

ARBITRATION AND MEDIATION CENTER

ADMINISTRATIVE PANEL DECISION

LPL Financial LLC v. Xiu Pi and Anna li Case No. D2025-3510

1. The Parties

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

The Respondents are Xiu Pi, Hong Kong, China, and Anna li, United States.

2. The Domain Names and Registrar

The disputed domain names <|plfinanciallcua.net>, <|plfinancial.vip>, and <|plfinancia.vip> are registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 29, 2025. On August 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 2, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint.

The Center sent an email communication to the Complainant on September 4, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on September 9, 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 Respondents of the Complaint, and the proceedings commenced on September 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 5, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on October 7, 2025.

The Center appointed Taras Kyslyy as the sole panelist in this matter on October 15, 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 was founded in 1989 and serves independent financial advisors and financial institutions, providing them with the technology, research, clearing and compliance services, and practice management programs they need to create and grow their practices. Since 2010 the Complainant has been publicly traded on the NASDAQ under "LPLA". Currently, the Complainant provides an integrated platform of 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.

The Complainant has over 7,700 employees, with its primary offices in San Diego, California; Fort Mill, South Carolina; Boston, Massachusetts and Austin, Texas. In the fourth quarter of 2024, the Complainant's gross profit reached over USD 1.2 billion, with a net income of USD 255 million.

The Complainant has secured ownership of numerous trademark registrations for LPL and LPL FINANCIAL, including for instance United States trademark registration No. 1801076, LPL, registered on October 26, 1993; Chinese trademark registration No. 38031585, LPL FINANCIAL, registered on February 21, 2020.

The Complainant owns many 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>, <lplfinancial.net>, <lplaccountview.com>, amongst many others. In addition, the Complainant's parent company, LPL Holdings, Inc., is the owner of the branded new generic Top-Level Domains ("gTLDs") ".lpl" and ".lplfinancial". The Complainant has also made substantial investments to develop a strong presence online by being active on various social-media platforms.

The disputed domain name <|plfinanciallcua.net> was registered on June 8, 2025. The disputed domain name <|plfinancia.vip> was registered on June 27, 2025. The disputed domain name <|plfinancial.vip> was registered on July 12, 2025.

The disputed domain names resolve to similar parking pages with the words "coming soon" or "delivering significant results" displayed in Chinese. Each of the disputed domain names features an email contact form at the bottom of the 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 names.

Notably, the Complainant contends that the disputed domain names are identical or confusingly similar to the Complainant's trademark. The disputed domain name < lplfinancia.vip > comprises the Complainant's LPL and LPL FINANCIAL trademarks in their entirety, differing from the Complainant's LPL FINANCIAL trademark only by the omission of a space and the final letter "I". The Complainant's LPL and LPL FINANCIAL trademarks are reproduced in the disputed domain name < lplfinancial.vip >. The addition of the

letters "Icua" to the Complainant's trademarks in the disputed domain name < lplfinanciallcua.net > does not prevent a finding of confusing similarity. The Complainant's trademarks remain clearly recognizable in the disputed domain name. The applicable gTLDs, in this case ".vip" and ".net", may be disregarded for the purposes of assessment under the first element, as they are viewed as standard registration requirements.

The Complainant also contends that the Respondents have no rights or legitimate interests in the disputed domain names. The Respondents have not received any license or other authorization of any kind to make use of the Complainant's trademarks, in a domain name or otherwise. The Respondents cannot assert that prior to any notice of this dispute they were using, or had made demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services. The use of registrarprovided parking pages is analogous to the non-use of a domain name in connection with an active website. There is no evidence of the Respondents having made demonstrable preparations to use the disputed domain names, such as evidence of business formation-related due diligence/legal advice/correspondence, evidence of credible investment in website development or promotional materials such as advertising, letterhead, or business cards, proof of a genuine (i.e., not pretextual) business plan utilizing the disputed domain names, and credible signs of pursuit of the business plan, bona fide registration and use of related domain names, or other evidence generally pointing to a lack of indicia of cybersquatting intent. There is no evidence to suggest that the Respondents are commonly known by the disputed domain names. The disputed domain names were registered using a proxy service. There is no contact information on the web pages to which the disputed domain names resolve. The underlying registrants' names bear no resemblance to the disputed domain names. The Respondents appear to have provided false underlying registrant information. There is no evidence of the Respondents having acquired or applied for any trademark registrations for "LPL", "LPL FINANCIAL", or any variation thereof, as reflected in the disputed domain names. The Respondents' current non-use of the disputed domain names (other than to resolve to Registrar-provided parking pages) does not support any legitimate claim of being commonly known by the disputed domain names independently from the Complainant's trademark rights. The Respondents are not making any legitimate noncommercial or fair use of the disputed domain names, without intent for commercial gain to misleadingly divert consumers. In light of the composition of the disputed domain names themselves, there is a risk that Internet users seeking the Complainant online may be misled as to the source of the disputed domain names. The nature of the disputed domain names is such that they carry a risk of implied affiliation with the Complainant, which does not support any legitimate claim of fair use of the disputed domain names.

Finally, the Complainant contends that the disputed domain names were registered and are being used in bad faith. The Complainant's 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 over 30 years and have as a result acquired considerable reputation and goodwill worldwide. All of the primary search results obtained by typing the term "LPL Financial" into Google's search engine available at "www.google.com" refer to the Complainant. The Respondents could not credibly argue that they did not have knowledge of the Complainant and its trademark rights when registering the disputed domain names. The Respondents, having no relationship with the Complainant or authorization to make use of its trademarks in a domain name or otherwise, knowingly proceeded to register the disputed domain names, each carrying a risk of implied affiliation with the Complainant, in bad faith. The Respondents have been named in prior UDRP proceedings brought by the Complainant and the Respondents appear to be engaged in a pattern of abusive domain name registration targeting the Complainant's trademarks. The Respondents' registration of the disputed domain names in the name of a proxy service, coupled with the provision of what appears to be false underlying registrant information, amounts to further evidence of the Respondents' bad faith.

The non-use of the disputed domain names in connection with active websites does not prevent a finding of bad faith use under the doctrine of passive holding. This is based on the following factors. The Complainant's trademarks are well known internationally. As a result of their longstanding and widespread use, the Complainant's trademarks have become closely associated with the Complainant. There is no evidence of the Respondents having engaged in actual good faith use of the disputed domain names, nor is there any evidence of the Respondents having made demonstrable preparations to use the disputed domain

names for any legitimate purpose. The disputed domain names were registered using a proxy service. As a result, the identity of the underling registrant is unknown. The disputed domain names carry with them a risk of implied affiliation with the Complainant. There is no plausible good faith use to which the disputed domain names could be put that would not have the effect of misleading consumers as to the source or affiliation of the disputed domain names.

The presence of the disputed domain names in the hands of the Respondents represents an abusive threat hanging over the head of the Complainant (i.e., an abuse capable of being triggered by the Respondents at any time). There is clear potential for the disputed domain names to be used in a manner that could easily mislead the Complainant's clients into disclosing their confidential account information, which may in turn be used to commit further acts of fraud.

B. Respondents

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

6. Discussion and Findings

A. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names were registered within short time period with the same Registrar using the same proxy service, resolve to parking pages with the words "coming soon" or "delivering significant results" displayed in Chinese featuring the same background graphics and email contact form, and that the registrants provided incorrect contact information as evidenced by courier's failure to deliver the Center's written communications.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

B. 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 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 the entirety of the LPL mark is reproduced within the disputed domain names. Also, the entirety of the LPL FINANCIAL mark is reproduced in lplfinanciallcua.net> and lplfinancial.vip> disputed domain names. The Panel finds the marks are recognizable within the disputed domain names. Accordingly, the disputed domain names lplfinanciallcua.net> and lplfinancia.vip> are confusingly similar to the marks, and the disputed domain name lplfinancial.vip> is identical to the LPL FINANCIAL mark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

While the addition of other terms here, "Icua" in < Iplfinanciallcua.net> may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.0, section 1.8.

The applicable gTLD in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. Thus, the Panel disregards gTLDs ".net" and ".vip" for the purposes of the confusing similarity test. WIPO Overview 3.0, section 1.11.1.

The Panel finds the first element of the Policy has been established.

C. 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 available evidence does not confirm that the Respondent is commonly known by the disputed domain names, which could demonstrate its rights or legitimate interests (see, *World Natural Bodybuilding Federation, Inc. v. Daniel Jones TheDotCafe*, WIPO Case No. D2008-0642).

The Complainant did not license or otherwise agree for use of its prior registered trademarks by the Respondent (see *Sportswear Company S.P.A. v. Tang Hong*, WIPO Case No. <u>D2014-1875</u>). The Respondent has not provided any explanation as to its choice of, or evidence of any actual or contemplated bona fide or legitimate use of, the disputed domain names.

In the circumstances of this case, the Respondent has no rights or legitimate interests in the disputed domain names resolving to inactive websites (see *Philip Morris USA Inc. v. Daniele Tornatore*, WIPO Case No. <u>D2016-1302</u>).

The Panel finds the second element of the Policy has been established.

D. 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.

In the present case, the Panel notes that the Respondent registered the disputed domain names identical and confusingly similar to the Complainant's well-known trademark. The mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. The Panel is convinced that the Complainant's trademark is well established through long and widespread use and the Complainant has acquired a significant reputation and level of goodwill in its trademark both in the United States and internationally. Thus, the Panel finds that the disputed domain names identical and confusingly similar to, including a domain name containing a misspelling of, the Complainant's LPL FINANCIAL trademark were registered in bad faith. WIPO Overview 3.0, section 3.1.4.

The Panel further notes that at least the underlying registrant Anna li has been named in prior UDRP proceedings brought by the Complainant (see *LPL Financial LLC v. Anna li*, WIPO Case No. <u>D2025-2174</u>, and *LPL Financial LLC v. Hota Coinbase Ltd Hota Coinbase Ltd, Hota Coinbase Ltd, Anna li, pi xiu, CXM TRADING*, WIPO Case No. <u>D2025-2223</u>), thus the Respondent was aware of the Complainant and its trademarks while registering the disputed domain names and specifically targeted it, which confirms the bad faith. <u>WIPO Overview 3.0</u>, section 3.2.2.

Panels have 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. Having reviewed the available record, the Panel notes (i) the high degree of reputation of the Complainant's trademark, (ii) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and (iii) the Respondent's concealing its identity while registering the disputed domain names.

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 <|p|financial|cua.net>, <|p|financial|vip> and <|p|financia.vip> be transferred to the Complainant.

/Taras Kyslyy/ Taras Kyslyy Sole Panelist

Date: October 20, 2025