

BUSINESS & CAREERS

Smartpens the way of the future?



LUIGI
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Lawyers, pens and pads of paper. The three seem a natural fit, even in a technology-driven present.

Digital pen manufacturers are betting that fit lasts well into the future. They're marketing their wares as devices that reduce time spent on non-billable tasks. Are lawyers buying it?

Maybe. Digital pens, aka "smartpens" (perhaps a play on "smartphones"?) let people write as they ordinarily would, although to work properly they must be used on specially designed dot-pattern paper. As a person writes, the pen records both what's being written using a camera just above the nib, and what's being said using a microphone on the pen barrel.

Once the note-taking session is complete, the writer can tap specific notes to hear what was said when the notes were written.

When the recording uploads to a computer, users can:

- export their notes as PDFs or audio recordings.
- create "pencasts" of their note-taking sessions.
- create "pencast PDFs."
- send notes to a variety of "places" like Evernote, Facebook, Google Docs and email addresses. Also:
- if users write on forms and back-end systems are in place, software files information from the forms to the right databases when users upload from the pen
- additional software can transcribe handwritten notes (even if your writing is as messy as mine) for use in word processors.
- since notes get digitized when uploaded, the original paper can be shredded.

The Livescribe Echo I received as a demo unit made a great first impression. The Interactive Getting Started Guide quickly made the possibilities very clear, although I doubt I'll use the built-in piano app again (yes, the pen has built-in apps, and Livescribe maintains an app store à la Apple iTunes stocked with 69 offerings at last count).

Livescribe, Inc. claims battery life between six and 12 hours. For security, the pen also lets owners set a code that they must write before playing back a conversation using the pen.

I used the 8 GB model during a board meeting, a technology introduction event, a professional development seminar



▲ ABOVE: A person is using the Livescribe Echo. The digital Livescribe smartpen products launched in Canada in late 2010.

◀ LEFT: The Livescribe Echo is hooked up to a laptop. The smartpen can export the notes either as PDFs or audio recordings and send notes to a variety of places including: Facebook, Google Docs and email.

PHOTO COURTESY OF LIVESCRIBE, INC.

and several phone interviews for this article. Suffice it to say the pen delivers.

Estate planning attorney Lynn Buskey, a partner at Boston-based Buskey & McCarthy LLP, admits the fun factor first drew her to digital pens. She finds it works in places where computers aren't convenient. "I wrote a 17-point letter to a client during a flight," she says. "It felt good to know I could write it and not have to transcribe it later on."

Buskey also takes the pen to networking meetings. "People ask about it. It's a great icebreaker." While she digitizes her notes, she doesn't record audio during client meetings.

Stephen Morrison does use his pen's audio recorder during arbitration hearings. "When I sit down a few weeks after hearings to write judgments, I tap in my notes to find out what people said," says the Toronto-based partner in Cassels Brock & Blackwell LLP's advocacy group. "I want to pay attention to clients during meetings, not scribble furiously to get every word."

Morrison also uploads PDFs and audio files from his meetings to the firm's online document management system so he can work with his notes wherever he is.

Jim Marggraff, Livescribe founder and CEO, uses his com-

pany's technology to note his ideas (he's also an inventor) and tags those notes with the word patent. "I search my notes for the word 'patent' for ideas I want to submit," he says.

As feature-packed as the Livescribe is, it does not integrate with back-end systems based on technologies like Microsoft SharePoint, nor does it work with forms. Those technologies come from other companies that, like Livescribe, license digital pen technology from Lund, Sweden-based Anoto Group AB.

Those companies are making inroads elsewhere in the legal

industry. Phil Reyna, a retired chief of the western Texas district United States Pre-Trial Office, bought digital pens based on Anoto technology for officers to use while interviewing people who had just been arrested.

"We tried laptops, we tried tablets," Reyna recalls. "They created several issues for officers. If they interview offenders in a jail setting, they couldn't always get reception. Sometimes they couldn't take electronic information into the jail itself. They still need offender's signatures."

"We didn't want to saddle officers with additional baggage. We just gave them pens and forms." Officers later upload information from the pens, and back-end systems sort it from there.

A former lawyer and digital pen aficionado, Greg Matton tired of maintaining one legal pad per client as he took notes throughout the day. He also wanted to minimize the work involved in getting information off those pads and into the right places.

Matton learned of digital pens in 2007 while advising digital pen company Rover Technology Fusions, LLC in his role as a business lawyer. He left law practice to become Rover's CEO in early 2011.

Matton chuckles when I liken him to the fellow in the ad who claimed to have loved a product so much, he bought the company. He's serious about not keyboarding during meetings, though. "At a keyboard, it's hard to interact. I was just note-taking," he says. "The last thing clients wanted me to do was look at a keyboard. They wanted me to look at them."

Might smartpens begin to grace lawyers' briefcases, pockets and purses? Perhaps, but the technological alternatives seem too numerous and better known.

Smartpen technology may evolve to both work with more popular technologies and eliminate the need to continue using paper (which you either buy or print on a colour laser printer.)

Digital pens could conceivably become styli like those that slid into Palm devices of yore. Used on tablet devices, which can offer a never-ending supply of "paper" plus microphones to capture conversations and the computing power to run apps, the technology may become truly paperless.

Just not yet. Marggraff claims current styli made for tablets don't yet allow for accurate writing. "But we're keeping an eye on them," he says. ■

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