

The MarTech Group, Inc.

September 15, 2022

Chairman
Fraudulent Business Filings Working Group
c/o Colorado Secretary of State
Via email: business@coloradosos.gov

Dear Working Group Chair:

During Wednesday's (Sept. 14) committee session repeated mention was made of the capability to password protect a registration, to securely register, and/or to receive notifications of changes, although it's not clear what changes that applies to.

I registered my corporation in 2001, prior to the implementation of the online system. Until I listened to the first meeting of this committee, I was not aware of any of these features. I suggest that there is some obligation on the part of the Secretary of State's office to notify existing registrants of this capability and to explain why it may be important to make use of these features. I further suggest that this not be conflated with periodic report filing, which is often handled by a junior employee and, based on the number of delinquent accounts, sometimes simply ignored.

During the meeting I went to the SOS website because meeting participants continually referred to this capability being easily available. It isn't. The relevant page, <https://www.coloradosos.gov/pubs/business/businessHome.html?menuheaders=2>, is a mishmash of everything and difficult to understand. The "security" features are difficult to identify. "Email notifications" is under Services, "Secure business filing" is under eLearning, not a category I would even look at. "Protect your business from identity theft" is under "Help & Resources," but so are numerous other topics. A menu page is only useful for someone familiar with the system, not to an occasional user.

Each of those links takes the user to a page that further refers the user to a YouTube video. I hate to have to explain this, but procedural videos are useless when your primary access device is a cell phone! And videos are painful when I need to write specific instructions to be added to a business procedures manual. A video requires me to continuously stop the replay so I can take notes, then I must compile the notes into something reasonably intelligible to someone who isn't exactly a genius. Sorry, I don't even have time to watch the video, and it's not the way I acquire procedural information.

Bottomline: the security features need to be collected into a single section that starts with a brief explanation of why the user should care.

If we really want to protect these registrations, then a lengthy, random password should be assigned to every unprotected account and notification sent to the registered agent, via certified mail with return receipt, of the assigned password, accompanied by the firm suggestion to file that information with important business records and including instructions on how to change the password if so desired.

The MarTech Group, Inc.

Finally, there are a variety of reasonably secure ways to allow a user to recover a password, although they require that the computer record for each registration contain some additional data. For example, you might allow a user to recover a password by providing the EIN for the business and some other piece of data collected at registration time, a user-defined secret. Typically, this consists of a user-defined question and the answer, e.g., middle name of the company founder's grandfather. One I like to use is "reported taxable income or loss in year XXXX," something easily retrieved from our records but otherwise reasonably secret as we are not a public company. (No rational executive reports the exact number to Dun & Bradstreet!)

To avoid conflating issues, I will provide my comments on other meeting topics in a separate letter.

Most sincerely,
The MarTech Group, Inc.

Roger M. Loeb
President and CEO