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IP Attorneys: A Guide to Effective, Engaging Graphics for Patent Litigation

by Morgan C. Smith Owner of Cogent Legal (Originally published in September 2012 on Cogent Legal's blog)



Apple's recent victory over Samsung in their patent infringement case had to be one of the most closely watched intellectual property cases ever, and trial graphics played a decisive role in shaping juror and public opinion. In fact, juror post-trial interviews revealed that two key Apple demonstratives, out of many weeks of trial argument and testimony, are what impacted and swayed the jury.

Whereas the Apple case involved primarily a "look and feel" that is not terribly difficult for laypeople to reach their own conclusions about, IP cases generally involve extreme technical detail and subjects that can be exceedingly difficult for a nonexpert to understand. For this reason, litigation graphics are needed and developed for patent and other IP matters more than almost any other field of law.

Cogent Legal has produced an interactive guide to show our approach and share our ideas for developing litigation graphics for intellectual property cases. In today's informationsaturated world, jurors and others expect to obtain information visually and interactively. Graphics, such as the samples you'll find in this guide, enhance oral and written arguments so attorneys can present information in the most effective and engaging way possible.



Litigation Graphics & Trial Strategy

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At Cogent Legal, we offer the experience of Senior Producer Dave Nugent, who has developed graphics for patent cases for over a decade. Dave was one of the pioneers of using interactive, web-like navigation to create compelling multimedia presentations for the judge at the tutorial and Markman phases of litigation. Introducing graphics at the tutorial and claims construction phases of an IP case helps to visually shape the argument for subsequent hearings and trial. When the tutorial and Markman presentation are done in an interactive and navigable format—as shown in a sample embedded in the guide—it is also well suited to handing off to the court for reference and review.

I hope you'll check out our online guide to intellectual property litigation graphics, and I'd welcome your feedback on it in the comments below or contact me.

Morgan Smith is the owner of Cogent Legal, a litigation graphics and trial strategy firm based in the San Francisco Bay Area that develops clear and compelling visual presentations for attorneys to use in mediation or trial. Services include animations, 2D and 3D graphics, medical illustrations, PowerPoint or Keynote presentations, interactive timelines, videos, strategic consulting and trial support. Cogent Legal integrates the legal expertise of a successful trial attorney with the creative and technical talent of a design firm.