



Cleveland Contact

Publication of the Cleveland Section of the Institute of Electrical and Electronics Engineers.

Cleveland State University Will Host S-PAC Conference March 31, Mather Mansion

by *Laura Covey*

The schedule of events for CSU's S-PAC conference, to be held March 31, 2000, at the Mather Mansion on campus, is as follows. We look forward to all Cleveland Section IEEE members attending.

- 1:00-1:15 p.m.** Greet conference attendees
- 1:15-1:30** Opening remarks / introductions
- 1:30-2:15** Joseph DeSalvo – "Licensure and Registration"
- 2:15-3:00** Orin Laney – "Making It: How to Go into Business for Yourself"
- 3:00-3:15** Break
- 3:15-4:00** Jim Watson – "In Search of Diamonds"
- 4:00-4:30** Discussion panel – "Professional Electives"
- 4:30-5:00** Awarding of door prizes; closing remarks
- 5:00** Dinner / informal discussion

Ticket prices are \$5.00 for student IEEE members, \$8.00 for others. The price includes a chicken parmesan entree dinner. For information or tickets, contact Laura Covey at <lcovey@ncp.net>.

Computer Society Meetings

The Computer Society meets each the first Wednesday of each month in conjunction with the SPIN Group, at Mather Mansion at CSU. Contact Steve Belovich, (216) 267-1881, for details.

CWRU's Dept. of Electrical Engineering/Computer Science To Host Speakers March 30 and April 4

by *Stephen Phillips*

On March 30, Betty Salzberg from the Department of Computer Science at Northeastern University, will make a presentation at Case Western Reserve University. CWRU's Department of Electrical Engineering and Computer Science is sponsoring her talk, which is in the technical area of databases. Her presentation is entitled "The BT-tree, A Branched and Temporal Access Method." The talk is at 11:30 a.m., Room 411, the White Building on the CWRU campus and is open to all.

On April 4, Ian Postlethwaite of the University of Leicester will give a presentation on Robust Control. The talk is at 11:30 a.m., Room 411, the White Building, CWRU campus, and is open to all.

Contact Stephen Phillips at smp2@po.cwru.edu if you need additional details for either of these presentations.

Power Engineering Society Meeting Will Discuss Power Quality March 20th

by *Allen Morinec*

The IEEE PES will hold a meeting on Power Quality, March 20, 2000, at 6:00 p.m. Brian Fortenbery and John Harding, both from the Electric Power Research Institute's Power Electronics Application Center (EPRI -PEAC) in Knoxville, TN, will discuss Voltage Sag Ride-Through issues involving PLCs and ASDs in Industrial Plants and Power Quality Troubleshooting. The meeting will be held at CEI's training center, ETDC, on 25th and Payne Ave., Cleveland, at 6:00 p.m. A light meal will be provided by the PES chapter. Contact Allen Morinec at powerquality@ieee.org to make a reservation and obtain additional information.





IEEE Cleveland Section CHAIRMAN'S COLUMN

by Allen Morinec

At the Cleveland National Engineers Week Awards Banquet held at Landerhaven, February 25th, 2000, Mr. Raymond L. Knight, P.E., was awarded Engineer of the Year by the Cleveland Engineers Week Committee. Ray is currently a Senior Vice President at Ralph Tyler Consulting Engineers and Architect Company. Previously, he was employed at CEI for 30 years, and specialized in the area of electromagnetic fields. Mr. Knight has volunteered in many local organizations, mentoring and teaching young people.

Laura Covey was awarded Outstanding Engineering Student 2000 at CSU, and Andrew Richardson was awarded Outstanding Engineering Student 2000 at CWRU. Each received a \$1000 prize. Mr. James Green, P.E., was awarded Young Engineer of the Year 2000. Mr. Green is employed by MTD and is active in the American Society of Mechanical Engineers.

Mr. Ray Muzic, from CWRU and University Hospitals, is interested in forming a Medical Imaging Chapter. Please contact him at (216) 844-3543 or muzic@ieee.org if you have an interest in this fast growing field.

Mr. Vincent Lalli from NASA is interested in holding the IEEE AUTOTESTCON Conference in Cleveland in 2004 at the IX Center. The IEEE executive committee will review the proposal at the next meeting on March 20th at 6:00 p.m at the Flat Iron Cafe. New volunteers are encouraged to attend.

FIRST INVENTOR DEFENSE

by Michael W. Garvey

What if you invented a method of doing business but never bothered to get a patent? Suppose somebody else got the patent and then charged you with infringement. Historically, your defenses were either that you didn't infringe or the patent was invalid.

For example, say the Winky Manufacturing Company has developed a novel way of implementing its just-in-time delivery of supplies. Winky keeps it secret, believing no one will ever find out about it. Later, a competitor, Slashco, independently develops the same system and obtains a patent. Slashco then discovers, from a disgruntled former Winky employee who was not bound by a nondisclosure agreement, that Winky is infringing the patent.

Slashco offers Winky a license, which is refused. Then, Slashco sues. Winky probably cannot defend on the basis that the patent is invalid.

One way to invalidate a patent is to show that you or somebody else invented the patented method before the patent holder. But this approach has limits. If the first inventor never makes his invention public, then it is not prior art.

There are many reasons why a company might keep the method a secret instead of obtaining a patent. Patents expire, but protection of secrets can last as long as they are secret. A patent discloses the invention and sometimes other information, too. Winky may have decided that excluding others who might independently conceive the method was less important than maintaining secrecy. Winky may have thought that the available patent protection was not very broad, and therefore, that it was not worth disclosing the invention.

Until recently, the decision to keep a method secret had a significant risk: Winky could have been precluded from practicing the method that it invented first. Now, the First Inventor Defense portion of the American Inventors Protection Act provides Winky a defense if the suit was filed on or after November 29, 1999.

If the patent covers a method of doing or conducting business, then Winky can defend by showing that it reduced to practice in the U.S. and commercially used its invention at least one year before Slashco's patent application was filed. Reduction to practice essentially means that it was shown to be workable.

This permits Winky to continue practicing the method without liability to Slashco. Slashco's patent remains valid and can be enforced against other companies.

The defense cannot be sold in a clever scheme to grant licenses on a patent that the first inventor doesn't even own. If a company successfully uses this defense, then sells the business, the defense is limited to the same sites where the method was used previously.

The actual effect of this change in the law remains to be seen, but is not likely to be dramatic. First, there will not be many business methods that are independently invented twice where the first is a secret and the second is patented. Second, if the first inventor keeps the secret, the patent owner will never know about the infringement.

This law has partly been inspired by the recent increase in the number of business method patents. This occurred after the Federal Circuit Court of Appeals corrected the misconception, held by nearly everybody, that business methods were not patentable.

The change also makes U.S. law more consistent with many foreign countries that have first inventor defenses. This happened because invalidating a patent by showing prior invention is not possible. In a way, this change in the law says that people who choose not to benefit from the patent system will not be punished for that decision.

Mike is a patent attorney with Pearne, Gordon, McCoy & Granger LLP.



Cleveland Engineering Society MARCH EVENTS

14 CES 48th Annual Design and Construction Conference. Includes breakfast, lunch, awards banquet, breakout sessions. Keynote speaker will be Hunter Morrison, speaking on "Vision of Future Construction in Cleveland", and a panel discussion about "Reinventing Downtown Cleveland." The panel includes Steve Strnisha of Cleveland Tomorrow, Dick Anter of Home Builder's Association, Gary Failor of Port Authority and Alan Dipetro. The conference will also include this year's CES Hall of Fame inductees: Robert A. Urban, retired from Byers Engineering, and Nancy Panzica of Panzica Construction. The CES Award for Excellence will recognize those involved with the Cleveland Browns Stadium Project.

Tickets for the full conference:

\$95 for members/sponsors; \$120 for non-members.

Tickets for lunch and keynote presentation only:

\$30 for members/sponsors; \$40 for non-members.

For additional rates for Industry Leaders, Exhibit Space, and Sponsors, call the Cleveland Engineering Society.

21 Senior Division Luncheon, with program, "Kanawha River Bridge Project," featuring Project Director Charles Fisher, of Tri State Steel Construction, Inc. The event begins at 11:45 a.m. Cost: \$12 for CES members; \$13 for affiliate members; \$15 for non-members.

28 Leadership Breakfast Series, featuring Thomas A. Waltermire, Chairman and CEO of The Geon Company. Mr. Waltermire will speak about "The Transformation of The Geon Company." The presentation, which runs from 7:30 to 9 a.m., will be held at the Holiday Inn Rockside in Independence, at I-77 and Rockside Road. Cost: \$20 for CES members; \$25 for affiliate members; \$30 for non-members.

29 CES MoT / OAI seminar. CES's Management of Technology Division (MoT) and the Ohio Aerospace Institute (OAI) will co-sponsor a seminar featuring Peter Staudhammer, vice president and chief engineer of TRW Inc. Mr. Staudhammer, a 1957 UCLA Ph.D. graduate, played a role in forming the basis for the Apollo Lunar Descent Engine that soft-landed the U.S. astronauts on the moon. The seminar will be held at the OAI facilities from 6 to 8 p.m. Cost: \$20 CES members; \$23, affiliate members, \$25 non-members.

For more information or to register for any of the listed events, call the Cleveland Engineering Society (CES) at (216) 361-3100, or contact us online at www.cesnet.org.

Editor's Note: The "Contact" welcomes Shawn Foucher, new communications officer for the Cleveland Engineering Society. We look forward to his updating us regarding CES events in the upcoming months

2000 Calendar of Events

Mark your calendars! You won't want to miss these.

March

1 Computer Society meeting, held the first Wednesday of each month, Mather Mansion, CSU. Call Steve Belovich, (216) 267-1881.

20 IEEE Cleveland Section executive committee meeting, 6:00 p.m., Flat Iron Cafe, Center Street.

20 Power Engineering Society meeting, 6:00 p.m., at CEI's training center, ETDC, 25th and Payne Ave. Contact Allen Morinec, powerquality@ieee.org, for information.

21 CSU will host an S-PAC conference at Mather Mansion. Contact Laura Covey, [<lcovey@ncp.net>](mailto:lcovey@ncp.net) for information.

30 CWRU's Dept. of Electrical Engineering and Computer Science will host speaker Betty Salzberg, speaking on "The BT-tree, A Branched and Temporal Access Method." Contact Stephen Phillips, smp2@po.cwru.edu for details.

April

4 Ian Postlethwaite of the University of Leicester will give a presentation on Robust Control, hosted by CWRU's Dept. of Electrical Engineering and Computer Science. Contact Stephen Phillips, smp2@po.cwru.edu for information.

IEEE EXECUTIVE COMMITTEE MEETING MARCH 20, 2000

The next meeting of the Cleveland IEEE Section executive committee will be held March 20, 6:00 p.m., at the Flat Iron Cafe, Center Street, Cleveland. All members and guests are welcome to attend.

Thank You from Your Editors!

The "Contact" editors would like to extend a hearty thank you to all those IEEE officers and members who are kind enough to submit articles every month for publication. In particular, we'd like to acknowledge the efforts of Allen Morinec, Steve Phillips, Mike Garvey and Steve Belovich, who take time out of their busy schedules to contribute. These members volunteer their time and talents for the good of the Section, and deserve a round of applause.

It is never too late for our other members to send articles for publication in the "Contact." All articles may be e-mailed to mgreene828@aol.com by the 20th of the month preceding publication. Announcements of meetings, requests for volunteers, suggestions for articles and anything else you have on your mind relating to our Section are most welcome. Let us hear from you!

Remember, the "Contact" is published eight times per year: September, October, November, January, February, March, April and May. Please address additional questions to your Chairman, Allen Morinec, at powerquality@ieee.org .

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IEEE Internet

Webmaster		
Website:	http://www.ewh.ieee.org/r2/cleveland/	
News Group Mgr.	Richard Bloss	216-464-0405
FAX		216-464-0490
e-mail:	aa974@cleveland.freenet.edu	

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Cleveland Section

Editor:
M. Greene

Art Director:
Jeff Greene

Advertising Manager:
Lee Bernasek

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The "Contact" is published eight times per year: September, October, November, January, February, March, April and May. The deadline for electronic Newsletter articles is the 20th of the previous month.