ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Eli Lilly and Company v. Clinton Ngwa
Case No. D2026-4032

1. The Parties

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

The Respondent is Clinton Ngwa, United States of America.

2. The Domain Name and Registrar

The disputed domain name <mounjarocompraronline.com> (the "Disputed Domain Name") is registered with OwnRegistrar, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 9, 2026. On September 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On September 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 the Complainant on September 10, 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 September 14, 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 September 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 6, 2026.

The Center appointed Peter J. Dernbach as the sole panelist in this matter on October 8, 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 organized under the laws of the State of Indiana, United States of America (the "United States"), with its principal place of business in Indianapolis, Indiana. The Complainant markets a prescription-only, injectable pharmaceutical product under the MOUNJARO brand (the "MOUNJARO Product"). The MOUNJARO Product was approved by the United States Food and Drug Administration on May 13, 2022, for the treatment of type 2 diabetes and launched in June 2022. According to the Complainant's published financial results, worldwide revenue of the MOUNJARO Product exceeded USD 22 billion in the 2025 fiscal year. The MOUNJARO Product's sales, demand, and clinical trial results have been the subject of media coverage, including reports by the Associated Press, Reuters, CNBC, NPR, and GMA.

The Complainant owns numerous registrations for the MOUNJARO trademark (or its foreign language equivalents) in many jurisdictions around the world (the "MOUNJARO Mark(s)"), including, among others, the following:

- United States Trademark Registration No. 6,809,369, registered on August 2, 2022, under Class 5;

- European Union Trade Mark Registration No. 018209187, registered on September 8, 2020, under Class 5; and

- United Kingdom Trade Mark Registration No. 00003608193, registered on July 16, 2021, under Class 5.

The Disputed Domain Name was registered on February 5, 2026. It resolves to a Spanish-language website titled "Mounjaro Comprar Online", which appears to offer for sale pharmaceutical products (the "Respondent's Website"), including those bearing the MOUNJARO Mark. The Respondent's Website also appears to offer for sale products bearing the ZEPBOUND mark (which is also owned by the Complainant), as well as competing third-party antidiabetic products such as Ozempic, Wegovy, and Victoza. The Respondent's Website states that the pharmaceutical products it offers may be purchased without a prescription, and that delivery is available in Spain, Portugal, and throughout Europe. The Respondent's Website displays a copyright notice "Copyright 2025 Mounjaro Comprar Online", lists only "Barcelona, Spain" as its location and "[…]@mounjarocompraronline.com" as its contact email address, while its "About Us" page refers to a business named "FarmaciaCruzEspanol.com".

The Respondent as identified by the Registrar appears to be an individual located in the United States, with an address that appears not to exist.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy, and requests that the Disputed Domain Name be transferred.

(i) The Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant contends that its rights in the MOUNJARO Marks predate the registration of the Disputed Domain Name, and that the MOUNJARO Mark is an invented and highly distinctive term. The Complainant asserts that the Disputed Domain Name incorporates the MOUNJARO Mark in its entirety, and that the addition of the descriptive terms "comprar" (meaning "buy" in Spanish) and "online", along with the generic Top-Level Domain ("gTLD") ".com", does not prevent a finding of confusing similarity.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

The Complainant asserts that there is no evidence that the Respondent is commonly known by the Disputed Domain Name. The Complainant argues that the Respondent is neither using the Disputed Domain Name in connection with a bona fide offering of goods and services nor making a legitimate noncommercial or fair use of the Disputed Domain Name, as it directs Internet users to the Respondent's Website, which markets pharmaceutical products bearing the Complainant's and competitors' brands, without disclosing the Respondent's lack of a relationship with the Complainant. The Complainant particularly notes that the Respondent fails the Oki Data test (see *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903). The Complainant further contends that the Respondent has failed to adequately identify itself, as the Respondent's Website does not provide a verifiable business name, physical street address, or telephone number, while displaying inconsistent domain names and identity in its email address (i.e. […]@mounjarocompraronline.com and […]@farmaciacruzespanol.com) and copyright notice "© Copyright 2025 Mounjaro Comprar Online". The Complainant denies having given the Respondent permission, authorization, consent, or license to use the MOUNJARO Mark in the Disputed Domain Name.

The Complainant further contends that the Respondent's Website states that it allows users to buy MOUNJARO and ZEPBOUND brand products without a prescription. The Complainant asserts that offering its products without a prescription cannot support a legitimate right or interest in the Disputed Domain Name.

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

The Complainant contends, among other things, that, given the extensive marketing of its MOUNJARO brand product around the world, the Respondent must have registered the Disputed Domain Name with knowledge of the MOUNJARO Mark. The Complainant asserts that the Respondent is using the Disputed Domain Name to intentionally attract Internet users for commercial gain by creating a likelihood of confusion with the MOUNJARO Mark by offering on the Respondent's Website pharmaceutical products under the Complainant's MOUNJARO and ZEPBOUND trademarks and other competing brands without requiring a prescription. In its amendment to the Complaint, the Complainant further contends that the Respondent provided false or misleading contact information in the registration data for the Disputed Domain Name. Accordingly, the Complainant contends that the Disputed Domain Name has been registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, in order to succeed in this administrative proceeding and obtain the requested remedy (in this case, transfer of the Disputed Domain Name), the Complainant must prove that each of the three following elements is present:

(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.

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 Panel finds that the Complainant has established its rights in the MOUNJARO Marks for the purposes of the Policy through showing its trademark registrations in a wide range of jurisdictions including the United States, the United Kingdom, and the European Union.

The Panel further finds that the Disputed Domain Name is confusingly similar to the MOUNJARO Mark as the MOUNJARO Mark is reproduced in its entirety within the Disputed Domain Name. The addition of the other terms "comprar" and "online" does not prevent a finding of confusing similarity between the Disputed Domain Name and the MOUNJARO Mark for the purposes of the Policy. Furthermore, the gTLD ".com" is viewed as a standard registration requirement and as such is disregarded under the confusing similarity test.

Accordingly, 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.

In the present case, the Complainant has submitted a declaration confirming that it has not given the Respondent any permission, authorization, consent, or license to use the MOUNJARO Mark in the Disputed Domain Name. Furthermore, there is no evidence suggesting that the Respondent, whose name is "Clinton Ngwa" as revealed by the Registrar, has ever been commonly known by the Disputed Domain Name.

Having reviewed the available record, the Panel does not find that the Respondent is using the Disputed Domain Name in connection with a bona fide offering of goods or services. Notably, even if the Respondent were a reseller of the Complainant's genuine products, the Respondent fails to satisfy the cumulative requirements of the Oki Data test. WIPO Overview 3.1, section 2.8.1. In particular, the Respondent's Website offers for sale several third-party products, such as Ozempic, Wegovy, and Victoza, in competition with the Complainant's MOUNJARO Product, and does not disclose the Respondent's lack of any relationship with the Complainant.

Moreover, panels have held that the use of a domain name for illegal activity, such as the sale of (unlicensed) pharmaceuticals, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1. The Panel notes that the MOUNJARO Product is prescription-only, yet the Respondent's Website expressly advertises that MOUNJARO and ZEPBOUND products, as well as other prescription medications, may be purchased without prescription. The Respondent's Website also conceals the identity of its operator, providing only a city name, inconsistent business names and email addresses. The Panel finds that such circumstantial evidence supports the Complainant's otherwise credible claim that the Respondent is using the Disputed Domain Name for the sale of prescription-only pharmaceuticals

without requiring a prescription, which has been held by panels as illegal activity. WIPO Overview 3.1, section 2.13.

Given the above, 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. Therefore, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Under the third element of the Policy, the complainant must demonstrate that the disputed domain name has been registered and is being used in bad faith. 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.

Regarding registration, the Panel notes that many of the Complainant's MOUNJARO Marks were registered before the registration of the Disputed Domain Name on February 5, 2026, and that the MOUNJARO Mark is an invented term which has gained a substantial reputation since the launch of the MOUNJARO Product in 2022, as evidenced by its sales figures and related media coverage. The Respondent's Website prominently uses the MOUNJARO Mark and purports to offer the Complainant's MOUNJARO and ZEPBOUND products. The Panel is therefore convinced that the Respondent had the Complainant and its MOUNJARO Mark in mind when it registered the Disputed Domain Name, and that the Disputed Domain Name has been registered in bad faith. WIPO Overview 3.1, section 3.1.4.

Regarding use, the Disputed Domain Name resolves to the Respondent's Website, which uses the MOUNJARO Mark as its own name and offers purported MOUNJARO products alongside competing products without any disclaimer of lack of affiliation with the Complainant. The Panel finds that, by using the Disputed Domain Name in this manner, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's Website by creating a likelihood of confusion with the Complainant's MOUNJARO Mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's Website or of the products offered thereon, within the meaning of paragraph 4(b)(iv) of the Policy. Furthermore, as discussed above, the Respondent appears to be using the Disputed Domain Name for the sale of prescription-only pharmaceuticals without a prescription. Given that the use of the Disputed Domain Name for such per se illegitimate activity can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith. WIPO Overview 3.1, section 3.1.4.

Accordingly, the Panel finds that the Disputed Domain Name has been registered and is being used in bad faith. 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 <mounjarocompraronline.com> be transferred to the Complainant.

/Peter J. Dernbach/
Peter J. Dernbach
Sole Panelist
Date: October 22, 2026