

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. Edwin Agyemang
Case No. D2026-3644

1. The Parties

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

The Respondent is Edwin Agyemang, Ghana.

2. The Domain Name and Registrar

The disputed domain name <mounjaroghana.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 14, 2026. On August 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 17, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 18, 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 19, 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 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 10, 2026. The Respondent sent email communications to the Center on August 18, 2026, and on August 21, 2026.

The Center appointed Torsten Bettinger as the sole panelist in this matter on September 23, 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 the United States. It markets the prescription medicine tirzepatide under the trademark MOUNJARO.

The Complainant owns numerous trademark registrations for MOUNJARO worldwide. For purposes of this proceeding, it is sufficient to note United States Trademark Registration No. 6,809,369 for MOUNJARO, registered on August 2, 2022, for pharmaceutical preparations for the treatment of diabetes.

The Complainant operates an official Internet presence for its MOUNJARO product through <mounjaro.com>, which redirects to <mounjaro.lilly.com>. The <mounjaro.com> domain name was registered on October 21, 2019.

The disputed domain name was registered on March 15, 2025. The evidence submitted with the Complaint shows that it has resolved to a website prominently branded “Mounjaro Ghana”, offering MOUNJARO-branded products for sale in Ghana and inviting purchasers to order through WhatsApp. The website advertises “discreet nationwide delivery”, uses images of MOUNJARO-branded injector pens, and does not prominently disclose any relationship, or lack of relationship, with the Complainant.

The Complainant states, and the Respondent has not disputed, that MOUNJARO was not authorized for distribution in Ghana at the relevant time and that the website did not require proof of a prescription before purchase. The record does not require the Panel to determine whether the products offered on the website were genuine, grey-market, or counterfeit.

5. Parties’ Contentions

A. Complainant

The Complainant requests that the disputed domain name be transferred to it and contends that it has satisfied each of the elements required under the Policy.

The Complainant contends that the disputed domain name is confusingly similar to its MOUNJARO trademark because it incorporates the mark in its entirety together with the geographic term “ghana”. The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent has not been authorized to use the MOUNJARO mark, is not commonly known by the disputed domain name, and uses the disputed domain name for a commercial website offering MOUNJARO-branded products without accurately disclosing the Respondent’s relationship with the Complainant.

Finally, the Complainant submits that the disputed domain name was registered and is being used in bad faith because the Respondent deliberately targeted the well-known and distinctive MOUNJARO mark and used the disputed domain name to attract Internet users for commercial gain by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement.

B. Respondent

The Respondent did not file a formal Response contesting the Complaint. Instead, in his August 18 and 21, 2026 emails to the Center, the Respondent acknowledged the Complaint, affirmed the accuracy of the claims and statements contained in it, and acceded to the requested remedy of transfer.

6. Discussion and Findings

Paragraph 4(a) of the Policy requires the Complainant to prove each of the following three elements: (i) the disputed domain name is identical or confusingly similar to a trademark or 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.

The Respondent has expressly consented to the requested transfer and has affirmed the accuracy of the claims made in the Complaint. The Panel nevertheless considers it appropriate, on the record before it, to address each of the three elements of paragraph 4(a) of the Policy.

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 Selected UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

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

The disputed domain name incorporates the MOUNJARO mark in its entirety. The addition of the geographic term "ghana" does not prevent the MOUNJARO mark from being recognizable in the disputed domain name. [WIPO Overview 3.1](#), section 1.8.

The generic Top-Level Domain ".com" is viewed as a standard registration requirement and is disregarded under the first element confusing similarity analysis.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's MOUNJARO trademark. 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 may involve 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 that the respondent lacks rights or legitimate interests, 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.

The Complainant has not authorized, licensed, or otherwise permitted the Respondent to use the MOUNJARO trademark. There is no evidence that the Respondent is commonly known by the disputed domain name.

The disputed domain name has been used for a commercial website presenting itself as "Mounjaro Ghana" and offering MOUNJARO-branded products. The site uses the Complainant's mark and product imagery, while failing to accurately and prominently disclose the absence of any relationship with the Complainant. Even assuming for present purposes that the goods offered were genuine, such use would not satisfy the requirements ordinarily applicable to a reseller or distributor claiming a legitimate interest, in particular the requirement of accurately disclosing the registrant's lack of relationship with the trademark owner. [WIPO Overview 3.1](#), section 2.8.

In addition, the record indicates that the website offered prescription pharmaceutical products in Ghana without an apparent prescription requirement and in circumstances in which the Complainant states the product was not authorized for distribution. Such use cannot support a bona fide offering or legitimate noncommercial or fair use.

The Respondent has not sought to rebut the Complainant's prima facie case. To the contrary, he has affirmed the accuracy of the Complaint and consented to transfer.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy. The second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that paragraph 4(b) of the Policy sets out circumstances, in particular but without limitation, that shall be evidence of the registration and use of a domain name in bad faith.

The Complainant's MOUNJARO trademark rights predate the registration of the disputed domain name. The mark is distinctive, and the disputed domain name combines it in its entirety with the geographic term "ghana".

More significantly, the Respondent used the disputed domain name for a website expressly branded "Mounjaro Ghana" that displayed MOUNJARO-branded products and offered them for sale. This use demonstrates that the Respondent had actual knowledge of the Complainant and its MOUNJARO trademark when registering the disputed domain name.

The website was plainly commercial in nature. By using the disputed domain name to offer MOUNJARO-branded products without accurately disclosing the Respondent's lack of affiliation with the Complainant, the Respondent intentionally created a likelihood of confusion as to source, sponsorship, affiliation, or endorsement in order to attract Internet users for commercial gain. This falls within the circumstances described in paragraph 4(b)(iv) of the Policy.

The Respondent's subsequent express affirmation of the Complaint and consent to transfer are consistent with, and do not rebut, the evidence of targeting presented in the record.

Accordingly, the Panel finds that the disputed domain name has been registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy. 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 <mounjaroghana.com> be transferred to the Complainant.

/Torsten Bettinger/

Torsten Bettinger

Sole Panelist

Date: October 7, 2026