## **INFOCUS** Stealing like an Artist Theft, and Fraud – Do You Know the Difference?

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tealing is bad. From a young age and throughout life, this principle is reinforced and emphasized. Regardless of whether it is petty theft or grand theft, and regardless of whether it involves burglary, embezzlement, larceny, looting, robbery, shoplifting, library theft, or fraud – stealing is bad.

As quickly as we learn this principle, we also learn that certain types of stealing are acceptable. For example, A young child working on their first finger-painting starts their composition with original ideas. However, after the child sees a classmate paint a big yellow sun with streaming rays of sunlight cascading onto a house with a gabled entry and smoke wafting from a chimney, he or she adds those elements to his or her painting. The painting may be accented with a tree or picket fence, so the finished work is an original – albeit, influenced by other children – but, nevertheless, an original.

Researcher Anders Ericsson assures us that we are all "pre-wired to imitate." Copying minimizes the steep learning curve and accelerates the evolution of an idea. Because the term 'stealing' carries with it a negative connotation, this type of copying – using someone's ideas and adding to them – is referred to as "stealing like an artist" and has been popularized by Austin Kleon in his book, *Steal Like an Artist*.

"Stealing like an artist" can be seen in all facets of our lives, including the arts, music, entertainment, science, and engineering. Leonardo Da Vinci worked as an apprentice and learned the techniques of high art under the influence of his master, Andrea del Verrocchio. When Leonardo was ready to embark on his career, he took the lessons of his master, and the influences of other artists, and combined them with his unique style and methods to produce great paintings and sculptures. The Beatles worked as a cover band imitating and playing other musician's music until they perfected their unique sound and style. Paul McCartney acknowledged fellow musicians as having a profound influence on the Beatles and their music.

Great scientists like Einstein and Feynman acknowledged the influence other scientists had in their lives. The book *On the Shoulders of Giants*, edited by Stephen Hawking, does a beautiful job of tracing the evolution of scientific ideas and how scientists form new ideas influenced by the work of their predecessors and peers.

Engineers are not immune from "stealing like an artist." Because a person cannot un-see and un-learn what they have seen and learned, engineers who engage in plan reviews, peer reviews, or value engineering cannot help but be influenced by the work of their peers. Often the things that engineers see, hear, and learn may passively, or actively, be introduced into their firms, spread to other engineers, and become the new norm.

Embedded in the concept of "stealing like an artist" is the principle that it is acceptable for a person to use the ideas of another and add to them, to create something new. Those who do so are considered original, innovative, and visionary. Those that simply take the ideas and work of another are considered thieves, charlatans, hacks, or frauds. Theft is defined as taking something from another person without the consent of that person. An engineer recently complained that after he had designed a 30-foot x 100-foot canopy, the architect he worked with used the engineer's plans for a variety of similar projects across a large geographic region. Although the original roof structure consisted of joists supporting 30psf snow loads and spanning 30 feet, the architect used the same joist designation for joists supporting 45psf snow loads and spanning 50 feet. The architect also used the beam, column, and footing sizes shown on the original plan without verifying the sizes were appropriate for the new site conditions and gravity and lateral loads.

Fraud is defined as the intentional deception, deceit, or trickery over another to gain profit and an untruthful advantage. Engineer A was bewildered when, after completing an ASCE 31/41 investigation and upgrade on a 50-year-old, single story, unreinforced masonry building, she was not selected as the EOR for seismic investigation and upgrade of two identical buildings located nearby which were owned by the same client. Engineer A was further perplexed when her former client requested Engineer A's CAD drawings and calculations. Engineer A declined the client's request. Engineer A was amused when the architect called and, after making friendly small talk and apologizing for not using Engineer A on the two new projects, also requested the drawings and calculations. Engineer A declined the architect's request. Engineer A was furious when Engineer X, the EOR on the new projects, called and after explaining that he "bid the job thinking he would just alter the original title block and put his stamp on the drawings," asked for the drawings and calculations. Engineer X further explained that he "had never used ASCE 31/41 and needed the drawings and calculations as a go-by reference." After pointing out Engineer X's unethical behavior, Engineer A declined the request stating that she would not be an accomplice to fraud.

"Stealing like an artist" is acceptable and the basis for much of the innovation we enjoy. Theft and fraud are counterproductive, damaging to the profession, and jeopardize the public. One thing is certain: If we do not protect our intellectual property, it sends a message that our intellectual property is not worth protecting.

What are your thoughts? How do you protect yourself, your firm, the public, and the profession from theft and fraud? Would you like to share your ideas? The discussion continues at **www.STRUCTUREmag.org.**•



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