

The Patent Lawyer

GLOBAL REACH, LOCAL KNOWLEDGE

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The Patent Lawyer Editorial Board looks back at 2023 to summarize key cases and developments by jurisdiction.

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Annual 2024

Maiwald makes the case for patent lawyers to learn something new: LiquidText

Influenced by several years of use, Dr Eva Ehlich, Partner, Shareholder, and Managing Director at Maiwald, expresses why LiquidText is the 'it' software for patent attorneys owing to its advanced capabilities for thought tracking and instant recall across entire project areas.

Maiwald is one of Germany's largest and most renowned intellectual property firms. With approximately 250 employees at offices in Munich and Dusseldorf, the firm's 100 patent attorneys and attorneys-at-law work with an in-house research department and numerous client-related teams to service and protect intellectual property rights worldwide. Maiwald's attorneys and staff comprise interdisciplinary teams with legal and business expertise and a wide range of technical and scientific know-how. But like many patent law firms, Maiwald is challenged to organize and manage the volume of information required to represent inventive clients.

The challenges of practicing patent law

Patent lawyers must command and control many documents in cases that often drag on for years, requiring lawyers to manage and organize hundreds to thousands of documents. Yet, "the information must be at your fingertips," said Dr Eva Ehlich, Partner, Shareholder, and Managing Director at Maiwald.

Patent lawyers must contend with a long lapse between acquiring client knowledge and applying it in court and before the patent offices. They must return to open projects with aplomb and come up to speed quickly and efficiently without losing a thought or a document. "Patent information is too voluminous and technical to keep it all in your head," said Dr Ehlich.



Dr Eva Ehlich

“Over time, one's focus may shift, but you still need the information you collected when the project started.”

A practitioner responds

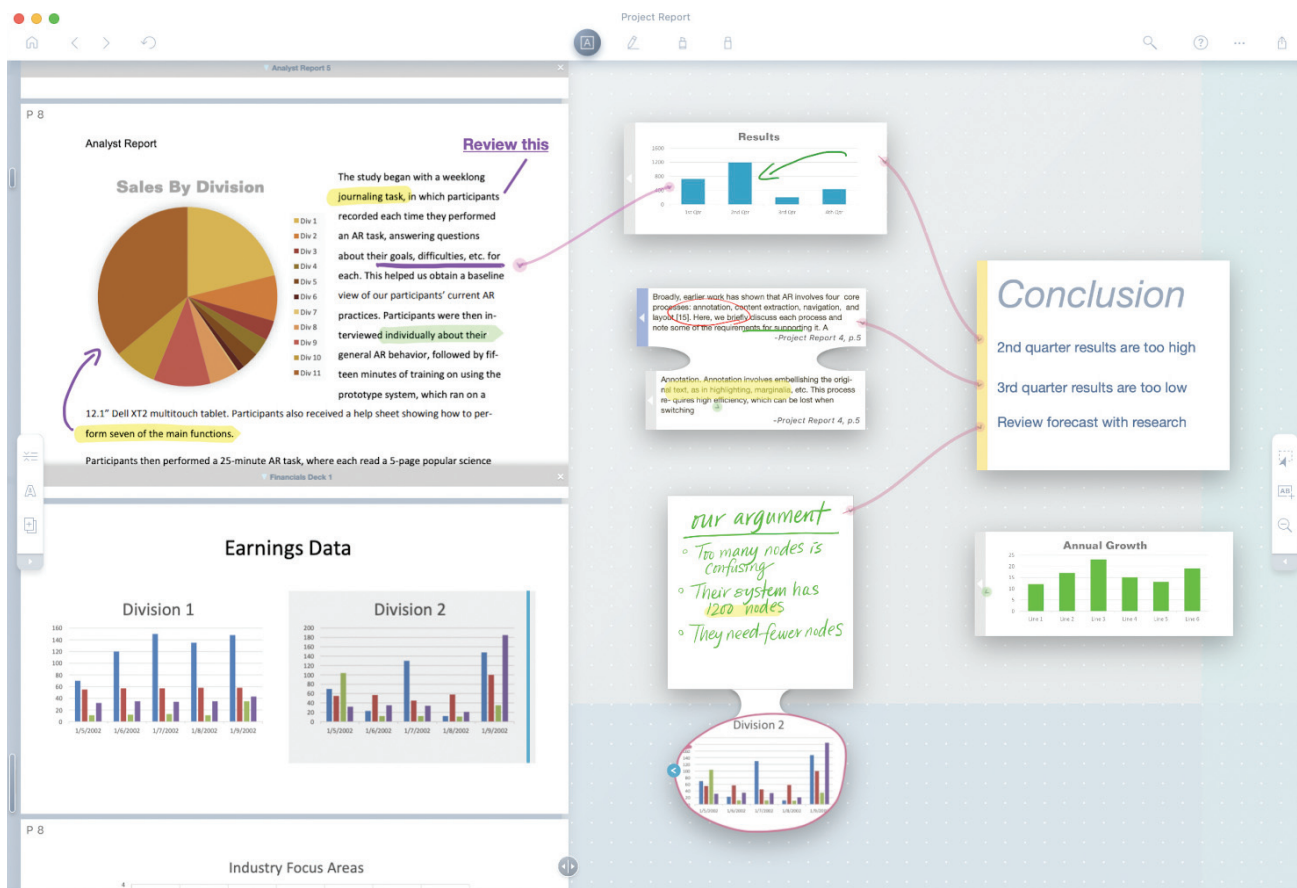
Dr Ehlich is a German and European patent attorney. She practices before the German and European Patent Office (EPO) and develops and manages international patent strategies for other country systems. Dr Ehlich prepares freedom-to-operate and validity opinions, accompanies drafting patent applications and implementation

Résumé

Dr Eva Ehlich, Partner, Shareholder, and Managing Director at Maiwald

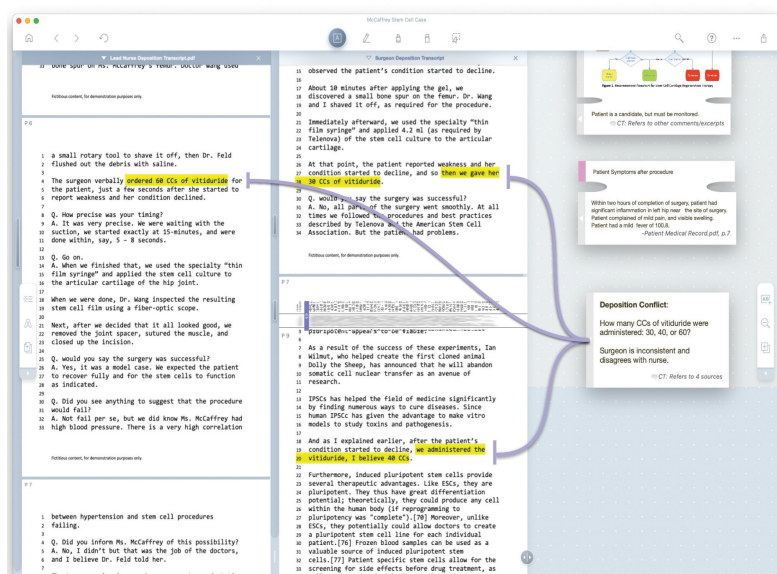
Eva represents European, US and Japanese companies in the chemical, biochemical and pharmaceutical sectors whom she advises and assists in drafting, prosecuting, defending, enforcing and challenging IP rights in Germany, Europe and worldwide. Along with preparing freedom-to-operate and validity analyses she has experience in patent litigation and strategic patent filing, especially in the area of drug delivery, pharmaceuticals and medical uses (small molecules and biologics) as well as in coordinating international patent portfolios and freedom-to-operate strategies. Eva has received numerous recognitions for her professional activities as a patent attorney.

THE 'IT' SOFTWARE: LIQUIDTEXT



Overview: A screenshot of LiquidText with the document pane and a workspace open, showing notes and connections.

of application procedures, and conducts validity and patent litigation proceedings. With her doctorate in chemistry from the Technical University of Munich and many years of experience, Dr Ehlich focuses on drug delivery, pharmaceutical technology, and medical applications (small molecules and biologics) in developing and coordinating international patent portfolios.



InkLinks, shown here, connect text in one document to text in another relevant document.

With her highly specialized work, Dr Ehlich needed a tool to analyze and manage a very large number of documents in multiple projects that ran for decades. The tool must let her return to any project where she left off. Furthermore, she wanted to know immediately what happened from the beginning of the project to date. "Over time, one's focus may shift, but you still need the information you collected when the project started," said Dr Ehlich. She feared losing sight of a document or a thought if she couldn't command and control project information.

LiquidText comes to Maiwald

In 2019, Dr Ehlich had thoughts of going paperless. Her office was full of boxes and folders but looking for a specific document could become cumbersome and time consuming. Accessibility was first and foremost in her mind. She looked for software to overcome the disadvantages of storing and retrieving paper and work better than paper. Although paper allows a reader to embellish and markup the document, it provides little opportunity to alter or restructure the presentation to include in a legal argument or strategy and retrieve it on demand.

Dr Ehlich considers herself open to new ideas. She tried different tools, but they couldn't connect her thoughts with source documents

and pinpoint citations. "After all, lawyers don't invent anything; we use things that are there," said Dr Ehlich. Connecting her thoughts, ideas, and arguments to "there" was crucial: "There is always the great fear of losing direct touch with all the details and interrelations between the original fact and evidence of an argument or a certain strategy."

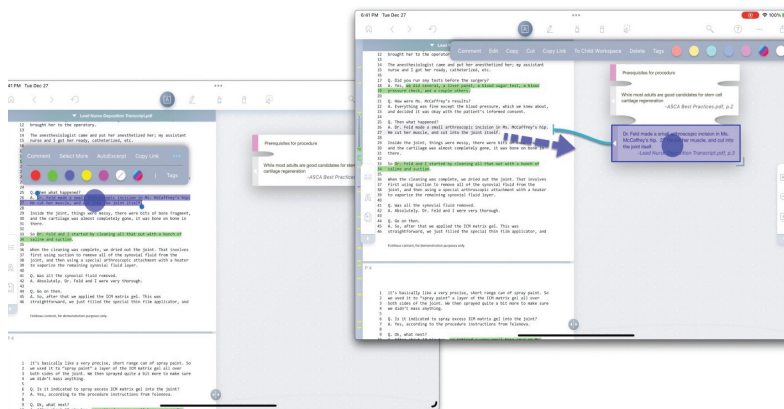
Then someone suggested she try LiquidText¹, the software the European Patent Office makes available to all their patent examiners. LiquidText gathers documents into projects where you can capture notes, highlights, annotations, and observations into workspaces and link the information together and back to the source documents. For Dr Ehlich, the ah-ha moment when she knew LiquidText was for her came from a project that included a crucial graph. She lassoed and dragged the chart to a workspace to comment on it and fit it into her case strategy. She felt she would not lose it and the link to the original document. It became a marriage of convenience and necessity.

The 'it' software: LiquidText

LiquidText solved Dr Ehlich's accessibility problems. She would never lose a document or idea again. She has imported thousands of documents into patent projects, where LiquidText stores them for the project's life, which often exceeds 10 years for patent lawyers. Before LiquidText, documents were in different places and sometimes very cumbersome to be found after years had gone by.

Like many patent attorneys, Dr Ehlich is a visual learner. She dragged various document highlights and citations to workspaces and organized them around ideas and strategies using color codes and subheadings. She linked together workspace content, and LiquidText connected it back to the original documents in the project. Before LiquidText, the visual information in workspaces was only available in a work product, such as a brief or memorandum, disconnected from sources. Typos or inaccurate citations in handwritten notes could cost Dr Ehlich time finding the original documents to resurrect an argument.

For Dr Ehlich, the *crème da la crème* of LiquidText was the connections between documents and workspaces. She pinned ideas and citations from numerous documents together in workspaces. Everything that mattered to a project was together in one or more workspaces where the link to original documents was at her fingertips and immediately accessible. Before LiquidText, Dr Ehlich conducted research and notetaking in a serial fashion, document by document, recording her findings in yet another document disconnected from sources.



Excerpts allow users to bring together information from different patents or claims.

“
LiquidText
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documents
into projects
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highlights,
annotations,
and
observations
into
workspaces
and link the
information
together and
back to the
source
documents.”

Dr Ehlich started out using one ample workspace per project. But she soon adopted multiple workspaces for each project, switching among them on demand. Although she enjoys the ease and mobility of using LiquidText on Apple iPads, using the software on Microsoft Windows computers in the office with large screens brings additional visual clarity to projects and workspaces. Dr Ehlich uses LiquidText with two large screens in her office. She uses one screen to view and compare graphics and documents side by side, link documents, and scroll through document lists. She drags workspaces to a second screen where her comments, highlights, and citations link back to sources displayed on the first screen.

"I must have information ready, accessible, and manageable," said Dr Ehlich. "I rarely do something without LiquidText – it's self-perpetuating." Whether on an iPad outside the office or on Microsoft Windows PCs in the office, Dr Ehlich's projects synchronize instantly and automatically from the cloud, where they are continuously backed up.

Collaborating with LiquidText

Dr Ehlich is not working with LiquidText alone. She has schooled younger associates to jumpstart projects for her, uploading documents into projects and overseeing quality control on optical character recognition (OCR) run on document images. Dr Ehlich shares LiquidText projects and thought processes with partners and other colleagues. Other attorneys mark up files and link source documents in shared projects, and everyone, including clients, benefits from the collaboration.

Like any expert software user, Dr Ehlich continues to hone her skills in contextual searching, tagging content, and copying links from project materials to insert into PDF and Word documents. When she clicks the link in an external document, she's transported back to the LiquidText project

¹ <https://liquidtext.net>

and into the context of a document, comment, highlight, or idea.

LiquidText's impact

"LiquidText follows my brain," said Dr Ehlich, who takes notes and incorporates new knowledge in mind-mapping exercises. In LiquidText projects, she can read and analyze content randomly and use workspaces as a pinboard to pin thoughts to content and formulate patent strategies for clients.

LiquidText saves Dr Ehlich copious amounts of time. Even after years, she can return to a project where her thinking process is preserved and linked to supporting information. The software also saves paper. Dr Ehlich's practice is primarily paperless. She rarely needs to print documents.

Although she uses paper as a backup to LiquidText in court proceedings, she has never needed it so far. Dr Ehlich has everything she needs to prosecute cases in LiquidText on her computer. And she has successfully used LiquidText in two recent court cases. Maiwald is working with LiquidText to provide a direct interface to their new document management system, so Dr Ehlich will have immediate access to the firm's file wherever possible.

Better than paper

"People complain to me about the amount of information they need to access and process without relying on paper and worry about preserving their thoughts," said Dr Ehlich. "When I take out my iPad and show them LiquidText, they get big eyes."

"LiquidText works better than paper," said Dr Ehlich. Most notetaking and document creation

Everything that mattered to a project was together in one or more workspaces where the link to original documents was at her fingertips and immediately accessible.

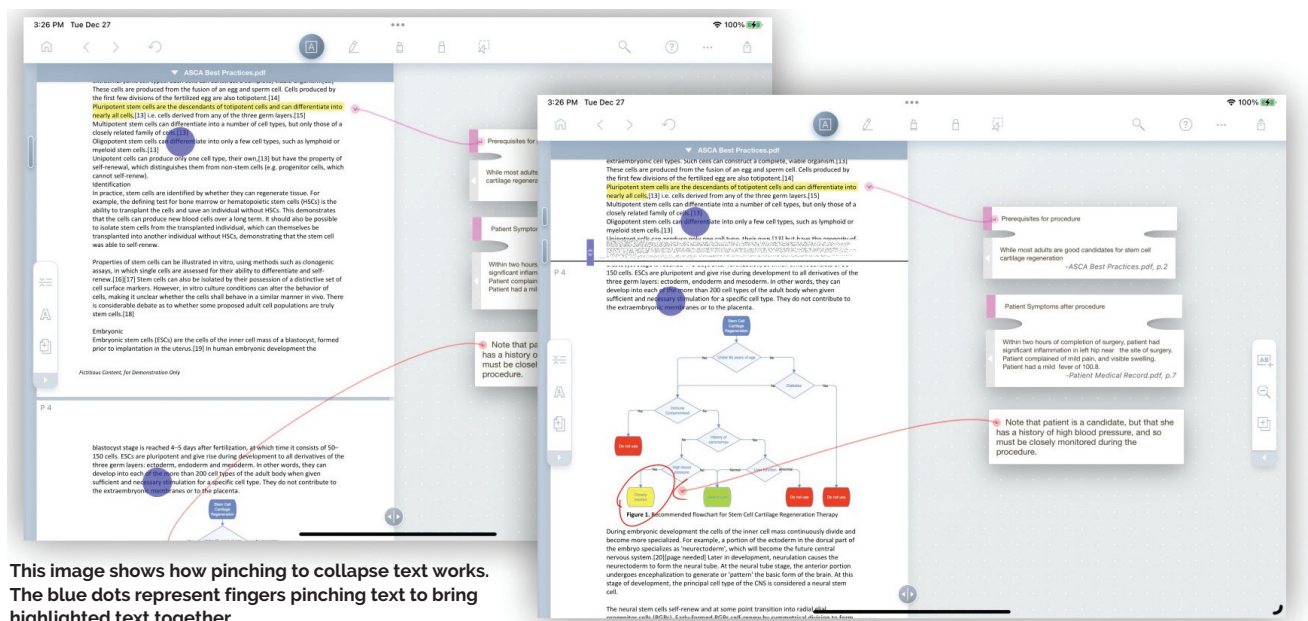
tools mimic how lawyers use paper and map analog processes onto digital formats without considering the benefits of digital transformation and the ability to make connections between source documents and notes. LiquidText interconnects notes and source documents, helps lawyers make present use of previously acquired knowledge, return to a project after a period elapses, share knowledge with a colleague or partner, and quickly retrieve information in courtroom proceedings.

What to expect from LiquidText

You can expect LiquidText to save all documents to a project or case, hold your ideas and thought processes, and provide access to source documents via links from other papers and citations, comments, and highlights saved to workspaces. "It works like an information organization system you can share throughout the firm, but it's not just for patent lawyers," said Dr Ehlich. It works with any information and can benefit clients, including scientists and businesspeople.

Contact

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This image shows how pinching to collapse text works. The blue dots represent fingers pinching text to bring highlighted text together.