

SUPREME COURT, STATE OF COLORADO

**ORIGINAL PROCEEDING IN UNAUTHORIZED
PRACTICE OF LAW BEFORE THE PRESIDING
DISCIPLINARY JUDGE, 17UPL10
1300 Broadway, Ste. 250
Denver, CO 80203**

**Petitioner:
THE PEOPLE OF THE STATE OF COLORADO**

**Respondents:
DAK STEIERT, a/k/a DAK STEIRT and
INTELLIGENT PATENT SERVICES, LLC, a
Colorado limited liability company**

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**ATTORNEY
REGULATION**

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Case Number: 17SA214

**RESPONDENTS' RESPONSE TO PETITIONER'S MOTION TO DISMISS
RESPONSE TO MOTION TO DISMISS FOR LACK OF JURISDICTION**

Petitioner sites lack of timely response to a USPTO filing. However, the USPTO filing was never served to the respondents. Respondents had no knowledge of any USPTO orders until receiving the petitioner's response - presumably for the exact reason that there is no jurisdiction in this case: Respondents were not in the state of Colorado and therefore if anything was served to addresses in Colorado, it would inherently not have been served. As respondents were not served, there was no waiver of rights.

Petitioner cites letterhead and presumably a mention on Facebook. Respondent's Facebook page is quite clearly not a legal representation, has not been updated since 2008, and is under no requirements to be updated whatsoever. That is by no means a representation of residence, and it is against quite clear evidence which will be shown at trial if necessary to document the whereabouts of the respondent throughout 2014, 2015, 2016 and early 2017. There is no evidence that respondents were in Colorado or conducted business in Colorado for the obvious reason - respondents were not in Colorado and did not conduct business in Colorado for at least that time period.

Petitioner cites letterhead. There is no legal requirement for updating letterhead originally created in template form in 2011. Letterhead is no legal basis for place of business or whereabouts.

Further, service of any USPTO notifications would be inappropriate when the Nevada DMV had an appropriate address on file and respondent's address in Colorado was unregistered with both the DMV and with voter registration. Please see attached communication with Karen Sepp informing her on 1/29/2016 that I was not and

had not been a resident of Eagle County and requesting my voter registration be removed – which she confirmed and carried out.

Futhermore, there is no system with the USPS or other organizations for constantly updating addresses if the respondents are not at one location for more than several months. Therefore there is no means to update this information and thus no means for changing the information on record with the Secretary of State or on other sources. There is also no legal requirement or expection to do so.

In following with this, there is no means provided for changing the registration address of a business every several months. The respondents are not responsible for a system that has not been updated to deal with the mobility of the modern era. The petitioner cites addresses provided in periodic reports, which of course fall under the same case law as the registration of a business. To change the addresses of the periodic reports out of the state every several months or to shift the registration of the business to other states repeatedly are neither legally required, nor are they acts that are provided for by the system. Furthermore, the periodidic reports fall under the case law as not providing jurisdiction based on location of registration of the business.

The motion to dismiss for lack of jurisdiction should be upheld. If it is not, it will simply be categorically proven at trial. The petitioner's arguments are based on no evidence whatsoever, as seen by the petitioner's attempt to base evidence on pieces of information that have zero requirement to be updated along with the whereabouts and place of business of a mobile business and individual.

Further, the petitioner did not address the DMV registration of the petitioner in the state of Nevada - the only clear piece of evidence that must be updated with the whereabouts of the respondent.

Date: 12/4/2017

Temporary Mailing:
PO BOX 508
Edwards, CO 81632

Signature of ☐ Petitioner/Plaintiff or ☒ Respondent/Defendant
210 East Flamingo Rd Unit 310
Address
Las Vegas, NV, 89169
City, State and Zip Code

Telephone Number (Home) (Work)

CERTIFICATE OF SERVICE

I certify that on 12/5/2017 (date) a true and accurate copy of the Response to Petitioner's Response to Dismiss for Lack of Jurisdiction was served on the other party by:
☐ Hand Delivery, ☐ E-filed, ☐ Faxed to this number _____, or
☒ by placing it in the United States mail, postage pre-paid, and addressed to the following (include name and address):

To: Kim E. Ikeler
1300 Broadway, Suite 500
Denver, CO, 80203

☐ Petitioner/Plaintiff or ☐ Respondent/Defendant

Please Remove/Cancel My Voter Registration

Inbox: x

Dak Steiert <dak.steiert@gmail.com>
to elections *

1/29/16

Hello,

My name is Dak Brandon Steiert and I am registered as a voter in Eagle County, Colorado. I am registered under 165 Charolais Circle Unit A, Edwards, CO 81632, and mailing address is PO BOX 508, Edwards, CO 81632.

I am no longer a resident of Colorado or Eagle County, so I would like to remove or cancel my voter registration. If you have any questions, please contact me at [1-970-390-5907](tel:1-970-390-5907).

Thank you very much!

Dak Steiert <dak.steiert@gmail.com>
to elections *

1/29/16

I realized I didn't send my birthdate. It's 3/21/1986. And, again, My name is Dak Brandon Steiert and I am registered as a voter in Eagle County, Colorado. I am registered under 165 Charolais Circle Unit A, Edwards, CO 81632, and mailing address is PO BOX 508, Edwards, CO 81632.

Please cancel/remove my voter registration as I'm no longer a resident. Thanks!

Karen Sepp <karen.sepp@eaglecounty.us>
to me *

2/1/16

Dak you have been removed from Eagle County's voter list.

Karen Sepp
Elections
Eagle County Clerk and Recorder
PO Box 537
Eagle, CO 81631
970-328-8715
karen.sepp@eaglecounty.us