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Cleveland

Contact

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

Engineer of the Year Nominations

by Jerry Lucak

October is the month to nominate candidates for the IEEE Cleveland Section Engineer of the Year and Young Engineer of the Year. These annual awards are based on a combination of technical contributions, professional accomplishments and professional/community service. Nominees from industry, government, academia or private practice are encouraged.

The Engineer of the Year is open to any Section member. The Young Engineer must be 35 years of age or younger as of January 1, 1999. Winners of both awards will be profiled in the Cleveland "Contact" and will represent the IEEE in the local Engineers Week competition of all engineering societies.

Any member can make nominations by submitting one or more names, along with background information, to the IEEE Awards Committee, c/o Jerry Lucak, 9703 Munich Dr., Parma, OH 44130. For questions or information, call Jerry at (440) 888-8476.

IEEE USA Job Listings Ranked #1

Just months after IEEE USA's Job Listing Service (JLS) was ranked number one in usage in an electronic Engineering Times reader survey, the JLS has received fresh kudos in a new book for job seekers. In the "Top Job Databases on the Web" section of Pam Dixon's "Job Searching Online for Dummies," the author cites the site's ease of use and "rich content." The popular "for Dummies" book series by IDG Books Worldwide has more than 50 million books in print. The item on the JLS includes a shot of the actual IEEE USA Employment Services Web page, which the author calls "an absolutely top of the line techie site...I found great jobs." The jobs site can be found at URL <<http://www.ieeeusa.org/jobs.html>>.

To assist job seekers, IEEE-USA also publishes "The Engineer's Guide to Lifelong Employability," a practical resource book on locating and obtaining engineering opportunities throughout one's career. To order, call 1-800-678-IEEE and ask for product no. UH-2970.

National Engineers Week

National Engineers Week will be February 21-27, 1999. It's never too early to start planning. Start thinking about your nominations for Engineer of the Year and Young Engineer of the Year. (See Jerry Lucak's article elsewhere in the "Contact.") Visit the web site <http://www.eweek.org> for general information, materials and programs scheduled at the national level.

Call for Nominations for 1999 Section Officers

by Jerry Lucak

The annual Election of Officers for the Cleveland Section is only a month away. Nominations are now being accepted for the positions of Section Chairman, Vice Chairman, Secretary and Treasurer. These are the only elected positions in our Section. The term of office is one year, beginning January 1, 1999.

The Section Chairman provides overall coordination of Section activities and represents Cleveland at IEEE Region Two and National meetings. The Vice Chairman works with the various Chapter Chairmen to plan and coordinate Section technical and professional meetings. The Secretary records meeting minutes, corresponds with IEEE headquarters and communicates with other organizations. The Treasurer pays expenses, deposits income and files financial reports with headquarters.

Nominations are now being accepted for these positions, through October 25th. You can nominate another member or volunteer yourself to serve. Membership is the only requirement. No previous Section experience is necessary. Send your recommendations to the IEEE Nominating Committee, c/o Jerry Lucak, 9703 Munich Dr., Parma, OH 44130, or via E-mail: glucak@ieee.org. For more information, call Jerry at (440) 888-8476.



The IEEE Power Engineering Society, MIREA and the Cleveland Section Will Sponsor a NASA Lewis Research Center Space Shuttle Launch and Tour

October 29, 1998, 1:15 p.m.

by Allen Morinec

The IEEE Power Engineering Society (PES), MIREA (Engineering in Medicine & Biology/Instrumentation and Measurement/Reliability/Industrial Electronics/Aerospace and Electronic Systems) and the Cleveland Section will sponsor a joint meeting on October 29th at the NASA Lewis Research Center (LRC) at 1:15 p.m.

In the Visitors Center auditorium, we will view the Discovery Shuttle launch at 2:00 p.m. and witness John Glenn's historic mission as he returns to space. Vincent Lalli of NASA and the IEEE will provide a Shuttle talk as well. After the launch, a tour of the Lewis Research Center may include: the Ice Research Wind Tunnel, the Advance Communication Center, Micro-gravity Research and the Drop Tour. The meeting will conclude with a small dinner.

Call Allen Morinec at (216) 447-2505 by October 15th for reservations. Contact Vincent Lalli, (216) 433-2354 for additional details. This no-charge program is limited to 50 members and guests. The cost of the dinner is to be determined.

What: PES/MIREA/Cleveland Section Joint Meeting featuring NASA-LRC Space Shuttle Launch & Tour

When: Thurs., Oct. 29, 1998, 1:15 p.m.

Where: NASA Lewis Research Center Visitors Center Auditorium 21000 Brook Park Rd. Cleveland, OH

Cost: Program, no charge. Dinner, to be determined.

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The King Can Do No Wrong

by Michael Garvey

There is an old legal tradition that you can't sue the government without the government's permission. The Latin term for this is *Rex non potest peccare*—"The King can do no wrong." This concept is called sovereign immunity.

This tradition has long been recognized under U.S. law, and is supposed to prevent people from endlessly hounding the government with lawsuits related to the many public functions the government performs, such as building roads. In many cases, however, statutes specifically provide permission to sue. For example, U.S. patent law says that a patent owner can sue the government for infringing a patent. The same law says that patent owners can sue state governments for patent infringement. So, when state universities and other state government entities infringed patents, they were sued.

Some people see the ability of a person to sue a state university over patent infringement as a violation of the U.S. Constitution. These people note that the 11th Amendment says federal courts do not have jurisdiction over suits by citizens against states. This can be interpreted to mean that a federal law cannot abrogate a state's sovereign immunity. Some courts agree.

Others see the matter of state universities and patent violation somewhat differently. These people claim that the state universities are not acting like governments; they're acting like businesses. They reason that the state shouldn't be allowed to infringe patents and violate other laws. Some courts have agreed, maintaining that state entities can implicitly waive their sovereign immunity by engaging in non-governmental activities covered by federal laws.

Ultimately, the U.S. Supreme Court gave its view on state sovereign immunity in a matter involving Indian gaming rights in Florida. The Supreme Court made two important statements. First, it doesn't matter how the states act, they can waive their immunity only by express statements, not actions. This means that state universities are protected against lawsuits despite their actions. Unless the state specifically says they are waiving immunity against prosecution, they are protected. Secondly, the court said that Congress, in some circumstances, has the power to abrogate states' sovereign immunity under the 14th Amendment.

The 14th Amendment says that no person shall be deprived of property without due process of law. Congress has the power to enforce the 14th Amendment, but that power is limited to corrective legislation. In other words, if states are taking property without due process, Congress can correct the situation. Congress cannot, however, make laws stating in advance what the 14th Amendment permits and prohibits. The distinction can be very fine. Such interpretations leave us with a lot of uncertainty.

How do patents enter into this ruling? A patent is recognized as intellectual property. Therefore, they are a type of property protected by the 14th Amendment.

Since the Supreme Court's ruling in 1996, different courts have interpreted limitations on sovereign immunity differently. No clear guidelines have emerged for understanding when a state is subject to being sued.

Fortunately for patent owners, however, two cases—one in New Jersey and one in Indiana—have found in favor of patent owners suing state entities for infringement. We will see if that trend continues.

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

The 30th North American Power Symposium To Be Held at Cleveland State University

by Allen Morinec

The 30th North American Power Symposium (NAPS) will be held at Cleveland State University (CSU) October 18-20, 1998. The purpose of the symposium is to encourage scholarly work in electric power engineering. It will also provide a forum for university faculty, students and industrial representatives to discuss research ideas and to present their research results. The symposium is sponsored by Cleveland State University, Rockwell Automation, General Electric (Nela Park), First Energy (Cleveland), Cleveland Public Power and the IEEE Cleveland Section PES chapter.

The IEEE Cleveland Section and the Power Engineering Society (PES) have donated \$1000 to support the conference. In return, four electrical engineering students from the Cleveland Section may attend the NAPS conference at no charge. Interested students should contact Allen Morinec (216) 447-2502, or Steven Phillips (216) 368-6248, to reserve a possible registration. The PES is encouraging all members to support this conference through attendance and/or a contribution.

For additional information about the symposium, contact Dr. F. Eugenio Villaseca, Electrical Engineering Department, Cleveland State University, 1950 E. 24th St., Cleveland, OH 44115-2425, or call (216) 687-2555, or FAX (216) 687-9280.

The 30th Annual North American Power Symposium, Cleveland State University, Oct. 18-20, 1998

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Contact Person: _____

Sponsorship opportunities:

- Power Partner**—\$1,000 contribution (\$720 is tax-deductible)
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- Generator Patron**—\$250 contribution
 - Program acknowledgement
- Electric Power Friend**—Enclosed is my tax deductible gift of \$_____ to help make the 1998 North American Power Symposium a huge success.

Complete and return this sheet by October 15, 1998, to be listed in the Symposium program. Make checks payable and mail to:

Cleveland State University Foundation
Attn: North American Power Symposium
2605 Euclid Avenue, Room 204
Cleveland, OH 44115

For further information, contact Dr. F. Eugenio Villaseca, CSU Fenn College of Engineering, (216) 687-2587, or Linda J.N. Prosak, Director of Development Programs, University Relations and Development, (216) 687-3557.

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*MIREA: Engineering in Medicine & Biology/ Instrumentation & Measurement/ Reliability/ Industrial Electronics/Aerospace & Electronic Systems

**MLE: Microwave Theory & Techniques/Lasers & Optoelectronics/Electron Devices

Please note: if you are trying to contact the IEEE Cleveland Section by FAX, dial 216-473-6557. The line is open twenty-four hours per day.

Cleveland Engineering Society October Events

Oct. 7 "Developing a Firestop Maintenance Program for JCAHO and Life Safety Compliance," by Jeffrey A. Molchan, INTEK Construction Products, Inc. 7:30-10:30 a.m., Cleveland South Hilton Inn, I-77/Rockside Rd. \$20.00 CES members; \$30.00 non-members.

15 "Mergers and Acquisition Activity in the Banking Industry," by Robert G. Siefers, Vice Chairman/CFO, National City Corporation, 7:30-9:00 a.m., Holiday Inn Rockside, I-77/Rockside Rd. \$20.00 CES members; \$25.00 non-members.

20 "The True Story of the Titanic," by Robert Sullivan, Sullivan Sales Company, 11:30 a.m.-1:30 p.m., The Spaghetti Warehouse in the Flats. \$12.00 CES members; \$15.00 non-members.

20 "The Basics of Business and Finance," by Ed Kent, Huntington Bank, and Elene Kent, Capital University, 4:15-7:15 p.m., The Cleveland Athletic Club. \$55.00 CES members; \$75.00 non-members.

21 "Alternatives to Conventional Waste Disposal for Industry," by Mike Lenahan, Kurtz Bros., 7:30-9:00 a.m., Cleveland South Hilton Inn, I-77/Rockside Rd. \$20.00 CES members; \$30.00 non-members.

27 "How to Make Difficult Decisions," by Bruce Banks, NASA Lewis Research Center, 6:00-8:00 p.m. at NASA Lewis Research Center. \$20.00 CES members; \$25.00 non-members.

Contact Cleveland Engineering Society (CES) at (216) 361-3100, or visit www.cesnet.org for information and registration.

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Cleveland Section

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