At the end of June 2007, with a tremendous amount of publicity and fanfare, Apple released the iPhone. Several days before the release date, the news reported people were camping outside of various Apple stores to be among the first to buy the newest piece of slick technology from Apple. Apple partnered with AT&T for the release of the iPhone, and you can buy it only through Apple or AT&T (with whom Cingular has now combined), and with whom Apple signed an exclusivity agreement for distribution of the iPhone. While Apple and Cingular have withheld the full details of their arrangement, it appears unlikely that we will see iPhones on any system other than AT&T in the near future.

I did not intend to write this column about the iPhone; my recent experience at the ABA Annual Meeting in San Francisco, however, caused me to change my plans. I ran into a number of readers of this column in San Francisco and almost all of them (together with a large number of other people I talked to at the meeting) wanted to know what I thought about the iPhone and whether they should get one. I have always tried to keep this column relevant to the readers’ needs for information, so the demand for iPhone-related information persuaded me to write this column to help answer the burning question of whether or not to buy an iPhone.

The iPhone unquestionably presents a slick new way to look at converged smart-phone devices. Apple has established itself as a premier technodesigner, developing a unique manner of blending form and function that separates it from the rest. It has repeatedly demonstrated this with the designs of its computers and the iconic iPod, and the iPhone only enhances that reputation. It does not look or work like any other converged smart-phone device around and sets a new level for the marriage of function and design in the smart-phone field.

The iPhone has something about it that appeals to almost all age groups. College students camped in front of Apple stores to get one. My 20-something daughter called me the day they came out (assuming that I already had one) and asked what I thought about it. She told me she wanted one but thought she...
should check with me first about how it worked. Later that evening, my 50-something sister called to tell my wife the date and time they had set for my nephew's wedding (at least she said that she called to give us that information). In fact, she wanted to see if I had an iPhone yet and to make sure that I knew she did. (Sibling rivalry never really dies; it just gets older and more mature.) I got mine about five days after the release. I called earlier and learned that both the Apple and the closest AT&T store had sold out but expected more phones the next day. Three days later, I walked into the local Apple store and bought my iPhone. No line. No waiting. Lots of stock available.

The iPhone costs $299 for a four-gigabyte and $399 for an eight-gigabyte version. You have no other choice of memory size. You cannot add memory to the iPhone because it will not accept flash memory for expansion. The consumer's only other choice is means of payment. You get no choice of colors, no other configuration options, and no choice of carriers.

Once you get your iPhone, many choices open to you. The iPhone will sync with your calendar and contacts list and one or more of your e-mail accounts and will hold more than seven gigabytes of audio programming (music, audio books, or podcasts downloaded from the iTunes store), video programming (your own movies, YouTube downloads, television shows, and movie trailers downloaded from the iTunes store), and, of course, your choice of still digital photos (uploaded from your own library or downloaded from wherever). You also get to choose from an endlessly increasing collection of cases for your iPhone and can select either the Apple Bluetooth earphone (very svelte and very expensive) or almost any other Bluetooth earphone and any one of many available stereo earphones to use when listening to music.

Many of the available choices also exist with other smart-type phones or PDAs. In fact, you can find almost every single feature of the iPhone in other smart phones or PDAs or MP3 players. You just cannot find them all in the same device. None gives you the same selection of choices, the style, and the interface—or anywhere near the panache—of the iPhone.

Let's take a look at what the iPhone offers and how it compares to other devices:

1. Telephone service. The iPhone works as a telephone. Big deal, so does every other smart-phone device, as well as a number of not-so-smart-phone devices. As a telephone, the iPhone gives you a quad band GSM telephone device, which works only on the AT&T network and which you can use in the United States and (for a premium) abroad with the AT&T/Apple SIM card. You cannot get the iPhone unlocked and, at least so far, nobody has started publicly unlocking them, so you cannot make the phone work with a foreign (or even non-AT&T domestic) SIM card. In fact, you can use the specially designed iPhone Apple SIM cards only in the iPhone. Many other phones come with or can be unlocked to work with other companies' SIM cards.

The iPhone audio works held to your ear, with the built-in speakerphone, or with a wired or wireless (Bluetooth) earphone. Its size and shape make it less than ideal to hold to your ear during a call (not my favorite way to use any cell phone). Its speakerphone and earphone functionality compare favorably with most other top-of-the-line cell phones. The area in which the iPhone excels over all others as a telephone relates to the iPhone interface, discussed separately below.

2. PDA functions (calendar and contact). The iPhone syncs very well with Apple's iCal and address book on the Mac platform and with Outlook in Windows. If you use Entourage on the Mac platform, synching it to iCal and the address book works as well. The calendar and contact functions are comparable to other smartphone and PDA devices—except once again for the iPhone's unique interface.

3. E-mail. The iPhone gives you the ability to download and save e-mail as well as to send it. You will have little difficulty setting up e-mail on the iPhone because it takes your account information from Apple's Mail program on the Mac platform or Outlook on the Windows platform. If you need to set up an e-mail account independently, the iPhone has all the information it needs, except your e-mail address for Google, AOL, or Yahoo e-mail accounts. If you want to set up an account on your firm's e-mail server (or any other), you will need to get specific information to input.
The iPhone uses pull rather than push technology, so it contacts the server at the intervals you select (you can also do this manually) and downloads the information (e-mail), "pulling" it from the server. Most smart phones use pull technology. The most notable exception, BlackBerry devices, use push technology that regularly sends the e-mail to your device without waiting for a request.

With the exception of the interface, the iPhone's e-mail functionality works no better (or worse) than any of the other pull technology devices. None of those devices work as well (in my opinion) as the BlackBerry for e-mail.

The most significant feature the iPhone lacks respecting e-mail is the ability to delete a group of e-mails at once; instead, you must toss each e-mail separately.

4. Music, Movies, Photographs. I lump these together because, quite simply, I have not found any other smart-phone device that handles any of them better than the iPhone; and most do not do as well. The iPhone will play AAC, Protected AAC, MP3, MP3 VBR, Audible (formats 1, 2, and 3), Apple Lossless, AIFF, and WAV formats. It plays them comparably to Apple's iPod devices. Although the iPhone does many of the same things as the iPod, it does not do them all. The iPhone does not do games, lyrics, or video output to a TV or disk mode (when the iPod acts as a hard drive for transporting computer files). The iPhone displays pictures and video on a very sharp 3.5-inch diagonal widescreen multitouch display that provides 480-by-320-pixel resolution at 160 dpi.

As for taking pictures, the iPhone comes with a built-in two-mega-pixel camera.

5. Web surfing. The iPhone excels at Web surfing. It handles that better than any of the other smart-phone devices I have used. It provides its own Internet access using AT&T's Edge technology and can use other providers through its WiFi access (802.11b/g). The iPhone uses a special version of Apple's Safari browser. The device has built-in buttons connecting you to stock information (Yahoo), weather (Yahoo), and maps (Google) for directions between two points (no GPS). It also will handle SMS text messages. The browser interface also has a zoom feature that enables you to magnify an image or text.

6. Other features. The iPhone has a built-in combination world clock/stopwatch/timer/alarm clock that allows you to set it to display the time for one or several cities. It also comes with a simple memory calculator for basic calculations, and a notepad. The iPhone will accept additional programs; for the time being, however, there is nothing to choose. As time goes on, expect that to change. For now, Windows Mobile and the Palm and BlackBerry operating systems have more programming available than the iPhone. Windows Mobile offers far more than the BlackBerry, and the Palm offers far more than Windows Mobile

7. Interface. The iPhone's interface differentiates it from all of the other devices. Apple built the interface from its OS X operating system and Safari browser. The iPhone has a touch screen that does not work with a stylus. (Note: I mean just what I said. Not that it doesn't require a stylus (actually, the Treo works with or without one) but that it will not work with one at all.) When Apple builds a touch screen, Apple means for you to touch it. The iPhone must feel the heat of your skin to effect the choice you make, and you must use the pad of your finger—not even a fingernail works. Notably, the iPhone does not use a plastic screen. Apple used high-quality, scratch-resistant optical glass as its top surface.

To make a phone call, you can use a dial pad or your contacts list (simply touching the screen to initiate the call or text message). The iPhone does let you lock it with a password. Regaining access utilizes a slide function that opens into a telephone keypad for inputting your password.

Using e-mail is as simple as selecting the account you want to access, reviewing the list of mails that appears, selecting and opening your choices, then saving it, responding to it, or junking it. As with all other features, you control all your choices by moving your finger appropriately along the touch screen.

The iPhone syncs with both Mac and Windows computers running iTunes, either automatically or at your choice of times. The iTunes/iPhone interface works smoothly and easily.

The iPhone provides a full qwerty-style touch board for inputting data,
iPhone Competitive Data

<table>
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<tr>
<th></th>
<th>Apple iPhone</th>
<th>Nokia N95</th>
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<th>Palm Treo 750</th>
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Source: Manufacturers’ Web sites, as of 6/18/07

instead of using the phone keypad. The touch board looks reasonable in size but ends up playing larger than it looks; after you touch a key, the character pops up in a magnified form, making it relatively easy to see. You can use the touch board as a thumb board or use your index finger to strike the keys.

The iPhone adjusts its presentation from portrait to landscape views and back as a function of its position.

Should you have any concerns about the iPhone? Of course you should. The iPhone works only on the AT&T network, and you may not get good reception in your area. After all, its primary function is to replace your cell phone.

Battery life was an early issue with the iPhone, discussed even before its release, and Apple ultimately upgraded the battery before releasing the phone. Apple claims up to eight hours of talk time, 250 hours of standby time, six hours of Internet use, seven hours of video playback, and 24 hours of audio playback. Note that these times trade off and are not cumulative. The more you talk on the phone, the shorter the time available for audio playback, and so on. The iPhone comes with the default of WiFi in the on position. That burns up the battery very quickly. If you set it to off and turn it on only when you want to go wireless, you can lengthen the usable period for the battery charge. You can also conserve the battery if you leave Bluetooth off except when you want to use it. Since the release of the iPhone, a rumor has started that the battery will require replacement by Apple after about a year; it’s not yet known whether the rumor has a factual basis. If it does require replacement, it will have to be done by Apple because there is no access to the battery without cracking the case open (voiding the warranty). Apple did not intend for you to carry a second battery to swap out or replace the battery if it died.

Apple has devoted a section of its Web site to the iPhone that contains a wealth of additional information as well as pictures, videos, and so on. The information on the site includes the chart above, setting out the iPhone’s specifications and comparing them to some of the other popular smart phones. I thought you might find the comparison useful and interesting, so I have included it in this discussion. You can find the iPhone site at www.apple.com/iphone.

So, bottom line, should you get one? Well, I like mine and I am glad that I got it. I think most of you will find it easy and enjoyable to use. Warning: Your children and grandchildren may develop a strong case of iPhone envy if you get one.
MEETINGS

October 19 - 20, 2007
Fall Meeting
Chicago, Illinois

February 8 - 9, 2008
Midyear Meeting
Hyatt Regency Century Plaza
Los Angeles, California

Spring Meeting
To be decided

June 8 - 9, 2008
Annual Trip to
U.S. Supreme Court
Ritz-Carlton Hotel
Washington, D.C.

August 8 - 9, 2008
Annual Meeting
Hilton New York
New York, New York

FUGAZI TRAVEL

Trips subject to Board of Governors approval

July 24 - August 4, 2008
Northern Treasures
Baltic Sea & Russia Cruise

September 28 - October 7, 2008
Splendors of the Fall
Canada/New England Cruise

October 8 - 14, 2008
Rockies, Sierras, and Napa Valley

October 21 - 31, 2008
Mexican Riviera Cruise

CONTINUING LEGAL EDUCATION

Audio Conferences
September 27, 2007
Of Counsel: Harnessing the Power of this Flexible Arrangement

November 29, 2007
Senior Housing Options

January 31, 2008
Succession Planning (tentative)

February 28, 2008
International Teaching Opportunities for Senior Lawyers

Seminars

January 17 - 18, 2008
Elder Law: Issues, Answers and Opportunities

February 7, 2008
Elder Law for Judges

Los Angeles, California