

# Agenda

## Contract Law Primer for Engineers

I. Cohen

Reviewing the necessary elements of any contract  
Understanding contract “legalese”

- Determining performance
- What constitutes a breach of contract?
- What are damages and remedies?
- Liability-shifting contract provisions: warranties, guarantees and indemnities

Making changes to contracts

## Professional Liability Law

S. Haspel

Reviewing the grounds for professional liability claims  
Identifying who can bring a claim  
Examining common sources of professional liability claims  
Reviewing defenses to liability claims  
Determining damages  
Participating in dispute resolution: arbitration, mediation, litigation  
Obtaining Insurance coverage for professional liability claims

## Professional and General Liability Insurance for Engineers

A. Richie

Understanding business insurance coverage:  
general liability vs. professional liability policies  
Additional insureds: obtaining certificates of insurance  
Understanding insurance policies:

- Indemnities
- Assignment
- Insurance availability
- Warranties, guarantees and certifications

Recognizing and responding to claims

## Intellectual Property Essentials for Engineers:

J. McKinnie

### 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

K. Houchin

Promoting health and welfare vs. managing risk: complementary or conflicting duties?  
Protecting the environment: meeting or exceeding legal requirements  
Watching the bottom line: identifying and balancing economic pressures in design and construction  
Integrating new technologies: identifying and balancing the benefits and risks

## Ten Most Common Mistakes Made by Small Companies and Startups

J. Harder

**Engineering Law and Ethics**  
Austin, TX - Wednesday, February 12, 2020

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## Learning Objectives

### You'll be able to:

**Review** the necessary elements of any contract.

**Examine** common sources of professional liability claims.

**Discuss** defenses to professional liability claims.

**Explore** intellectual property protection offered by patents, trademarks and copyrights.

**Learn** ethical methods of handling economic pressures in design and construction.

**Understand** the coverage offered by general and professional liability insurance policies.



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# Engineering Law and Ethics

Austin, TX - Wednesday, February 12, 2020



**Understand** contract law

**Examine** intellectual property essentials

**Learn** the difference between general liability vs. professional liability insurance policies

**Explore** ethical issues in professional engineering practice

**Discuss** the specifics of professional liability law

### Continuing Education Credits

This seminar offers 6.5 PDHs, including 1.0 ethics hour, to Texas professional engineers.



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# Faculty

**Ian Cohen** *Attorney at AECOM in Austin*

Mr. Cohen is in-house counsel for AECOM’s Design and Consulting Services group. He is business counsel for the Gulf Coast and the lead intellectual property attorney for all of North and South America. As an engineer, Mr. Cohen worked on horizontal and vertical projects ranging from Boston’s “Big Dig” to San Francisco’s Millennium Tower. As an attorney, Mr. Cohen has litigated multi-million dollar construction and intellectual property matters across the country. He has undergraduate and graduate degrees in Civil and Structural Engineering from Tufts University, a law degree from Boston College Law School, and is a registered patent attorney with the USPTO.

**Steven Haspel** *Attorney at The Chapman Firm in Austin*

Mr. Haspel is an attorney at The Chapman Firm in Austin, focusing on construction litigation, employment law, and business transactions. He has specific expertise in addressing complex disputes, including defects, contracts, and procurement. Mr. Haspel also represents clients regarding business torts, fraud, and governmental regulations. He graduated from The George Washington University Law School, where he was the president of the Mock Trial Board, executive chair of the Moot Court Board, a Dean’s Fellow, and a Thurgood Marshall Scholar.

**Adam Richie** *Attorney at Munsch Hardt Kopf & Harr in Austin*

Mr. Richie is an attorney in the construction and construction litigation sections of Munsch Hardt. Prior to becoming an attorney, Mr. Richie worked as a mechanical engineer and project manager at a prominent consulting engineering firm in Houston, Texas, and then after obtaining his law degree, as general counsel. He is also one of a handful of attorneys in Texas credentialed as a licensed professional engineer and a LEED-accredited professional (AP). He has experience in drafting and negotiating complex design and construction contracts for all types of commercial projects. Mr. Richie has also successfully represented owners (public and private), general contractors, subcontractors, and design professionals in numerous lawsuits and disputes.

**Jason McKinnie** *Attorney at Gunn, Lee & Cave in San Antonio*

Mr. McKinnie is a registered patent attorney with Gunn, Lee & Cave, P.C. He focuses his practice on intellectual property, including patent drafting, trademark and copyright registration, trade secret protection, and related litigation. Mr. McKinnie’s practice covers a diverse array of industries, including oil and gas, pharmaceutical, software and cyber security, and mechanical and electrical devices. He drafts and negotiates contracts such as licenses, assignments, asset purchases, non-disclosures, and non-competes. Mr. McKinnie is admitted to practice before the United States Patent and Trademark Office, the Supreme Court of the State of Texas, and United States District Courts for the Western, Eastern, and Southern Districts of Texas.

**Karly Houchin** *Attorney at Allensworth & Porter in Austin*

Ms. Houchin works primarily with engineers and architects on professional liability cases and on complex, multi-party disputes. She represents clients in front of professional licensing boards and defends design professionals against design and construction defect claims, construction delay cases, and traffic control plan disputes. Known for her dedication to legal scholarship, Ms. Houchin’s work has been published in the Texas Construction Law Journal and she is often called upon to analyze intensive case law and develop sophisticated legal strategy.

**Jonathan Harder** *Of Counsel at Dickenson Wright in Austin*

Mr. Harder provides clients with strategic counsel for intellectual property assets. He routinely represents various Fortune 500 and startup companies in preparing and prosecuting domestic and international patent applications. He leverages his technical degrees in Computer Science, Software Engineering, and Mathematics, as well as his experience as a software developer at a multi-national computer technology company, to effectively prepare and prosecute patent applications for clients. Mr. Harder’s practice focuses on the full life cycle of patents, which includes identifying patentable subject matter for clients, preparing patent applications, and performing prosecution procedures. His experience extends to a wide range of computer technologies, including virtualization, content sharing/management platforms, artificial intelligence, machine learning, cloud computing, optimization, smart home environments, autonomous vehicles, internet technologies, productivity applications, product design, and memory devices, among others.

# Seminar Information

## Hilton Garden Inn Downtown

500 North Interstate 35  
Austin, TX 78701  
(512) 480-8181

Registration  
8:00 - 8:30 am  
Morning Session  
8:30 - 11:45 am  
Lunch (On your own)  
11:45 am - 12:45 pm  
Afternoon Session  
12:45 - 4:30 pm

## Tuition

**\$289** for individual registration  
**\$269** for three or more registrants from the same company at the same time.

**Included with your registration:** Complimentary continental breakfast and printed seminar manual.

**Receive a reduced tuition rate of \$101** by registering to be our on-site coordinator for the day. For availability and job description, please visit [www.halfmoonseminars.org](http://www.halfmoonseminars.org).

## How to Register

- Visit us online at [www.halfmoonseminars.org](http://www.halfmoonseminars.org)
- Mail-in or fax the attached form to 715-835-6066
- Call customer service at 715-835-5900

**Cancellations:** Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another seminar or the self-study package. You may also send another person to take your place.

## Continuing Education Credit Information

This seminar is open to the public and offers 6.5 PDHs, including 1.0 ethics hour, to Texas professional engineers. Educators and courses are not subject to preapproval in Texas.

Professional engineers seeking continuing education credit in other states will be able to claim the hours earned at this seminar, in most cases. Refer to specific state rules to determine eligibility.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

**Can’t Attend? Order the Manual and Audio from the Live Seminar as a Self-Study Package!**  
Audio recordings of this seminar are available for purchase starting at \$269. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

# Additional Learning

## Webinar Series

### Ethical Issues for Engineers

- **Handling Ethical Issues in Professional Engineering Practice**  
Fri., Jan. 17, 2020, 12:00 - 2:00 PM CST
- **Resolving Disputes and Handling Ethical Issues in Government Projects**  
Fri., Jan. 31, 2020, 12:00 - 1:00 PM CST
- **Complying with Rules of Professional Conduct**  
Fri., Feb. 14, 2020, 12:00 - 1:00 PM CST

### Introduction to the World of BIM and the Revit Basics

- **BIM and Revit Overview**  
Wed., Jan. 29, 2020, 11:00 AM - 12:30 PM CST
- **Revit Model Building and Elements**  
Wed., Jan. 29, 2020, 1:00 - 3:00 PM CST
- **Creating Sheets in Revit**  
Thurs., Jan. 30, 2020, 11:00 AM - 12:30 PM CST
- **Revit Drafting and 3D Model Management**  
Thurs., Jan. 30, 2020, 1:00 - 3:00 PM CST

For more information and other online learning opportunities visit: [www.halfmoonseminars.org/webinars/](http://www.halfmoonseminars.org/webinars/)

# Registration

## Engineering Law and Ethics

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How to Register		Registrant Information
<b>Online:</b> <a href="http://www.halfmoonseminars.org">www.halfmoonseminars.org</a>		Name: _____ Company/Firm: _____ Address: _____ City: _____ State: _____ Zip: _____ Occupation: _____ Email: _____ Phone: _____
<b>Phone:</b> 715-835-5900	<b>Code:</b>	<b>Additional Registrants:</b> Name: _____ Occupation: _____ Email: _____ Phone: _____
<b>Fax:</b> 715-835-6066		Name: _____ Occupation: _____ Email: _____ Phone: _____
<b>Mail:</b> HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278		Name: _____ Occupation: _____ Email: _____ Phone: _____
<b>Complete the entire form.</b> Attach duplicates if necessary.		Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.
		( )  I need special accommodations. Please contact me.

<b>Tuition</b> ( ) <b>I will be attending the live seminar.</b> Single Registrant - <b>\$289.00</b> . Three or more registrants from the same company registering at the same time - <b>\$269.00</b> each. ( ) <b>I am not attending.</b> Please send me the self-study package: <input type="checkbox"/> Downloadable MP3 Audio/PDF Manual for <b>\$269.00</b> . <input type="checkbox"/> CD/Manual Package for <b>\$289.00</b> . <input type="checkbox"/> USB/Manual Package <b>\$289.00</b> . (S&H included. Please allow five weeks from seminar date for delivery)
<b>Checks:</b> Make payable to HalfMoon Education Inc.
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