

# Agenda

## Contract Law Primer for Engineers

J. Handy

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

B. Bolinder

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

## The Effect of COVID-19 on Engineering Practice in Utah

M. Roblez

Changes in labor and human resource practices  
Worksite safety practices  
Best practices in working remotely

## Intellectual Property Essentials for Engineers: Patents, Trademarks, Copyrights, and Trade Secrets

K. Horton

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

## Cyber Security Issues for Engineers

R. Marshall

Cyber security threats and business exposure to data breaches  
Anatomy of a data breach or cyber attack and the spectrum of possible responses  
Coverage that is available under cyber Insurance policies  
Examples of actual cyber events, with lessons learned from those events

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## Utah Engineering Law

Live, Interactive Webinar - Mon., December 14, 2020

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## Learning Objectives

### You'll be able to:

**Discuss** the necessary elements of contracts and discuss what constitutes a breach of contract.

**Identify** common sources of professional liability claims and defenses to liability claims.

**Explore** the effect of COVID-19 on engineering practice in Utah, including worksite safety practices and best practices for remote work.

**Secure** ownership of your designs through patents, trademarks, copyrights, and trade secrets.

**Discuss** cybersecurity threats and the coverage that is available under cyber insurance policies.



HalfMoon Education Online Learning

# Utah Engineering Law

Live, Interactive Webinar - Monday, December 14, 2020



**Understand** contract law and the necessary elements of a contract

**Examine** common sources of professional liability claims

**Discuss** the effect of COVID-19 on engineering practice in Utah

**Explore** the benefits of patents, trademarks, copyrights and trade secrets

**Explore** cybersecurity threats and learn how to respond to them

### Continuing Education Credits

**Professional Engineers**

6.0 PDHs



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# Faculty

**Jeffrey R. Handy** is a shareholder at the law firm of Babcock Scott & Babcock, P.C., in Salt Lake City. Mr. Handy's practice focuses on representing designers, general contractors, subcontractors, suppliers and other parties in a variety of construction-related contexts. He is a member of the Utah State Bar and is licensed to practice in state and federal courts in the State of Utah. Mr. Handy graduated from Brigham Young University, J. Reuben Clark Law School in April of 2011. Mr. Handy received his bachelor of science degree in Civil and Environmental Engineering in 2006 from Brigham Young University where he was inducted into the Tau Beta Pi National Engineering Honor Society. He also received a Master of Science degree in Civil and Environmental Engineering from Brigham Young University in 2008. Mr. Handy is active in the Construction Section of the Utah State Bar and served as its chair from 2017-2018.

**Brian D. Bolinder** is a shareholder at Richards Brandt Miller Nelson where he practices in the areas of construction litigation, insurance defense litigation and other complex litigation matters. After receiving his law degree in 2006 from the University of Utah, Mr. Bolinder has represented architects, engineers, surveyors and other design professionals, as well as both horizontal and vertical contractors in connection with risk management, procurement, contracting and litigation. In addition, he represents individuals and companies in a broad range of industries with general litigation matters, including personal injury, products liability, and commercial contracts. His experience includes all aspects of litigation including bench and jury trials, as well as efforts towards achieving his clients' goals short of trial or formal litigation. Mr. Bolinder is a member of the State Bar of Utah (member and current vice-chair, Construction Law Section) and the State Bar of Wyoming.

**Matthew Roblez** is a board certified structural engineer, lecturer and published technical author. He is a co-owner of McNeil Engineering, an award winning civil/surveying/structural engineering firm in Sandy, Utah. He has been involved with many engineering projects that vary in size from large commercial to small residential and in scope from structural engineering to full design and project/construction management. In 2012 he co-authored the American Society of Civil Engineers Utah

Section Duties and Procedures manual that is still being used today. He also won the honor of being named the ASCE Utah Section Engineer of the Year in 2017. During his three times as Section president, he has enacted changes in the local government and issued many position statements on behalf of Section. He has also has been chosen to appear on the local news concerning many different civil engineering issues. He is currently serving as the ASCE Region 8 governor for the Utah and Southern Idaho Section. He is also a licensed professional wrestler and an ESPN college football commentator.

**Kenneth E. Horton** is a shareholder at Kirton McConkie P.C., where he is a member of the firm's Intellectual Property section. With a Chemical Engineering degree, MBA, and law degree, Mr. Horton provides a multi-disciplinary approach to intellectual property services for clients. These services are enhanced by constant research into both the legal and strategic aspects of intellectual property. Mr. Horton's practice includes domestic and foreign patent and trademark prosecution, patent opinions, intellectual property litigation (including both state and federal court actions), trademark opinions, copyrights, trade secrets, intellectual property evaluations and due diligence as well as technology and intellectual property agreements. Mr. Horton has extensive experience in both pharmaceutical and semiconductor technologies. Additionally, Mr. Horton is an associate professor in the MBA Technology Management Program at the Gore School of Business of Westminster College.

**Romaine C. Marshall** is a cybersecurity and data privacy lawyer at Stael Rives LLP. He helps clients protect their data, businesses, and reputations from cybersecurity and privacy incidents. As part of his practice, he works with clients to properly secure and use electronic data, develop industry-specific cybersecurity programs, conduct risk assessments and internal privacy audits, and respond to regulatory investigations. He has represented clients in more than 100 incidents involving data breaches, ransomware, malware attacks, security misconfigurations, wire fraud, software vulnerabilities, social engineering, and other exploits. These representations have required him to appear in courts nationwide and before regulators such as the Federal Trade Commission, the Securities and Exchange Commission, and the Department of Health and Human Services, and numerous State Attorneys General.

# Webinar Information

Log into Webinar 8:00 - 8:30 am MST	Break 11:45 am - 12:45 pm MST
Morning Session 8:30 - 11:45 am MST	Afternoon Session 12:45 - 4:00 pm MST

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# Additional Learning

**Drone Applications for Utilities**  
- Mon., Nov. 23, 2020 | 10:00 am - 4:50 pm CST

**National Electrical Code: Grounding and Bonding**  
- Wed., December 2, 2020 | 7:30 am - 4:00 pm CST

**Structural Forensic Engineering**  
- Fri., December 4, 2020 | 7:30 am - 3:30 pm CST

**Construction Cost Estimating**  
- Wed., December 9, 2020 | 8:30 am - 3:50 pm CST

**Technical Writing Workshop for Engineers**  
- Wed., December 9, 2020 | 8:30 am - 5:00 pm CST

**Drones in Construction**  
- Fri., December 11, 2020 | 10:00 am - 4:50 pm CST

**Net-Zero Energy Home Design Workshop**  
- Mon., December 14, 2020 | 11:00 am - 2:15 pm CST  
- Tues., December 15, 2020 | 11:00 am - 2:15 pm CST  
- Thurs., December 17, 2020 | 11:00 am - 2:15 pm CST

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# Registration

## Utah Engineering Law

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