

ADMINISTRATIVE PANEL DECISION

Eli Lilly and Company v. Blacktown City Council Outdoor Staff Social Club
Case No. DAU2026-0009

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 Blacktown City Council Outdoor Staff Social Club, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <buymounjaroonline.com.au> is registered with Domain Directors Pty Ltd.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 16, 2026. On March 17, 2026, the Center transmitted by email to Domain Directors Pty Ltd. a request for registrar verification in connection with the disputed domain name. On March 27, 2026, Domain Directors Pty Ltd. 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 .au Dispute Resolution Policy (the “Policy” or “.auDRP”), the Rules for .au Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for .au Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 30, 2026. In accordance with the Rules, paragraph 5(a), the due date for Response was April 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 20, 2026.

The Center appointed Frank Schoneveld as the sole panelist in this matter on April 29, 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 Complaint includes copies of the following trademark registrations for MOUNJARO registered in the name of the Complainant:

Jurisdiction	Trademark Registration Number	Registration Date
Australia	2080191	June 22, 2020
United States of America (US)	6,809,369	August 2, 2022
United Kingdom (UK)	UK00003608193	July 16, 2021
European Union (EU)	018209187	September 8, 2020

The Complaint includes a copy of a Whois search showing that the Complainant is the registrant of the domain name <mounjaro.com> registered on October 21, 2019.

The disputed domain name <buymounjaronline.com.au> was registered by the Respondent on January 30, 2025, being just under five years after registration in Australia by the Complainant of its trademark MOUNJARO.

5. Parties' Contentions

A. Complainant

The Complaint states that the U.S. 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, and the Complainant launched the product in June of 2022, resulting in the Complainant's 2025 year-end financial report announcing the product produced over USD 22 billion (USD 22,965,000,000.00) worldwide in the 2025 fiscal year.

The Complaint states that the Complainant has obtained at least 143 registrations for the MOUNJARO mark (or its foreign language equivalents) in 91 jurisdictions around the world and that the Complainant also has an Internet presence for its MOUNJARO product (available at the domain name <mounjaro.com>, which redirects to <mounjaro.lilly.com>). The Complainant states that the <mounjaro.com> domain name is used to advertise and provide information regarding its MOUNJARO product and the Complainant has used this domain name since at least as early as May 17, 2022. The Complainant submits that the Complainant's use and registration of the MOUNJARO trademark pre-dates the Respondent's registration of the disputed domain name.

The Complainant contends that its MOUNJARO trademark is an invented term that is distinctive and widely recognized to designate the Complainant's pharmaceutical product and that prior UDRP Panels have found that its MOUNJARO trademark is distinctive and widely recognized.

The Complainant argues that it is well settled that the addition of generic terms, such as "buy" and "online", does not obviate a finding of confusing similarity and that prior panels have found that domain names that reproduce a complainant's mark in its entirety and merely add generic terms are confusingly similar to that mark.

The Complainant states that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant contends that:

- the Respondent is not using the disputed domain name for a legitimate business purpose,
- the Respondent has no rights or legitimate interests in the disputed domain name,
- there is no evidence that the Respondent is commonly known by the disputed domain name, and

- 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. The Complainant states that it has not given the Respondent permission, authorization, consent, or license to use its MOUNJARO mark.

The Complainant submits that the Respondent purports to offer the Complainant's goods for sale but appears to offer gray market or counterfeit goods as the Complainant's MOUNJARO brand prescription product is only available for sale in a limited number of jurisdictions but despite this the Respondent's website purports to offer MOUNJARO brand products with "worldwide shipping" available.

The Complainant contends that the Respondent fails to accurately disclose its relationship (or lack thereof) with the Complainant with the lack of any such statement or disclaimer, together with incorporation of the Complainant's mark in the disputed domain name, leads Internet users to falsely believe that the Respondent's website is the Complainant's official website, that the Respondent is an authorized distributor of MOUNJARO brand product, or that the Respondent owns the trademark MOUNJARO, noting that prior panels have recognized this conduct is not legitimate.

The Complainant contends that confusion by Internet users of the relationship between the Complainant and the Respondent is caused by the Respondent's failure to accurately disclose its lack of relationship to the Complainant, is compounded by first, that the disputed domain name itself is inherently misleading because it incorporates the term "buy" alongside the Complainant's trademark which is inherently likely to suggest sponsorship or endorsement by the trademark owner, and second, that the Respondent has failed to identify itself since the websites at the disputed domain name lack identifying information outside of a non-descript address and email addresses and the failure to accurately identify the Respondent is further evidence of a lack of rights or legitimate interests. The Complainant also contends that the physical addresses on the Respondent's websites to which the disputed domain name resolves appear falsified including, in particular, the address provided leads to clearly unrelated businesses (an apparently unrelated pharmacy).

The Complainant argues that although the Respondent's website (to which the disputed domain name resolves) claims to provide prescriptions to MOUNJARO brand product, this cannot be the case since the website offers the product in jurisdictions where it has not been authorized for distribution and prior UDRP panels have specifically noted that offering the Complainant's products without a prescription cannot support a legitimate right or interest in a domain name.

The Complainant contends that:

- the Respondent had constructive notice of the MOUNJARO mark, in light of the Complainant's multiple trademark registrations throughout the world and that, "where a Respondent has constructive notice of a trademark, and yet registers a confusingly similar domain name thereto, the Respondent cannot be said to have a legitimate interest in the domain name." See *eBay Inc. v. SGR Enterprises and Joyce Ayers*, WIPO Case No. [D2001-0259](#), and
- the Respondent has no plausible reason to register the disputed domain name other than to potentially capitalize on the Complainant's goodwill.

The Complainant contends that the disputed domain name was registered or is subsequently being used in bad faith. The Complaint notes that the Complainant filed an application in Australia for its MOUNJARO mark on April 7, 2020, claiming rights back to November 5, 2019 and submits that the Complainant has extensively marketed its MOUNJARO brand product in Australia and other jurisdictions around the world, so that, in the words of a prior UDRP Panel that has found that the mark is "widely recognized", that "there can be no doubt that the Respondent registered the disputed [D]omain [N]ame with knowledge of Complainant's trademark," particularly considering that the Respondent is purporting to sell the Complainant's own goods (albeit without the apparent need for a prescription and in jurisdictions where it is not approved for distribution) under the disputed domain name which is comprised of the Complainant's MOUNJARO mark accompanied only by generic terms, with the Complainant arguing that this is, itself, indicative of bad faith registration and use.

The Complainant argues that, according to 4(b)(iv) of the Policy, evidence of bad faith registration and use is shown when a domain name is registered to utilize another's well known trademark for attracting Internet users to a website for commercial gain, and that, the Respondent is using the Complainant's mark to drive Internet traffic to its website under the disputed domain name in order to profit from the sale of gray market or otherwise counterfeit products, all while concealing its identity with such actions constituting bad faith. The Complainant contends that the content of the website associated with the disputed domain name, use of the Complainant's MOUNJARO mark, color logo, and offer to "buy Mounjaro" misleads users into believing that there is an association between the Complainant and the website, and serves as further evidence of an 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 mark. The Complainant also argues that the Respondent is using the disputed domain name to offer prescription-only products without any apparent requirement for a prescription or in jurisdictions where prescriptions are otherwise not yet available, and that this further supports a finding of bad faith.

The Complainant also submits that the Respondent has registered the disputed domain name to prevent the Complainant from using its MOUNJARO mark in a corresponding domain name, which is evidence of bad faith of use and registration of the disputed domain name under Paragraph 4(b)(ii) of the Policy.

Finally, the Complainant contends that the Complainant's MOUNJARO brand product is only available on a physician's prescription and is manufactured, labeled, and sold in strict compliance with the health authority laws and regulations, and that the Respondent's use of the Complainant's MOUNJARO mark 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 that the Complainant or an authorized distributor of the Complainant and, therefore, will be receiving safe and effective drugs approved by health authorities around the world.

B. Respondent

The Respondent did not submit any response.

6. Discussion and Findings

The Panel notes that the applicable Policy is a variation of the Uniform Dispute Resolution Policy (UDRP) and that the Policy differs from the UDRP in two main respects, namely:

- a) to take account of the policy rules that apply to ".au" country-code Top-Level Domain ("ccTLD") domain names, that do not apply to generic Top-Level Domain ("gTLD") domain names; and
- b) to address practical constraints that have become apparent since proceedings under the UDRP began in 1999.

The Panel notes that Paragraph 4(a) of the Policy provides that the Respondent is "required to submit to a mandatory administrative proceeding in the event that a third party (a 'complainant') asserts to the applicable Provider, in compliance with the Rules of Procedure that:

- (i) [the disputed] domain name is identical or confusingly similar to a name, trademark or service mark in which the [C]omplainant 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 or subsequently used in bad faith.

In an administrative proceeding, the [C]omplainant bears the onus of proof."

The Panel also notes that the Policy provides at paragraph 5.3 that "If no Response is received, unless there are exceptional circumstances, the Panel shall decide the dispute based on the information provided in the Complaint." There being no response from the Respondent and no exceptional circumstances in this proceeding, the Panel proceeds to decide the dispute based on the information provided in the Complaint.

A. Identical or Confusingly Similar

The disputed domain name <buymounjaronline.com.au> contains the MOUNJARO mark in its entirety together with the words “buy” and “online”. The Complaint provides evidence that the Complainant has rights in the MOUNJARO trademark registered in Australia. The Panel finds that the disputed domain name is confusingly similar to the MOUNJARO trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

In view of the Respondent’s failure to submit any response to the Complaint, the Panel accepts the contentions in the Complaint (see summary above) and finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

C. Registered or Subsequently Used in Bad Faith

Paragraph 4(b)(iv) of the Policy, provides that if found by the Panel to be present, “by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to a website or other online location, by creating a likelihood of confusion with the complainant’s name or mark as to the source, sponsorship, affiliation, or endorsement of that website or location or of a product or service on that website or location”, then this shall be evidence of the registration and use of a domain name in bad faith.

On the basis of the evidence provided in the Complaint, the Panel accepts the contention in the Complaint that the Complainant’s MOUNJARO trademark is widely recognized and that the Respondent registered the disputed domain name with knowledge of the Complainant’s MOUNJARO registered trademark. Based on the evidence provided by the Complainant, the Panel accepts that the content of the website associated with the disputed domain name, the Respondent’s use of the Complainant’s MOUNJARO trademark, color logo, and offer to “buy Mounjaro” misleads users into believing that there is an association between the Complainant and the website to which the disputed domain name resolved. The Panel accepts the contentions of the Complainant that the Respondent is using the Complainant’s MOUNJARO trademark on the website to which the disputed domain name resolved, to drive Internet traffic to its website under the disputed domain name in order to profit from the sale of gray market or otherwise counterfeit products.

In view of all of the above, the Panel considers that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the website to which the disputed domain name resolves, by creating a likelihood of confusion with the Complainant’s MOUNJARO trademark as to the source, sponsorship, affiliation, or endorsement of that website or of a product or service on that website.

The Panel finds that the disputed domain name has been registered or subsequently used in bad faith.

7. Decision

For all 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 <buymounjaronline.com.au> be transferred to the Complainant.

/Frank Schoneveld/

Frank Schoneveld

Sole Panelist

Date: May 15, 2026