

SECURITIES AND EXCHANGE COMMISSION

FORM 8-K

Current report filing

Filing Date: **2013-01-28** | Period of Report: **2013-01-28**
SEC Accession No. [0001062993-13-000420](#)

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FILER

DAYSTAR TECHNOLOGIES INC

CIK: **1262200** | IRS No.: **841390053** | State of Incorporation: **DE** | Fiscal Year End: **1231**
Type: **8-K** | Act: **34** | File No.: **001-34052** | Film No.: **13552257**
SIC: **3674** Semiconductors & related devices

Mailing Address
*B-2280 LECKIE RD.
KELOWNA A1 V1X 6G6*

Business Address
*B-2280 LECKIE RD.
KELOWNA A1 V1X 6G6
518-383-4600*

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

January 28, 2013

Date of Report (Date of earliest event reported)

DAYSTAR TECHNOLOGIES, INC.

(Exact Name of Registrant as Specified in Charter)

DELAWARE

(State or Other

Jurisdiction of Incorporation)

001-34052

(Commission File Number)

84-1390053

*(IRS Employer
Identification No.)*

2280 Leckie Road, Suite B

Kelowna, B.C. V1X-6G6 Canada

(Address of Principal Executive Offices) (Postal Code)

(408) 582-7100

(Registrant's telephone number, including area code)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a -12)

Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d -2(b))

Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e -4(c))

Item 5.02 Election of a New Director

On January 28, 2013 Stephane Bertrand became a member of the board of director of DayStar Technologies Inc. (“DayStar” or the “Company”). Mr. Bertrand has not yet been assigned to any of the committees of the Company's board of directors. There are no arrangements or understandings between the Company and any other person pursuant to which Mr. Bertrand was selected as a director, nor are there any transactions between Mr. Bertrand and the Company in which he has a direct or indirect material interest that the Company is required to report except as set forth below.

Mr. Bertrand was a former Executive Director of the World Energy Congress and served as Chief of Staff for Premier of Quebec. Mr. Bertrand coordinated the government's activities for more than 4 years. He was directly involved in formulating all the government's policies, communications, research, and crisis management strategies. Mr. Bertrand previously held the positions Vice-President, Communications, Public and Government Affairs for Gaz Metro Limited Partnership. He served as Director of Research and Communications of the Quebec Liberal Party. He served as Chief of Staff and was Economist, responsible for Press Relations, in the office of the Deputy Minister of Finance and Privatization and the office of the Minister of Cultural Affairs of Quebec. Mr. Bertrand has carried out various mandates within the energy sector, specifically natural gas, wind power, and small hydroelectric power plants. He has been a Director of Canada Lithium Corp. since March 20, 2012. He serves as Executive Director of the International Summit of Cooperatives. Mr. Bertrand served as a Member of the Board of Directors of Gaz Metro. He served as a Director of Salomon Group Inc. from March 13, 2012 to November 7, 2012. He served as Executive Director of the Quebec Liberal Party. He was Vice President, Planning and Development for the Societe financiere des Caisses populaires Desjardins. He was Executive Director of the World Energy Congress - Montreal 2010. From 2010 to 2011, he chaired the Energy Committee of the Plan Nord (Quebec Government's policy). Mr. Bertrand was Chairman of the Standing committee on Public Affairs of the Canadian Gas Association for 5 years. Mr. Bertrand holds a Master's Degree in Economics from Universite de Montreal.

As of the date of this Current Report on Form 8-K, the Company's board of directors had not yet granted any equity awards to Mr. Bertrand in connection with his appointment as a director but may do so in the future as per the Company's Non-employee Director Compensation.

Exhibit No. Description

99.1	Press Release issued by Daystar Technologies Inc. dated November 19, 2012, regarding the termination of the Agreement.
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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

DAYSTAR TECHNOLOGIES, INC.

Date: January 28, 2013

By /s/ Peter A. Lacey
Peter A. Lacey
Interim Chief Executive Officer

DayStar Technologies Appoints Former Executive Director of The World Energy Congress and Senior Québec Government Adviser to its Board of Directors

KELOWNA, BC -- (Marketwire - January 28, 2013) - DayStar Technologies Inc. (NASDAQ:DTSI) is pleased to announce the appointment of Stéphane Bertrand, a former Executive Director of the World Energy Congress and Chief of Staff to the Premier and Cabinet of Québec.

In the private sector, Mr. Bertrand previously held the positions of Director, and subsequently Vice-President, Communications, Public and Government Affairs for Gaz Métro Limited Partnership. As part of his duties, he was a member of the company's Board of Directors and also served as Chair of the Standing Committee on Public Affairs of the Canadian Gas Association.

Since 2007, he has carried out various mandates within the energy sector, specifically natural gas, wind power and small hydroelectric power plants. He has also acted as consultant in negotiations for electric energy supply. In 2010-2011 he chaired the Energy Committee of the Plan Nord (Québec Government's policy).

"Bertrand's extensive experience in the public and private sectors as well as within the energy sector will add a unique perspective to help drive DayStar's strategy moving forward," said Mark Roseborough, DayStar's President. "It is with great pleasure that we welcome Mr. Bertrand to our Board of Directors,"

As senior adviser and Chief of Staff for the Premier of Québec, Mr. Bertrand coordinated the government's activities for more than four years and was directly involved in formulating government policies.

He supervised a staff of 50 on the Executive Council, in addition to coordinating the activities of the government's 25 Chiefs of Staff and Deputy Ministers on a daily basis. Mr. Bertrand was also Director of Research and Communications and subsequently Executive Director of the Québec Liberal Party.

Mr. Bertrand holds a Master's Degree in Economics from Université de Montréal.

About DayStar Technologies, Inc:

DayStar Technologies, Inc. (DSTI) is a developer of solar photovoltaic products based upon CIGS thin film deposition technology and is currently embarked on a strategy of strategic partnerships to enter new markets within the global renewal energy industry including ownership and construction of solar and renewable power plants. For more information, visit the DayStar website at www.daystartech.com/.

For further information contact, Peter Lacey, 778.484.5159, info@DayStartech.com

Safe Harbor: Statements contained in this news release which are not historical facts may be forward-looking statements as that term is defined in the Private Securities Litigation Reform Act of 1995. Forward-looking statements can be identified by the fact that they do not relate strictly to historical or current facts. They often include words like "believe," "expect," "anticipate," "estimate" and "intend" or future or conditional verbs such as "will," "would," "should," "could" or "may." We undertake no obligation to update any forward-looking statements.
