

4703-3-10

Authorship and control.

- (A) In order to determine whether a registered architect is the author, actual architect, or person in responsible charge of designs, drawings, plans, reports, specifications, contract documents, or other professional work or documents, the board may review evidence concerning, but not limited to the following factors:
- (1) Whether both the diagrammatic organization and the specific layout of the work produced by a registered architect are the same or substantially the same as in a design by another registered architect;
 - (2) Whether both the selection and application of structural and construction systems of the work produced by a registered architect are the same or substantially the same as in a design by another registered architect;
 - (3) Whether the appearance of the work, in its main view or views, produced by a registered architect are the same or substantially the same as to give a registered architect expert witness the idea created by the design;
 - (4) Whether the differences between the work produced by a registered architect and that produced by another registered architect are, in the opinion of a registered architect expert witness, trivial in nature and extent;
 - (5) Whether the appearance and content of the work prepared by a registered architect are so similar to the work prepared by another registered architect as to cause a registered architect expert witness to conclude that the former registered architect copied the work of the latter;
 - (6) Whether a registered architect had access to work prepared by another registered architect or to the embodiment of the other registered architect's work;
 - (7) Whether the ideas expressed in documents or work of a registered architect, and the method of expressing it or them, were the same or substantially the same as in documents or work prepared by another registered architect as to cause a registered architect expert witness to conclude that the former registered architect copied the documents or work of the latter;
 - (8) Whether there is substantial similarity, though not literal or exact reproduction, between the documents or work prepared by a registered architect and that prepared by another registered architect as to cause a registered architect expert witness to conclude that the former registered architect expressed no originality.