

Why I Love My Livescribe 3 Smartpen (Part 1)

By Matthew Yospin

I've been practicing as a solo attorney for several years and, like many attorneys, I enjoy finding better ways to do things; if it involves technology, even better. This article describes why I decided to try the Livescribe 3 smartpen,¹ how it works, and what I like about it.

We're all pressed for time

Attorneys seem to be short on time. Efficiency helps us be saner and more profitable in our practices. Any tech tool that helps us be more efficient is something most attorneys will appreciate. I decided to try the Livescribe 3 last summer because it seemed like it could save me time. I tend to take notes by hand during client meetings and phone calls because I find it less distracting than using a laptop or mobile device. The downside is that I was spending up to an hour every day retyping my notes into my law practice management software so it is text-searchable alongside each record of a meeting, phone call, or note on a project. This is not efficient!

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Going paperless

I imagine most of us have heard about the benefits of a paperless office:² portability and accessibility of documents, searchability, reduced expense of storage, reduced risk of loss with redundant backups, security (you still need electronic security), and more. But paperless doesn't necessarily mean zero paper. I find several benefits to taking notes on paper:

- I like a physical record of some things, such as notes from client meetings.
- I tend to remember things better when I write them down—and studies support this, such as those by Mangen and Velay in 2011³ and Mueller and Oppenheimer in 2014.⁴
- Taking notes on paper is often less distracting to me and the person I'm talking with or listening to.
- There are times when paper works better—sometimes far better—than taking notes on a desktop, laptop, tablet, or phone: during client meetings and phone calls, when traveling, or when the computer battery is running low.

In short, I was not willing to give up using paper for notes. But I wanted a faster way to get my notes into electronic form (and I didn't want to spend time every night

tearing apart my notebooks and scanning them). With the goals of increased efficiency and less paper in mind, I decided to try the Livescribe 3. I thought that if it cut my daily average note-taking and retyping time by even 10 minutes, it would be worth it. I've found it to be more helpful than that.

How the pen works

The Livescribe 3 works like a typical ballpoint pen in that you hold it in your hand, reveal the writing tip, and write on paper. But it does more than that, with several non-traditional parts:

- An infrared camera in the barrel to capture your text as you write it
- 2GB of memory to record what you write
- An indicator light to show you the pen's status
- A small speaker that also occasionally indicates status
- An antenna to sync with your mobile device
- A processor to tie it all together (and yes, your pen will occasionally need a firmware update—the mobile app will tell you and install it)
- A capacitive tip for use as a stylus, covering the charging port

I use the pen for client meetings, phone calls, when I'm on a bus or train, or any time it would be obtrusive or inconvenient to take notes on a phone or laptop.

Initial setup is straightforward: turn on the pen, download and install the free mobile app, pair the pen to the app on your phone or tablet, and activate one or more notebooks with the pen. Once you've done that, using the pen is easy: twist a ring to turn it on, write on special dot-pattern paper, and the pen records what you write.

When you sync the pen to the app, the pen syncs data in real time—you can watch your handwritten notes appear on your phone with a lag of a few seconds. You can also use the pen without the mobile device present or the app open; when you connect later, it will download. In my experience, 2GB of data storage on the pen has been plenty for a full day of writing, and the pen battery lasts more than a day.

The pen requires you to write on special dot-pattern paper. Each page has a pattern of dots that tells the software the page of the particular notebook you're using and your location on the page. You can buy the paper in a range of sizes or download and print your own on loose-leaf paper for easy binding and filing. I like to have a durable and portable physical record of key notes, but shredding the pages may appeal to the security-conscious (I discuss security concerns in part two of this article). Depending on your preferences, you could use separate notebooks for each client or project.

Each page of each paired notebook is visible in the app, with your handwriting appearing on the digital page in the same location as on the physical paper. Along with location, the pen combo tracks writing and pause times and automatically divides text into chronological sections that Livescribe calls the "feed." You can view your notes in page or feed view. Note that text in the feed view may be in a different order than page view if you jumped around on the page.

How I use the pen

I use the pen for client meetings, phone calls, when I'm on a bus or train, or any time it would be obtrusive or inconvenient to take notes on a phone or laptop. I also like to use it for CLEs and bar association lunches. I find it to be very portable (the flip notebook is sized like a reporter's pad),

durable (I've dropped the pen on tile floors several times), and easy to use: just twist the ring and start writing.

As part of my daily routine, I review my notes in the evening, convert my writing to text, and move what I need into my practice management system.

Text transcription

Text transcription happens locally on your mobile device; you don't need to be connected to the Internet to do it, and Livescribe assures me they don't have access to your data. The pen supports many languages, though I've only tried English. I've found it works well, but I have to write relatively neatly. If others have trouble reading your writing, so will the app!

You can copy and paste text in the app and edit the transcriptions, but I often choose to edit my notes on the computer.

After your handwriting is converted, you can edit, attach photos or notes to a text section, copy, delete, add tags, share a feed section, or merge notes (which is useful for combining notes from one meeting or CLE). You can also create a reminder from the text selected—it's not perfect, but the text gets into Apple's Reminders app—and work with an address like you would any other text that iOS recognizes as an address, including creating a contact or launching in Maps.

Page manipulation

You can move page images out of the Livescribe+ app as PDFs to Evernote, OneNote, or any app that can open PDFs or images; the images open as PDFs, allowing you to zoom in if you later have trouble deciphering what you wrote. You can then use the pages as you would any document in a particular app—mark up a PDF, share a file through a cloud storage service like Box or Dropbox, save it, and more.

Audio recording

The pen/app combo can record sound using the built-in microphone of your mobile device. Although the pen doesn't have a microphone, a red indicator light alerts you (and anyone who can see your pen)

that the app is recording. You can start and control a recording from the app or from controls printed on the paper, but only if the app is open and the device is already paired. Note that you should be mindful of audio recordings and wiretap laws; start with the Digital Media Law Project's excellent summary of laws on recording conversations⁵ and watch for part two of my article for a discussion of security concerns.

Conclusion

In short, I love using the Livescribe 3 smartpen and the time it saves me. The data vulnerability is a risk—but so is carrying paper. I'll keep using the pen, but want to share with you some thoughts about data security, caveats for using the pen, and improvements I'd like to see. I'll discuss these issues in part two in next month's *Bar Journal*. ■

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ENDNOTES

1. Livescribe <<http://www.livescribe.com/en-us/smartpen/l3/>>. All websites cited in this article were accessed May 22, 2015.
2. Law Technology Today, *Quick Hits Friday: Paperless Posts Fit to Print* <<http://www.lawtechnologytoday.org/2014/07/quick-hits-friday-paperless-posts-fit-to-print/>>.
3. ScienceDaily, *Better Learning Through Handwriting* <<http://www.sciencedaily.com/releases/2011/01/110119095458.htm>>.
4. Mueller & Oppenheimer, *The Pen is Mightier than the Keyboard: Advantages of Longhand Over Laptop Note Taking* <<http://pss.sagepub.com/content/25/6/1159>>.
5. Digital Media Law Project, *Recording Phone Calls and Conversations* <<http://www.dmlp.org/legal-guide/recording-phone-calls-and-conversations>>.