legitimate right or interest in a domain name, as found in *Eli Lilly and Company v. Shoaib Manzoor, XMart Host, Zain Ali and Rauf Bhatti*, WIPO Case No. D2023-3674 and *Eli Lilly and Company v. Mounjaro Admin, Mounjaro Kuwait*, WIPO Case No. D2023-3670 (noting lack of legitimate interest where "[t]here is no indication on the website that a prescription is required to purchase the products");

iv. no legitimate business contact information such as a telephone number, email address, or physical address was listed on the website that resolved from the disputed domain name (Annex 14 to the Complaint), being the only method of contact a Zalo QR code, which does not provide verifiable identity information; having previous panels recognized that the use of a domain for illegal activity, such as the illegal sale of products with no possibility of return due to false or otherwise unusable contact information, could never confer rights or legitimate interests on a respondent. (*World Market Management Services, LLC v. Aleksandr Butenko*, WIPO Case No. D2023-2377); and

v. the Complainant has not given the Respondent permission, authorization, consent, or license to use its MOUNJARO trademark in the disputed domain name.

As to the registration and use of the disputed domain name, the Complainant states that:

i. it is inconceivable that the Respondent was unaware of the Complainant and the MOUNJARO trademark when the Respondent registered the disputed domain name given the content of the website associated with the disputed domain name, including the use of the Complainant's MOUNJARO trademark, images of Mounjaro injection pen packaging, the navigation menu reference to "Lilly x Mitsubishi Tanabe Pharma" implying affiliation, and the offer of the Complainant's product at various dosages, misleading Internet users into believing that there would be an association between the Complainant and the Respondent; thus characterizing the Respondent's intentional attempt to attract Internet users to the disputed domain name for commercial gain in bad faith by creating a likelihood of confusion with the Complainant's trademark;

ii. the Respondent's use of the disputed domain name to offer prescription-only products without any apparent requirement for a prescription further supports a finding of bad faith, as found in *Eli Lilly and Company v. sahil budhani, Laalishq*, WIPO Case No. D2023-4568; and

iii. the Respondent's use of the Complainant's trademark in the disputed domain name is potentially harmful to the health of many unsuspecting consumers who may purchase products advertised through the Respondent's website under the mistaken impression that they are dealing with the Complainant or an authorized distributor of the Complainant and, therefore, will be receiving safe and effective pharmaceutical products approved by health authorities around the world (*Eli Lilly and Company v. ibrahim Keskin*, WIPO Case No. D2023-5179).

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth the following three requirements, which have to be met for this Panel to order the transfer of the disputed domain name to the Complainant:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(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.

The Complainant must prove in this administrative proceeding that each of the aforementioned three elements is present in order to obtain the transfer of the disputed domain name.

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 "buttiem" (the Vietnamese phrase "bút tiêm", without accents, which roughly translates to "injection pen"), 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 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 nonexclusive list of circumstances that may indicate the Respondent's rights or legitimate interests in the disputed domain name. These circumstances are:

(i) before any notice of the dispute, the Respondent's 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) the Respondent (as an individual, business, or other organization) has been commonly known by the disputed domain name, in spite of not having acquired trademark or service mark rights; or

(iii) the Respondent is 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 trademark or service mark at issue.

According to the evidence submitted, the Complainant has made a prima facie case against the Respondent which has not been commonly known by the disputed domain name and is neither an authorized reseller of the Complainant's products nor has it been licensed or otherwise permitted to use any of the Complainant's trademarks or to register a domain name incorporating its MOUNJARO trademark.

Also, according to the evidence submitted by the Complainant, the use made of the disputed domain name in connection with an online shop purportedly offering the Complainant's pharmaceutical products, clearly suggests at least an affiliation with the Complainant, which in fact does not exist.

In addition to that, not disclosing the lack of relationship with the trademark owner does not meet the criteria for a bona fide offering of goods or services as established in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903.

Furthermore, the nature of the disputed domain name carries a risk of implied affiliation with the Complainant.

Lastly, the offer of prescription-only pharmaceutical products without requiring a physician's prescription cannot support a right or legitimate interest in a domain name.

Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondent does not have rights or legitimate interests with respect to the disputed domain name.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Policy indicates in paragraph 4(b) that bad faith registration and use can be found in view of:

(i) circumstances indicating that the Respondent has registered or acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring it to the Complainant who is the owner of a trademark relating to the disputed domain name or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain name; or

(ii) the Respondent has registered the disputed domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the Respondent has engaged in a pattern of such conduct; or

(iii) the Respondent has registered the disputed domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website or other location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's website or location.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. WIPO Overview 3.1, section 3.1.4.

Furthermore, as seen above, not disclosing the lack of relationship with the trademark owner does not meet the criteria for a bona fide offering of goods or services as established in *Oki Data Americas, Inc. v. ASD, Inc.*, *supra.* Under this Panel's view the nature of the disputed domain name carries a risk of implied affiliation with the Complainant, which coupled with its use result in a likelihood of confusion as to the source or origin of the website at the disputed domain name. Accordingly, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark, which supports a finding of bad faith registration and use.

Furthermore, the Panel notes that the Respondent's use of the Complainant's trademark and of the disputed domain name is potentially harmful to the health of many unsuspecting consumers who may purchase products advertised through the Respondent’s website under the mistaken impression that they are dealing with the Complainant or an authorized distributor of the Complainant and, therefore, will be expecting to receive safe and effective pharmaceutical products approved by health authorities around the world, what is apparently not true in this case and potentially places the health of individuals at risk.

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 <buttiemmounjaro.com> be transferred to the Complainant.

/Wilson Pinheiro Jabur/
Wilson Pinheiro Jabur
Sole Panelist
Date: September 3, 2026