

ADMINISTRATIVE PANEL DECISION

LPL Financial LLC v. Grace Johnson, mylplfinancial.com
Case No. D2025-1062

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 Grace Johnson, mylplfinancial.com, United States.

2. The Domain Name and Registrar

The disputed domain name <mylplfinancial.com> is registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 14, 2025. On March 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 17, 2025, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 17, 2025, 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 amended Complaint on March 18, 2025.

The Center verified that the Complaint together with the amended 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 March 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 9, 2025. The Respondent sent four email communications to the Center on March 17, March 20, and April 11, 2025, respectively.

The Center appointed Joseph Simone as the sole panelist in this matter on April 16, 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.

4. Factual Background

The Complainant, LPL Financial LLC, was founded in 1989 through the merger of two brokerage firms – Linsco and Private Ledger. The Complainant is a leader in the retail financial advice market and is considered the largest independent broker-dealer in the United States.

Since 2010, the Complainant's shares have been publicly traded on the NASDAQ under "LPLA". The Complainant currently has over 7,700 employees, with its primary offices in San Diego, Fort Mill, Boston, and Austin, United States. In the fourth quarter of 2024, the Complainant's gross profit reached USD 1.228 billion, with a net income of USD 271 million.

The Complainant has an extensive global portfolio of trade mark registrations incorporating the LPL FINANCIAL mark, including the following:

- United States Trademark Registration No. 3662425 in Classes 36 and 42, registered on August 4, 2009; and
- United Kingdom Trademark Registration No. UK00003753611 in Classes 36 and 42, registered on May 13, 2022.

The disputed domain name was registered on January 16, 2025. The evidence provided by the Complainant further indicates that at the time of filing of the Complaint, the disputed domain name resolved to a parking page with the language "We're under construction. Please check back for an update soon". At the time of issuance of this Decision, the disputed domain name continued to resolve to the same parking page.

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 registered by the Respondent is identical or confusingly similar to the Complainant's LPL FINANCIAL trade marks, and that the addition of the generic Top-Level Domain ("gTLD") ".com" does not affect the analysis as to whether the disputed domain name is identical or confusingly similar to the Complainant's trade marks.

Furthermore, the Complainant argues that the additional term "my" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's LPL FINANCIAL mark.

The Complainant asserts that it has not authorized the Respondent to use the LPL FINANCIAL mark, and there is no evidence to suggest that the Respondent has used, or has undertaken any demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services.

The Complainant also claims there is no evidence that the Respondent has any connection to the LPL FINANCIAL mark, and that there is no plausible good faith reason for the Respondent to have registered the disputed domain name. The Complainant therefore argues that the registration and any use of the disputed domain name must be in bad faith.

B. Respondent

The Respondent did not substantively respond to the Complainant's contentions, but in multiple email communications to the Center the Respondent stated that it does not want the disputed domain name anymore.

6. Discussion and Findings

A. Identical or Confusingly Similar

To prevail in a UDRP dispute, the first of three elements a complainant must prove is that the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the complainant has rights. It is widely accepted that this 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 trade mark 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 Panel acknowledges that the Complainant has established rights in the LPL FINANCIAL trade mark in multiple jurisdictions around the world. [WIPO Overview 3.0](#), section 1.2.1.

Disregarding the gTLD ".com", the disputed domain name incorporates the Complainant's trade mark LPL FINANCIAL in its entirety. Thus, the disputed domain name should be regarded as confusingly similar to the Complainant's LPL FINANCIAL trade mark. The inclusion of the additional term "my" does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), sections 1.7, and 1.8.

The Panel therefore finds that the Complainant satisfies the requirements of paragraph 4(a)(i) of the Policy in establishing its rights in the LPL FINANCIAL trade mark and in showing that the disputed domain name is confusingly similar to its mark.

B. Rights or Legitimate Interests

The second element that a complainant must prove is that the respondent has no rights or legitimate interests in the disputed domain name. 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.

The Complainant asserts that it has not authorized the Respondent to use its trade mark and there is no evidence to suggest that the Respondent has used, or undertaken any demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. Having reviewed the available record, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

The composition of the disputed domain name, incorporating the Complainant's trade mark (which also corresponds to the Complainant's company name) with the term "my" affirms the Respondent's intention of taking unfair advantage of consumers' confusion between the disputed domain name and the Complainant

with respect to the origin of the website and a possible affiliation between it and the Complainant . The Respondent did not file a substantive response and has therefore failed to assert factors or put forth evidence to establish that it enjoys rights or legitimate interests in the disputed domain name. Meanwhile, no evidence has been provided to demonstrate that the Respondent, prior to the notice of the dispute, had used or demonstrated its preparation to use the disputed domain name in connection with a bona fide offering of goods or services.

There is also no evidence to show that the Respondent has been commonly known by the disputed domain name or that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name.

As such, the Panel concludes that the Respondent has failed to rebut the Complainant's prima facie showing of the Respondent's lack of rights or legitimate interests in the disputed domain name, and that none of the circumstances of paragraph 4(c) of the Policy is applicable in this case.

Accordingly, and based on the Panel's findings below, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name pursuant to paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The third and final element that a complainant must prove is that the respondent has registered and is using the disputed domain name in bad faith.

Paragraph 4(b) of the Policy states that any of the following circumstances, in particular but without limitation, shall be considered as evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that the respondent registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant (the owner of the trade mark or service mark) or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or
- (ii) circumstances indicating that the respondent registered the domain name in order to prevent the owner of the trade mark 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) circumstances indicating that the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the respondent is using the domain name to intentionally attempt to attract, for commercial gain, Internet users to its website or other online 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 its website or location.

The examples of bad faith registration and use set forth in paragraph 4(b) of the Policy are not meant to be exhaustive of all circumstances in which bad faith may be found. Other circumstances may also be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith ([WIPO Overview 3.0](#), section 3.2.1).

For reasons discussed under this and the preceding heading, the Panel believes that the Respondent's conduct in this case constitutes bad-faith registration and use of the disputed domain name.

When the Respondent registered the disputed domain name, the LPL FINANCIAL trade marks were already widely known and directly associated with the Complainant's activities. UDRP panels have consistently found that the mere registration of a domain name that is confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trade mark by an unaffiliated entity can by itself create a presumption of bad faith. See [WIPO Overview 3.0](#), section

3.1.4.

Given the extensive prior use and fame of the Complainant's marks, in the Panel's view, the Respondent should have been aware of the Complainant's marks when registering the disputed domain name.

The Complainant's registered trade mark rights in LPL FINANCIAL for its products and services predate the registration date of the disputed domain name. A simple online search for the terms "lpl financial" would have revealed that it is an established brand. [WIPO Overview 3.0](#), section 3.2.2.

The Respondent has not presented any evidence or explanation to justify its choice of the terms "lpl financial" and "my" in the disputed domain name. Considering that addition of the term "my" can be interpreted as "My account with LPL FINANCIAL" the Panel finds it unlikely that the Respondent's selection of the term "my" in combination with the Complainant's trade mark is coincidental.

The Panel is therefore of the view that the Respondent registered the disputed domain name with knowledge of the Complainant's trade mark rights.

Panels have also consistently found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Considering the reputation of the Complainant's trade mark, the composition of the disputed domain name, and the Respondent's failure to provide any explanations, the Panel finds that the current absence of substantive content on the website of the disputed domain name does not prevent a finding of bad faith.

In light of the foregoing, the Panel concludes that there are no plausible good faith reasons for the Respondent to have registered and used the disputed domain name.

Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith.

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 <mylplfinancial.com> be transferred to the Complainant.

/Joseph Simone/

Joseph Simone

Sole Panelist

Date: May 12, 2025