

ADMINISTRATIVE PANEL DECISION

LPL Financial LLC v. Clark Smith
Case No. D2025-0271

1. The Parties

The Complainant is LPL Financial LLC, United States of America ("United States"), represented by Hogan Lovells (Paris) LLP, France.

The Respondent is Clark Smith, United States.

2. The Domain Names and Registrar

The disputed domain names <lpl-account-view.rest>, <lpl-financial-login-account-view.bar>, <lpl-financial-login-account-view.rest> and the additional disputed domain names <lpl-financial-login-account-view.cfd>, and <lpl-account-view.cfd> are registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 23, 2025. On January 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On January 24, 2025, 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 sent an email communication to the Complainant on January 28, 2025, providing the registrant and contact information disclosed by the Registrar, and informing the Complainant that the Center will proceed with the formal commencement of the administrative proceeding by January 30, 2025.

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 January 31, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 20, 2025. The Respondent did not submit any response.

On February 24, 2025, the Complainant filed a Supplemental Filing with an attached amended Complaint requesting the addition of the additional disputed domain names to the proceedings.

The Center appointed William F. Hamilton as the sole panelist in this matter on March 17, 2025. 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.

On March 5, 2025, the Center transmitted by email to the Registrar, a request for registrar verification in connection with the additional disputed domain names. On March 5, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the additional disputed domain names, which revealed the same details as the registrant and contact information for the disputed domain names.

On April 3, 2025, the Panel issued an Administrative Panel Procedural Order No. 1 pursuant to paragraphs 10 and 12 of the Rules allowing the Respondent to comment on the Complainant's Supplemental Filing regarding the additional disputed domain names. The due date for the Response and/or comments was April 8, 2025. The Respondent did not submit any Response and/or comments.

4. Factual Background

The Complainant provides an integrated platform for brokerage and investment advisory services to over 22,000 investment advisors, including those associated with approximately 1,100 institution-based investment programs and about 570 registered investment advisor firms nationwide, managing more than USD 1.4 trillion in advisory and brokerage assets. The Complainant employs more than 8,400 in the United States. In the third quarter of 2024, LPL's gross profit surpassed USD 1,128 million, with a net income of USD 255 million.

The Complainant owns numerous domain names that consist of or contain the Complainant's LPL trademark including <lpl.com>, registered in 1994, which serves as its main corporate website, as well as <lpl.net>, <lpl-financial.com>, <lplaccountview.com>, among many others. The Complainant's parent company, LPL Holdings, Inc., owns the new generic Top-Level Domains ("gTLDs") ".lpl" and ".lplfinancial".

The Complainant's official Facebook page has approximately 21,000 followers. Additionally, the Complainant has over 25,000 followers on X.

The Complainant owns the following trademark registrations for the LPL and LPL FINANCIAL trademarks (referred to herein sometimes as "the Marks"):

- United States Trademark Registration No. 1801076, LPL, registered on October 26, 1993;
- United Kingdom Trademark No. UK00003753607, LPL, registered on May 13, 2022;
- European Union Trademark No. 018653022, LPL, registered on May 26, 2022;
- United States Trademark Registration No. 3662425,  LPL Financial, registered on August 4, 2009; and
- United Kingdom Trademark No. UK00003753611, LPL FINANCIAL, registered on May 13, 2022.

The disputed domain names resolve to parking pages with pay-per-click ("PPC") links to goods and services directly competing with, or related to, services offered by the Complainant, such as "Accounting Services" and "Retirement Plans."

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the Marks. The disputed domain names each incorporate either the Complainant's LPL or LPL FINANCIAL trademarks, which are then combined with common dictionary terms from the financial services industry. The Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain names. The Complainant asserts that the Respondent's bad faith is demonstrated by the Respondent's obvious knowledge of the Marks and the use of the disputed domain names to direct visitors to parking pages with PPC links to services that compete with those provided by the Complainant.

B. Respondent

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

6. Discussion and Findings

Consolidation: Multiple Disputed Domain Names

The Complainant requests the inclusion of two additional disputed domain names in this proceeding submitted after the commencement of the proceeding and notice to the Respondent.

Paragraph 3(c) of the Rules states that a complaint may relate to multiple domain names, provided that they are registered by the same domain name holder. The additional disputed domain names were registered by the same Respondent with the same Registrar identified in the Complaint and involve the same substantive issues discussed in the decision below.

Although the Panel is reluctant to incorporate new disputed domain names after the initial filing and notice to the Respondent, the Panel finds under the circumstances of this case that including these additional two disputed domain names in this proceeding will enhance efficiency without prejudicing the Respondent. Efficiency will be increased by including the additional disputed domain names because the two additional disputed domain names share the same formation method and alleged misuse of the Complainant's Marks as the disputed domain names in the Complaint. The two additional disputed domain names resolve parking pages identical to the websites of the original disputed domain names. The inclusion of the additional disputed domain names will not prejudice the Respondent because the additional disputed domain names adopt the Complainant's LPL and LPL FINANCIAL trademarks in a manner similar to the disputed domain names in the initial Complaint and have a common registrant (a purported "Clark Smith"). The newly added disputed domain names were registered within a month of the registration of the disputed domain names in the Complaint. The Respondent has not responded to the Complainant and did not object to the inclusion of additional domain names to the current proceedings. There is no reason to believe that adding the two similarly constructed disputed domain names will prejudice the Respondent. The additional disputed domain names do not raise any new issues.

The Panel finds that the consolidation of the disputed domain names in this single proceeding is appropriate.

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, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds that the Complainant's Marks are recognizable within the disputed domain names. The disputed domain names incorporate either the Complainant's LPL or LPL FINANCIAL trademark, which are combined with common dictionary terms from the financial services industry. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.8.

The gTLDs of the disputed domain names, in this case, ".bar", ".rest", and ".cfd", may be disregarded for the purposes of assessment under the first element, as they are viewed as standard registration requirements. [WIPO Overview 3.0](#), section 1.11.1.

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 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 3.0](#), 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 names. 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 names such as those enumerated in the Policy or otherwise.

The disputed domain names resolve to parking pages displaying PPC links to services that are in direct competition with those offered by the Complainant. The use of a domain name to host a parked page comprising PPC links does not represent a bona fide offering where such links capitalize on the reputation and goodwill of the Complainant's Marks or otherwise mislead Internet users. [WIPO Overview 3.0](#), section 2.9. The Respondent has sought to derive click-through revenue from misled Internet users by registering the disputed domain names which Internet users are likely to associate with the Complainant which resolve to parking pages offering financial services similar to the Complainant.

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.

The Complainant's LPL and LPL FINANCIAL trademarks are inherently distinctive and well known in connection with the Complainant's financial advisory services. The Complainant's trademarks have been continuously and extensively used for well over 20 years and have become well-known.

The Respondent cannot credibly claim ignorance of the Complainant's long-standing and well-known trademarks when it registered and used the disputed domain names to link to websites displaying PPC links related to financial services. The Respondent's intent to deliberately target the Complainant is clear.

The Panel concludes that the Respondent registered the disputed domain names in bad faith to create a misleading impression of association with the Complainant, aiming to derive click-through revenue from Internet users misdirected by the disputed domain names to the Respondent's webpages. In summary, the Respondent has in bad faith attracted, for commercial gain, Internet users to its web pages by fostering a likelihood of confusion with the Complainant's mark regarding the source, sponsorship, affiliation, or endorsement of the web pages resolved by the disputed domain names and the products and services advertised. *LPL Financial LLC v. 杨智超 (Zhichao Yang)*, WIPO Case No. [D2021-3670](#) (transferring <lplfinanciall.com> and <lplfinancial.com>).

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 names <lpl-account-view.cfd>, <lpl-account-view.rest>, <lpl-financial-login-account-view.bar>, <lpl-financial-login-account-view.cfd>, and <lpl-financial-login-account-view.rest> be transferred to the Complainant.

/William F. Hamilton/

William F. Hamilton

Sole Panelist

Date: April 10, 2025