SLOs

#1 apply knowledge
#3 contemporary issues
#4 broad education and impact on society
#5 multi-disciplinary teams
#6 professional and ethical responsibility
#7 communicate effectively
#8 life-long learning
Overview

- General Concepts
- Contracts
- Torts
- Strict Liability in Tort
- Assignment
General Concepts

• Why engineering law?
• Ignorance versus knowledge
  – Due diligence
  – Standard of care
• Law versus Case Law
Contracts

• Legally binding agreement or promise to exchange goods or service
  – Clear and specific offer
  – Consideration (payment)
  – Acceptance
  – Voluntary
  – Parties of legal capacity
  – Legal content
• Delays or inadequate performance due to war, strikes, and acts of God
• Modified or canceled only in writing
• Time is of the essence
• Headings are not content
• Governed by county and state in which signed
• American Arbitration Association
Discharge of Contracts

- Mutual agreement
- Impossibility of performance
- Illegality of the contract
- Fraud
Breach of Contract

- Party fails to satisfy all obligations of contract
  - Willful or unintentional
  - Redress: fulfill contract; no punitive damages
Negligence

- Action taken without proper care resulting in damages
  - Standard of Care
  - Willful or unintentional
  - Punitive damages
• Misrepresentation
  – Intentional false statement known to be false at the time it is made

• Fraud
  – A reckless or intentional misstatement of a material fact
  – Meant to deceive
  – Resulting in misleading the innocent party to contract
  – To the innocent party’s detriment
  – Prove beyond reasonable doubt
Torts

- Civil wrong
- Must be injury (damage)
- Liability
  - Product
  - Manufacturing
  - Design
  - Code
- Design professionals versus Manufacturers
  - Who loses the job versus who loses the money?
Case Law – Defects (Strict Liability)

- Manufacturing, design, and labeling
- Usage
- Unreasonable dangerous
- Caused injury
- Reasonably foreseeable
Other Legal Topics

• Intellectual Property
  – Patents, copyrights, and trademarks

• Security
  – Hackers & privacy

• Insurance
  – Errors and omissions
  – Going bare