

The Federal Lawyer In Cyberia

MICHAEL J. TONSING

Smartphones and GPS Technology

This column usually addresses advancements in technology that are directly related to the practice of law. This month's column does not—except, perhaps, tangentially. But buckle up.

As many of you who carry (and, indeed, depend on) smart phones can attest, the separate worlds of cell phones and global positioning systems (GPS) of the last decade have now merged. You are aware that it is quite possible to get lost walking in unfamiliar territory and get back on the right path using the GPS function on your cell phone. You are already quite aware that smart phones are—well—smart.

These phones can do so many things that grandpa's phone could not do. Of course, grandpa's phone made calls (albeit without even a rotary dial), but smart phones also can send and receive e-mail, surf the Internet, maintain “to do” lists, play MP3 music and videos, act as document viewers, and much more. Today's smart phone is truly the equivalent to a Swiss Army Knife™ for mobile lawyers and other urban (and urbane) professionals.

Now, we're seeing yet another blade added to the smart phone arsenal: built-in global positioning systems. The number and the quality of GPS-equipped cell phone models are growing exponentially. (Sprint, Verizon, T-Mobile, AT&T, Apple, and Palm all have all-in-one products already on the market that are worth considering.) Cell phone manufacturers as well as service providers are recognizing the usefulness of and desire for GPS in handsets, as evidenced by the launch of several carrier-specific location-based services, such as Verizon's VZ Navigator, Sprint's Sprint Navigation, and AT&T's TeleNav GPS Navigator.

With an embedded GPS receiver in your phone and mapping service software, peripatetic Cyberian lawyers can get real-time position tracking, receive text- and voice-guided directions, and be referred to nearby points of interest. No more late appointments as you find yourself a block away from the high rise that is your destination. Of course, there are tradeoffs for this benefit. The cell phone's relatively small screen does not lend itself well to use in a car, and the GPS feature can have an effect on battery life. Nevertheless, the voice prompts and the often easy access to a car phone charger can help alleviate some of these kinds of problems.

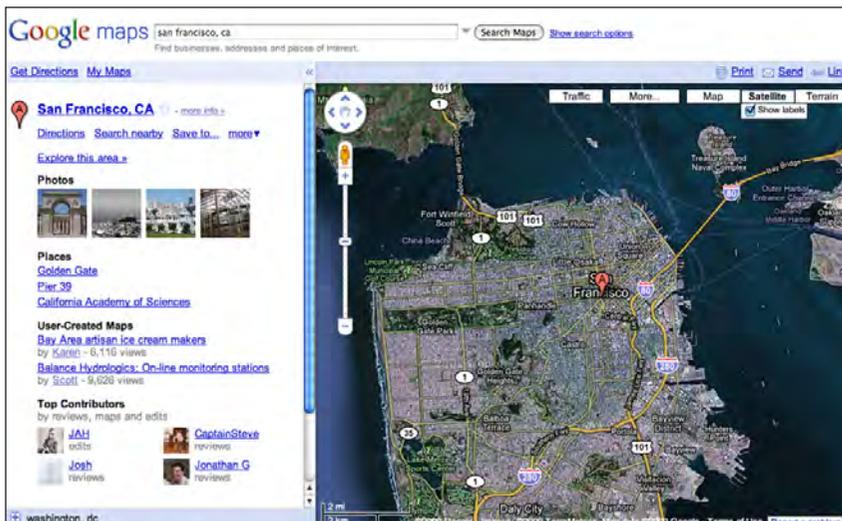
Even though these options pertain to smart phones, ordinary cell phones are not left out of the picture entirely. Major carriers recognize the increasing value and viability of GPS functionality on ordinary handsets. In fact, all the major U.S. carriers now offer some kind of location-based service. For example, Verizon Wireless offers its VZ Navigator service on less-than-smart phones, and TeleNav GPS Navigator has working relationships with T-Mobile, AT&T, Sprint. Sprint's Nextel also offers the Trimble GPS Pack for “geocachers” (you may recall my earlier column on geocaching) and other outdoor enthusiasts.

Such services allow you to receive turn-by-turn driving directions and even color maps and also to search for local businesses. Some products allow you to receive traffic updates over your phone. (It should be noted, however, that these services typically require a subscription fee.) Alternatively, you can download Google Maps for Mobile to your cell phone or your smart phone and get many of the same features. The feature is free to download; however, you'll need a data plan from your service provider for the airtime used to retrieve maps, traffic information, and the like.

Enter, stage left, the marketing crowd. Now, advertisers can know who you are and what products you might like, in addition to *where* you are. Let's say that you're walking down Main Street on your way to an appointment, using the GPS on your trusty smart phone, and the phone “realizes” that you are about to pass a store selling Nike shoes. Voilà! A “pop-up” appears on your screen announcing that the very Nike store you are now adjacent to is running a clearance sale on shoes that would make your stroll down Main Street feel better. Tempting!

Or, while you're on a Saturday stroll, you use the camera in your smart phone to take a picture of your cute five-year-old granddaughter, and your phone lets you know that there is an ice cream store just around the corner; in fact, if you press your touch screen, the phone will display reviews that others have written about the store. The chocolate crunch cones get five stars. Hmm? Perhaps just around the corner (pun intended) are applications that will give you a heads-up when one of your Facebook contacts is nearby or will give you the profiles of strangers who are in the cocktail lounge where you stopped for a beer (and a soft drink for that cute granddaughter). (Look out grandma!) An application that is already up and running known as “Loopt” (www.loopt.com) has recently added a search service called “Pulse” to provide rec-





has great respect for personal privacy and has policies in place to ensure that the company's good intentions are converted to reality. As of this writing, the FTC has not responded. Some have opined that phone users should be accorded some sort of right to opt in or opt out of the kind of linking described above. We shall see. Meanwhile, you're late for your appointment. Get out of the clearance section of that Nike store!

Sometimes it seems the further ahead we move the closer we get to 1984. See you next month in Cyberia. **TFL**

ommendations of nearby places you might like to visit based on places you have visited before and nearby places that friends on your social network contact list have reviewed favorably.

Public interest and privacy groups have urged the Federal Trade Commission to scrutinize such activities when they are the result of the aggregation of data about you and your habits that are pooled by major database suppliers like Google. At the time I was writing this column, Google had assured the FTC that it

Michael J. Tonsing practices law in San Francisco. He is a member of the FBA editorial board and has served on the Executive Committee of Law Practice Management and Technology Section of the State Bar of California. He also mentors less-experienced litigators by serving as a "second chair" to their trials (www.Your-Second-Chair.com). He can be reached at mtonsing@lawyer.com.

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