## Agenda

### Contract Law Primer for Engineers
- E. Pempus
- **Overview**: Standard of care of the engineer, ownership of documents, indemnification clauses, warranties and guarantees, waiver of consequential damages, betterment, design without construction phase services, confidentiality, fiduciary duties, sustainable design, duty to comply with all laws, rules and regulations.

### Professional Liability Law
- S. Kelley
- **Grounds for professional liability claims**: Breach of contract, breach of warranty, who can bring a claim, case examples of defenses to liability claims.
- **Statutes**: Standard of care, statute of limitation, statute of repose, spoorin doctrine.
- **Determining damages**: Participating in dispute resolution: arbitration, mediation, litigation.
- **Why obtain insurance coverage for professional liability claims**.

### Intellectual Property Essentials for Engineers:
- R. E. Gaum
  - **Patents, Trademarks, Copyrights, and Trade Secrets**: Securing ownership of your designs through patents, trademarks, copyrights, and trade secrets.
  - **Leveraging your intellectual capital through licenses, franchises, and other technology agreements**.
  - **Policing intellectual property rights and preventing infringement**.
  - **Resolving intellectual property disputes**.

### Handling Ethical Issues in Professional Engineering Practice
- E. Pempus
- **Can ethics be taught?**: Concept-based ethics vs. rule-based ethics.
- **The newspaper test**.
- **Care-based thinking**: Do unto others as you would have them do unto you.
- **Greatest good for the greatest number of people**.
- **Environmental ethics**.
- **Harassment in professional settings**: ASCE, Canon 8: treat all persons fairly.

### Complying with Rules of Professional Conduct
- E. Pempus
- **Engineers licensing code of conduct vs. voluntary professional association code of ethics**.
- **Rules and examples of selected Ohio Code of Ethics for Engineers and Surveyors and NSPE rules**.
- **Preambles**.
- **Responsibility to the public - HSW**.
- **Whistle blowing**.
- **Conflict of interest**.
- **Solicitation of employment**.
  - **Unlicensed practice of engineering**.
  - **Environmental concerns**.

### Professional and General Liability Insurance for Engineers
- E. Pempus, S. Kelley
- **Understanding insurance coverage**.
- **Recognizing and responding to claims**.

## Learning Objectives

### You’ll be able to:

- **Discuss** the basics of contract law and compliance issues.
- **Understand** intellectual property essentials: patents, trademarks, copyrights, and trade secrets.
- **Consider** ways to handle ethical issues in professional engineering practice.
- **Review** insurance coverage issues for engineers: professional and general liability insurance.
- **Learn** about the engineer licensing code and voluntary association code of ethics.

### Middleburg Heights, OH - Thursday May 30, 2019

#### Study:
- **Professional Liability Law**: claims, defenses, damages, and dispute resolution.
- **Discuss**: the basics of contract law and compliance issues.
- **Understand**: intellectual property essentials: patents, trademarks, copyrights, and trade secrets.
- **Consider**: ways to handle ethical issues in professional engineering practice.
- **Learn**: about the engineer licensing code and voluntary association code of ethics.

#### Continuing Education Credits
- **Professional Engineers**: 7.0 CPD Hours (Includes 2.0 Ethics Hours)
Faculty

Eric O. Pempus is a risk manager with DesignPro Insurance Group, A Wichert Insurance Agency. For the last 33 years, his risk management focus has been in professional liability, law, the design professions and the construction industry. He combines this experience with 25 years of previous experience in the practice of architecture, engineering and construction management. Mr. Pempus is a professional practice adjunct professor who has taught for the last 31 years at Kent State University’s College of Architecture & Environmental Design, including “Leadership, Ethics & Office Management” and “Contract & Planning Law.” Mr. Pempus is a Fellow 31 years at Kent State University’s College of Architecture & Environmental Design, including professional practice adjunct professor who has taught courses for the last previous experience in the practice of architecture, engineering and construction management.

Steve K. Kelley is a partner with Mazanec, Raskin & Ryder Co., L.P.A. Mr. Kelley’s primary career focus has evolved over the years beginning with an extensive general liability, and insurance defense practice. He has considerable experience handling several specialty claim areas including professional liability, product liability, construction negligence, construction defects, commercial trucking, employer intentional tort and community association claims. Mr. Kelley is a partner with Taft Stettinius & Hollister LLP. He focuses his practice on complex intellectual property litigation involving patents, trademarks, copyrights, trade secrets, and related business torts and unfair competition. Mr. Gaum has practiced exclusively in the area of intellectual property for more than 20 years and has extensive experience litigating and trying cases across the country. A licensed patent attorney with a background in electrical engineering and software development, he has experience in litigation, prosecution matters and licensing related to technologies as varied as smart phones, building column protection devices and cheese slicing equipment. Mr. Gaum has litigated copyright infringement matters related to product labels, books, photographs, websites, software, databases, blue prints and architectural works. He has litigated trademark and trade dress infringement matters in state and federal courts across the country, and has handled opposition and cancellation proceedings before the Trademark Trial and Appeal Board (TTAB).

Steven K. Kelley is a risk manager with DesignPro Insurance Group, A Wichert Insurance Agency. For the last 33 years, his risk management focus has been in professional liability, law, the design professions and the construction industry. He combines this experience with 25 years of previous experience in the practice of architecture, engineering and construction management. Mr. Pempus is a professional practice adjunct professor who has taught for the last 31 years at Kent State University’s College of Architecture & Environmental Design, including “Leadership, Ethics & Office Management” and “Contract & Planning Law.” Mr. Pempus is a Fellow 31 years at Kent State University’s College of Architecture & Environmental Design, including professional practice adjunct professor who has taught courses for the last previous experience in the practice of architecture, engineering and construction management.

Additional Learning

Webinar Series

**Soil Engineering**

- **Introduction to Soil Engineering**
  - Thurs., April 25, 2019, 11:00 AM - 12:30 PM CDT
- **Design of Excavation Support Systems**
  - Thurs., April 25, 2019, 1:00 - 2:30 PM CDT
- **Slope Repair Techniques**
  - Fri., April 26, 2019, 11:00 AM - 12:30 PM CDT
- **Soil Engineering after College: Practical Approaches to Foundations and Retaining Structures**
  - Fri., April 26, 2019, 1:00 - 2:30 PM CDT

**Current Issues in Schoolyard Landscape Architecture**

- **Current Issues in Schoolyard Landscape Architecture: Part 1**
  - Wed., April 24, 2019, 11:00 AM - 2:30 PM CDT
- **Current Issues in Schoolyard Landscape Architecture: Part 2**
  - Thurs., April 25, 2019, 11:00 AM - 2:30 PM CDT

For more information visit: www.halfmoonevents.org/webinars/

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Registration

**Engineering Law and Ethics**

Middleburg Heights, OH - Thursday May 30, 2019

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