

ADMINISTRATIVE PANEL DECISION

LPL Financial LLC v. Clark Smith, VEMOBLI
Case No. D2025-2112

1. The Parties

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

Respondent is Clark Smith, VEMOBLI, United States.¹

2. The Domain Names and Registrar

The disputed domain names <lpl-account-view.bar>, <lpl-account-view.sbs> and <lpl-financial-account-view.sbs> (the “Domain Names”) are registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 28, 2025. On May 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On May 30, 2025, the Registrar transmitted by email to the Center its verification response, confirming that Respondent is listed as the registrant and providing the contact details.

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 Respondent of the Complaint, and the proceedings commenced on June 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 24, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on June 26, 2025.

¹The Panel notes that the registrar NameSilo, LLC has confirmed that the disputed domain name <lpl-account-view.bar> is registered with “Clark Smith”, United States, and the disputed domain names <lpl-account-view.sbs> and <lpl-financial-account-view.sbs> are registered with “Clark Smith, VEMOBLI”, United States.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on July 1, 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

Complainant, founded in 1989, provides brokerage and investment advisory services to more than 28,000 investment advisors including advisors at approximately 1,200 institution-based investment programs and at approximately 570 registered investment advisor firms, nationwide managing over USD 1.7 trillion in advisory and brokerage assets. With over 7,700 employees, it has offices in the United States (San Diego, California, Fort Mill, South Carolina; Boston, Massachusetts and Austin, Texas). In the fourth quarter of 2024, Complainant's gross profit exceeded USD 1.2 billion, with a net income of USD 255 million.

Complainant owns numerous registered trademarks for the LPL and LPL FINANCIAL marks, including:

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

Complainant also owns several domain names consisting of or containing LPL, including <lpl.com>, registered in 1994, from which it operates its main corporate website, as well as <lpl.net>, <lpl-financial.com> and <lplaccountview.com>. Complainant's parent company, LPL Holdings, Inc., is also the owner of the new generic Top-Level Domains ("gTLDs") ".lpl" and ".lplfinancial".

The Domain Names <lpl-account-view.bar>, <lpl-account-view.sbs> and <lpl-financial-account-view.sbs> were registered on November 30, 2024, May 10, 2025, and March 19, 2025, respectively. At the time of the filing of the Complaint, they resolved to parking pages displaying sponsored links to third-party web pages, including links to financial services offerings.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Names.

Complainant contends that (i) the Domain Names are confusingly similar to Complainant's trademarks; (ii) Respondent has no rights or legitimate interests in the Domain Names; and (iii) Respondent registered and is using the Domain Names in bad faith.

In particular, Complainant contends that it has trademark registrations for LPL and LPL FINANCIAL, and that Respondent registered and is using the Domain Names with the intention to confuse Internet users looking for bona fide and well-known LPL and LPL FINANCIAL products and services.

Complainant notes that it has no affiliation with Respondent, that Respondent is using the Domain Names as a tool to exploit Complainant's reputation for its own commercial gain, and that Respondent has no rights or legitimate interests in the registration and use of the Domain Names. Further, Complainant contends that

Respondent has acted in bad faith in acquiring and setting up the Domain Names, when Respondent clearly knew of Complainant's rights.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the Domain Names are identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Names; and
- (iii) the Domain Names were registered and are being used in bad faith.

To prevail, Complainant has to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

A. Identical or Confusingly Similar

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.2.1. Complainant has provided evidence of its rights in the LPL and LPL FINANCIAL trademarks, as noted above under section 4. Complainant has therefore proven that it has the requisite rights in the LPL and LPL FINANCIAL trademarks.

With Complainant's rights in the LPL and LPL FINANCIAL trademarks established, the remaining question under the first element of the Policy is whether the Domain Names, typically disregarding the gTLDs in which the respective Domain Name is registered (in this case, ".bar" and ".sbs"), is identical or confusingly similar to Complainant's trademark. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, each of the Domain Names is confusingly similar to Complainant's LPL and/or LPL FINANCIAL trademarks. The LPL and LPL FINANCIAL trademarks are recognizable in the Domain Names.

In particular, the Domain Names' inclusion of Complainant's LPL and LPL FINANCIAL trademark in their entirety, with an addition of the terms "-account" and "-view" in the Domain Names <lpl-account-view.bar>, <lpl-account-view.sbs>, and the addition of a hyphen and terms "-account-view" in the Domain Name <lpl-financial-account-view.sbs>, does not prevent a finding of confusing similarity between the Domain Names and the LPL and LPL FINANCIAL trademarks. See section 1.8 of the [WIPO Overview 3.0](#).

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes out such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP. [WIPO Overview 3.0](#), section 2.1.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its LPL and LPL FINANCIAL trademarks when registering the Domain Names. Respondent is also not known to be associated with the LPL and LPL FINANCIAL trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Names.

There is no evidence on record showing that Respondent has been commonly known by the Domain Names, or has acquired trademark or service mark rights in the Domain Names.

In addition, Respondent has not used the Domain Names in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, at the time of the filing of the Complaint, they resolved to parking pages displaying sponsored or pay-per-click ("PPC") links to third-party web pages, such as "Finance" and "Open a Credit Line" which are in direct competition to those offered by Complainant.

The Panel notes that the Domain Names include Complainant's trademarks LPL and LPL FINANCIAL, with the terms "-account-view" and, as such, are similar to Complainant's own domain names <lpl-financial.com> and <lplaccountview.com> registered by Complainant as a reference to its Account View service. The Panel infers, on the balance of probabilities, that such composition of the Domain Names affirms Respondent's intention of taking unfair advantage of the likelihood of confusion between the Domain Names and Complainant as to the origin or affiliation of the websites at the Domain Names, which does not confer rights or legitimate interests on Respondent. [WIPO Overview 3.0](#), section 2.9.

Accordingly, Complainant has provided evidence supporting its prima facie claim that Respondent lacks any rights or legitimate interests in the Domain Names. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Names to rebut Complainant's prima facie case.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Names, and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Names in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a domain name registrant, namely:

"(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location."

The Panel finds that Complainant has provided ample evidence to show that the registrations of the LPL and LPL FINANCIAL trademarks well predate the registration of the Domain Names. Complainant is also well established and known. Indeed, the record shows that Complainant's LPL and LPL FINANCIAL trademarks and related products and services are widely known and recognized.

Therefore, the Panel is of the view that Respondent was aware of the LPL and LPL FINANCIAL trademarks when it registered the Domain Names. See [WIPO Overview 3.0](#), section 3.2.2; see also *TTT Moneycorp Limited v. Privacy Gods / Privacy Gods Limited*, WIPO Case No. [D2016-1973](#).

In particular, the registration of the Domain Names incorporating Complainant's LPL and LPL FINANCIAL trademark in their entirety together with the terms corresponding to Complainant's Account View service suggests Respondent's actual knowledge of Complainant's rights in the LPL and LPL FINANCIAL trademarks at the time of registration of the Domain Names and its effort to opportunistically capitalize on the registration and use of the Domain Names. Further, UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. See section 3.1.4 of the [WIPO Overview 3.0](#)

It is more likely than not that Respondent registered and is using the Domain Names to confuse and mislead consumers looking for well-known LPL and LPL FINANCIAL products and services of Complainant or authorized partners of Complainant. The use of the LPL and LPL FINANCIAL trademarks in the Domain Names is intended to capture Internet traffic from Internet users who are looking for Complainant's products and services. The use of the Domain Names to divert users to webpages with PPC links to third-party websites, likely for commercial gain, by creating a likelihood of confusion with Complainant's mark is in bad faith. In particular, the Domain Names resolve to parked pages with PPC links to services some of which are in direct competition with those offered by Complainant.

Therefore, by using the Domain Names, Respondent has intentionally attempted to attract, for commercial gain, Internet users looking for bona fide and well-known LPL and LPL FINANCIAL products and services of Complainant or authorized partners of Complainant to Respondent's websites by creating a likelihood of confusion with Complainant's LPL and LPL FINANCIAL mark as to the source, sponsorship, affiliation, or endorsement of Respondent's websites.

Finally, the Panel also notes the reputation of the LPL and LPL FINANCIAL trademarks, and the failure of Respondent to submit a response to the Complaint or to provide any evidence of actual or contemplated good-faith use.

Accordingly, the Panel finds that Respondent registered and is using the Domain Names in bad faith and Complainant succeeds under the third element of paragraph 4(a) 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 Domain Names <lpl-account-view.bar>, <lpl-account-view.sbs> and <lpl-financial-account-view.sbs> be transferred to Complainant.

/Kimberley Chen Nobles/

Kimberley Chen Nobles

Sole Panelist

Date: July 15, 2025