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PATENT APPLIED FOR

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PATENT APPLIED
FOR A Play in One Act by
LAWRENCE LANGNER



Published by EGMONT ARENS at the
WASHINGTON SQUARE BOOK SHOP ☞ New York
1918

PATENT APPLIED FOR

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PATENT APPLIED FOR

was presented at the meeting of
THE PATENT LAW ASSOCIATION OF CHICAGO
November 15, 1917,

with the following distinguished cast:

AERON PHIPPS, a patent attorney - *Frank Parker Davis*
JOHNSON, a law clerk - - - - - *John B. Macauley*
DORIS DARLING, a stenographer - - - - *C. F. Murray*
TITUS K. BANGS, an inventor - - - *Lynn A. Williams*
CORDELIA WESTLEY, a corset maker - - *John A. Dienner*
AMELIA PHIPPS, Phipps' wife - - - *Harvey A. Hanson*

Produced by BLANCHE BANNISTER ARND

SCENE—PHIPPS' OFFICE

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[Phipps' office is just like any other office, except for an accumulation of models in one corner. A signed portrait of the Commissioner of Patents, and a hideous picture of a building labeled "Patent Office, Washington, D. C.," are hanging on the walls, together with numerous certificates issued to Mr. Phipps, from high school graduation to membership of the Supreme Court of the District of Columbia, all arranged to impress prospective clients. A screen conceals a wash basin behind the desk, center. There is a door—left.]

At rise, Phipps is at his desk, reading a letter. The 'phone bell rings.]

PHIPPS

[Taking phone.]

Hello—Mrs. Phipps on the wire? Yes—you can connect me—*[sourly.]* Hello, dear. . . . Well, what do you want? You can't hear? I can't possibly meet you—I simply can't. I shall only spend fifteen minutes at lunch, anyway. . . . I can't discuss my digestion now—there are five people in this room waiting for me to finish talking to you—good-bye.

[He returns to his papers; presses bell. Enter JOHNSON, a middle-aged law clerk. He is obviously in the last stages of decay, physically and mentally.]

PHIPPS

Johnson, on no account am I to be disturbed for the next two hours. If any one wants to see me, I'm out.

JOHNSON

Very well, sir.

PHIPPS

Ask Miss Darling to come in with her book.

[Exit JOHNSON; after a pause, enter MISS DARLING, a smartly-dressed stenographer. Her manner and style indicate that she has a wide knowledge of life—probably gathered from the "Movies." She removes a pencil from her hair, sits at desk, places a piece of gum in her mouth and chews complacently.]

PHIPPS

Miss Darling—I want to finish dictating my brief for the Court of Appeals in the White River Junction Co's case—it's got to be in the printer's hands by four-thirty this afternoon. Where were we when I left off dictating last night?

MISS DARLING

[Sentimentally.]

Why, sir, you were standing over there, with your back to the window, and the setting sun was shining over your shoulders, just like—

PHIPPS

Never mind about the setting sun, Miss Darling—how far had I gotten in the brief—what were my last words?

MISS DARLING

[Consulting her notes.]

You said—"What does the defendant's expert know about nuts?"

PHIPPS

That's right—continue.

[Miss Darling takes his dictation. Phipps stalks about the room, is carried away by the eloquence of his arguments, and begins to harangue and gesticulate in the most approved manner, as though he were actually addressing the Court of Appeals in person.]

PHIPPS

What *does* the defendant's expert know about nuts? Absolutely nothing. Yet this whole case hinges upon his testimony. If the prior structure really did consist of a bolt formed with a peripheral orifice extending laterally to a point at a right angle to a radial line described from the central axis of the bolt, as defendant's expert states, *why* did the prior patentee, when he was placed on the stand, admit that the correct term to use was not "lateral" but "transverse" to the radius? [*With emphasis.*] This will be perfectly clear to the Court. The whole point of our case is this: Was a nut used, or was a collar used? We contend that a collar was used, and that the Court cannot decide against the plaintiff, because there is absolutely no evidence whatsoever of a nut in the case. [*He interrupts himself.*] Oh, Miss Darling, change that last so that it reads "there is absolutely no evidence whatsoever—so far as the records show—of a nut in the case."

[*There is a scuffle outside. Enter TITUS K. BANGS, followed by JOHNSON, who tries to hold him back. BANGS, though slightly insane, is an enthusiastic inventor. He is not popular in PHIPPS' office, as he never pays his bills. He carries an immense roll of blueprints under his arm.*]

BANGS

Sorry to butt in on you, Mr. Phipps—

PHIPPS

I can't see you now, Mr. Bangs; I'm in the middle of an important brief that must be out by four-thirty this afternoon.

BANGS

I won't take up a minute of your time, Mr. Phipps. I've got a man waiting to see me representing a syndicate with over five hundred thousand dollars, and they're crazy to do business with me.

PHIPPS

I'm sorry, but I can't see you.

BANGS

[*Begins to unroll blueprints on floor.*]

Yes, sir. They are *crazy* to do business with me.

PHIPPS

They must be.

BANGS

This drawing shows my new rat exterminator. The most humane thing of its kind ever invented. Kills a rat so gently, Mr. Phipps, it doesn't know it's dead, so to speak, until it actually *is* dead. I want you to prepare a patent application on it immediately, Mr. Phipps. I'm getting thousands of letters from rat-catchers all over the country, begging for my stuff, but not one bottle will they get until my application is on file.

PHIPPS

Well, if you sell it in bottles, what are all these drawings for?

BANGS

Ah!—that's where I'm smart. This is the greatest money-making scheme you ever heard of, Mr. Phipps. *Look at this stuff.*

[*Pulls out a bottle from his pocket and hands it to PHIPPS, who smells it.*]

PHIPPS

It smells like whiskey.

BANGS

It is whiskey—that is, four-fifths whiskey—the rest is cyanide of potassium. The rat comes up to this, smells the whiskey, drinks it, becomes intoxicated and then dies—but he dies happy! Isn't that humane for you?

PHIPPS

I'm not sure it isn't immoral.

BANGS

Immoral? How can a rat be immoral? But we have to be careful, Mr. Phipps. I admit that we can't sell this stuff in the Dry States—or if the country should go dry.

PHIPPS

Why not?

BANGS

There's too much whiskey in it!

PHIPPS

But it can't be drunk, with all that poison in it.

BANGS

I know—but when a man lives in a dry State, he's desperate—he'll stop at nothing. . . . But that's where I'm smart. See all this machinery here? [*points to blueprints.*] This shows my new humanitarian rat-trap—that'll fool them all right. You use this stuff [*points to bottle*] with the trap. I want you to patent the whole shooting-match, and every bottle I put out I'm going to mark "patented." They'll never get on to the fact that it's whiskey then. People patent medicine, but I never heard of anyone patenting whiskey.

PHIPPS

[*Pointing to blueprints.*]

But what's all this machinery?

BANGS

I'll explain it in one second.

PHIPPS

I really must ask you to leave it here. I'll see you next month.

BANGS

It won't take but a second.

PHIPPS

I can't see it now. I've simply *got* to finish this brief.

BANGS

But the Syndicate of Rat-Catchers is there waiting for it with five hundred thousand dollars.

PHIPPS

[Taking him by the arm and throwing him out.]

I can't help that. I'll see you next month.

[Exit BANGS. PHIPPS mops his brow; rings bell. Enter JOHNSON.]

PHIPPS

Why did you let that driveling idiot in here?

JOHNSON

He pushed past me, sir.

[PHIPPS goes to drawer, pulls out a revolver and hands it to JOHNSON.]

PHIPPS

Take this—and shoot the next man who tries to interrupt me.

JOHNSON

But—sir——

PHIPPS

Don't get fresh.

JOHNSON

If I do, sir, I'll be hanged.

PHIPPS

If you don't, sir, you'll be fired.

[Exit JOHNSON.]

PHIPPS

[To MISS DARLING.]

Where was I?

MISS DARLING

You said "there is absolutely no evidence whatsoever, so far as the records show, of a nut in the case."

PHIPPS

Yes—that's it. Continue. The Court, in considering the testimony of defendant's expert, must remember that he is a confounded liar. No—change that. Say: The Court must remember that his statements are not always made with that care—that passion for accuracy—which is a characteristic of the scientific man, and while no imputations are made, yet how is it that on pages [*Consults paper*—664, 726, 841 and 972 of plaintiff's records, defendant's expert is actually found to have admitted that he had never seen one of the original nuts?

[*Enter CORDELIA WESTLEY, a corset manufacturer, She is very charming indeed—quite charming enough to make PHIPPS entirely forget his brief. Under one arm she carries a parcel.*]

CORDELIA

[*Sweetly.*]

Good morning, Mr. Phipps.

PHIPPS

[*Rising.*]

Good morning. Please be seated.

[*CORDELIA sits at table.*]

PHIPPS

[*Gallantly.*]

What can I do for you?

CORDELIA

I wish to see you—on business.

PHIPPS

[*To MISS DARLING.*]

You may go, Miss Darling.

[*Exit MISS DARLING, her nose in the air.*]

PHIPPS

[*Rubbing his hands, and in his most professional manner.*]

And now, Madam?

CORDELIA

Mr. Phipps, I've made an invention, so I came to you for a patent.

PHIPPS

I am glad to meet you, Madam. Who was so kind as to recommend me?

CORDELIA

Oh—nobody. I saw your advertisement in the telephone book—it was the largest there, so no recommendation was necessary, was it?

PHIPPS

[With delicate modesty, and mentally noting to take two whole pages in next year's telephone book.]

Well—hardly.

CORDELIA

[In a tense voice.]

Mr. Phipps, if I tell you what my invention is, will you *promise* to keep it secret?

PHIPPS

Certainly.

CORDELIA

On your word of honor?

PHIPPS

Surely.

CORDELIA

Do you swear it?

PHIPPS

[Raises his hand.]

I swear!

CORDELIA

[Gets up and peeps behind the screen in the rear of room. She then peeps through both doors.]

Please excuse me. I'm afraid of someone eavesdropping. I once read in the Saturday Evening Post that nine valuable inventions out of every ten are stolen.

PHIPPS

You need have no fear, madam. This is a reputable firm. Not a single member of my staff has sufficient intelligence to steal an invention successfully.

CORDELIA

I'm so glad. And now you've given your word of honor, I'll show you my invention.

[She unwraps the parcel she carries, and produces a complicated looking corset. It has a great number of corners, and a string appears to grow from each of these.]

CORDELIA

[Holding it up by one of the strings.]

There it is—what do you think of it?

PHIPPS

Why—what is it?

CORDELIA

It's a corset. Haven't you ever seen a corset before?

PHIPPS

[Relieved.]

Oh—a corset—why, of course—how stupid of me.

CORDELIA

You never saw one like that, though.

PHIPPS

No—on looking it over, I can't say that I have.

CORDELIA

Of course not. It's quite new.

PHIPPS

Indeed? May I ask what are its novel features?

CORDELIA

Well—it's really entirely novel. Mr. Phipps, do you know much about corsets?

PHIPPS

[*Embarrassed.*]

I can't say that I do—I have never made a special study of the subject—I mean, I have not come into contact with many corsets. No! No! That is

[*He stops, confused.*]

CORDELIA

You know that there are fashions in corsets, just like anything else for women?

PHIPPS

Yes, I seem to remember that—faintly.

CORDELIA

Well, then, I don't have to tell you that last season, flat fronts were in.

PHIPPS

Flat fronts were in? I don't quite understand you, madam.

CORDELIA

I mean, all fashionable women wore corsets which—well, pulled in at the front.

PHIPPS

Oh, yes. Of course; how foolish of me not to have noticed it.

CORDELIA

Now, last year, hips were entirely out. This year, they're in again.

PHIPPS

They're in again?

CORDELIA

That means, the corset doesn't press in at the hips. Of course, a stout woman would naturally pull in at the hips, even now, but a thin woman would want to let out this season. Do you understand that?

PHIPPS

I have a little knowledge of biology. That helps some.

CORDELIA

Every woman, before the invention of my corset, has been a slave to fashion. Each season she has had to buy a new corset, according to what everybody else is wearing. But my corset frees her. That is why I call it the "Liberator." Can I get a patent on that name?

PHIPPS

You can get a trademark.

CORDELIA

Well, what I want is a patent. What do I have to do to get a patent?

PHIPPS

My charge for a patent, including one sheet of drawings, is seventy-five dollars.

CORDELIA

[*Surprised.*]

Seventy-five dollars! But a friend of mine, whose uncle once invented something or other that had to do with machinery—perhaps you know him—he said a patent only costs fifty dollars.

PHIPPS

That all depends. There would be considerable work in describing this. That is what counts.

CORDELIA

[*Aghast.*]

Do you have to describe it?

PHIPPS

Of course.

CORDELIA

Then how can I keep it a secret before I get a patent:

PHIPPS

The law requires it—besides, only the Patent Office Examiner will see it.

CORDELIA

Is he to be trusted?

PHIPPS

Of course. He is paid a high salary by the Government, so as never to be tempted to do anything dishonest.

CORDELIA

Very well. I'll take one patent and one trademark. Do I pay when I get them?

PHIPPS

It is my custom to require the payment of fees in advance, Madam. The custom of the profession, of course.

CORDELIA

Very well.

[She opens purse and discloses a large roll of bills, which plainly arouses PHIPPS' cupidity.]

PHIPPS

[Eying the roll,]

And how about foreign patents? I should think your invention would go very well in England, Canada, France, Germany, Austria, Norway, Sweden, Denmark, Italy, Russia, Spain, Portugal, Argentine, Brazil, Chile—and China.

CORDELIA

Splendid! Can I get patents in all those countries?

PHIPPS

Easily.

CORDELIA

I think I'll take those, too.

PHIPPS

I left out the Fiji Islands.

CORDELIA

The Fiji Islands? They don't wear corsets there, do they?

PHIPPS

Not yet. I should imagine they've been waiting for a really good corset to come along. It ought to be an excellent market.

CORDELIA

I will think it over.

PHIPPS

Very well. And now, will you please explain how the corset is used?

CORDELIA

You see this string here? Now this goes on here, and passes through there.

PHIPPS

Through there?

CORDELIA

And then down and out.

PHIPPS

Down and out? How's that?

CORDELIA

You've got the wrong string. It's this one—hold it.
[PHIPPS takes it.]

CORDELIA

Now, give me your hand. Bring that string under here. I'm afraid I can't show it to you this way. I'll have to put it on.

[CORDELIA takes off her coat.]

PHIPPS

[Alarmed.]

Don't you think you'll be able to manage—without going any further?

CORDELIA

Oh, I don't mind. I've been in the corset business so long, you know.

PHIPPS

There's a screen there, if you'd like——

CORDELIA

Very well.

[She goes behind screen, and soon reappears wearing her corset.]

CORDELIA

Now you will be able to understand it, Mr. Phipps.

PHIPPS

[In his happiest manner.]

It's much easier to appreciate the effect of an invention, when one sees it in use.

CORDELIA

Now the beauty of this corset is that it can be accommodated to all kinds of fashions—for instance, Mr. Phipps, suppose I want a flat front. I just pull on these two strings—so—tie them here, and there you are!

PHIPPS

[Taking pad of paper.]

So that's what you call a flat front. Is that old in itself?

CORDELIA

Oh, yes; flat fronts are old.

PHIPPS

Then we must patent it as a combination.

CORDELIA

A combination? No. That's a different thing entirely.

PHIPPS

That is what *I* call a combination, madam.

CORDELIA

You're entirely mistaken, Mr. Phipps. Perhaps you are thinking of a corset cover?

PHIPPS

No. We term it legally—a patentable combination.

CORDELIA

Ah!—I see. Now, this year, Mr. Phipps, waists are high, fronts in, hips out and backs flat. First of all, we get the waist high by tying this string; then we pull the front in by these short strings here, we let the hips out by unlacing here at the sides, and pull the back in on these cords which tie at the back. I'll tie them to show you.

[*She reaches behind and tries to tie them.*]

Would you mind tying them, Mr. Phipps?

[*PHIPPS tries to do so.*]

That flat back is quite my own idea. No other corset can give it. What do you think of it?

PHIPPS

I don't know. I'm really not a good judge.

CORDELIA

Can't you tie it?

PHIPPS

Not exactly

[*There is a commotion outside. The door, left, is suddenly thrown open. Enter MRS. PHIPPS, a stout, matronly lady of some fifty summers.*]

MRS. PHIPPS

Aeron, what *are* you doing?

PHIPPS

My dear, what's the matter?

MRS. PHIPPS

I said—what are you doing?

PHIPPS

I'm just giving this lady a flat back.

MRS. PHIPPS

A flat back! Oh, you base deceiver. This is why you were too busy to take lunch with me! I see through it all.

PHIPPS

My dear, this lady is a client of mine.

MRS. PHIPPS

Don't lie to me, Aeron Phipps. If you had clients like that, you'd *never* leave your business. I know you of old. I shall demand a separation immediately.

PHIPPS

Let me explain——

MRS. PHIPPS

You can explain in the Divorce Court.

[*Exit* MRS. PHIPPS. PHIPPS *rushes after her*. CORDELIA *sits on chair, opens the bottle of rat killer, and smells it. She seems about to drink some, but changes her mind. Enter* MRS. PHIPPS.]

MRS. PHIPPS

Where is my husband?

CORDELIA

He left here a moment after you.

MRS. PHIPPS

Have you no sense of shame?

CORDELIA

To whom do you imagine you are talking?

MRS. PHIPPS

Women like you are not fit to live. Before he met you, my husband Aeron was a man without vice.

CORDELIA

He looks like a bore.

MRS. PHIPPS

He might have been a bore, but at least he was a decent bore.

CORDELIA

I'm not at all interested in an insignificant creature like your husband.

MRS. PHIPPS

You brazen wretch; how dare you say such things to me?
[*Enter PHIPPS.*]

PHIPPS

Oh, here you are. My dear, it's all a mistake.

CORDELIA

[*Cuttingly.*]

Who is this woman?

MRS. PHIPPS

Woman? How dare you call me a woman? You hussy, you!

CORDELIA

[*To PHIPPS.*]

You allow me to be insulted in your own office? Is that the way for a lawyer to treat his client?

PHIPPS

I can't help it! I'm going crazy!

CORDELIA

I'm not going to stay here another moment.

[*She puts on her long coat and buttons up the collar.*]

I see through this whole affair. That woman there came here to steal my invention. I shall report the whole matter to the police immediately.

[*Exit CORDELIA.*]

MRS. PHIPPS

Good riddance! And now, Aeron Phipps, I'm going to shame you before the whole town. I'll report the matter to the Patent Law Association immediately! I'll sue you for a divorce! I'll have you disbarred! I'll ruin your practice! And when you're bankrupt, I'll sue you for alimony! That'll teach you a lesson!

[*Exit MRS. PHIPPS in a high dudgeon. PHIPPS falls limp and exhausted in a chair. Enter JOHNSON.*]

JOHNSON

Mr. Bangs wants to see you, sir.

PHIPPS

[*In a cold, hollow voice.*]

What does he want?

JOHNSON

He wants his bottle of rat-killer—and he says if you'll give him just one second of your time—

PHIPPS

[*In the same strange voice.*]

Ask him in.

JOHNSON

I can't, sir.

PHIPPS

Why not?

JOHNSON

I just shot him, sir.

PHIPPS

[*Relieved.*]

Johnson, you are improving.

JOHNSON

Thank you, sir. What shall we do with the body?

PHIPPS

File it away with the rest of his papers, and mark the outside of the wrapper "Abandoned."

JOHNSON

Very well, sir.

[*Exit JOHNSON, enter MISS DARLING.*]

Excuse me, sir, I can't read my notes. Did you say "nut" or did you say "mutt"?

PHIPPS

N—NUT—nut—nut—nut—do you understand me?

MISS DARLING

[Retreating.]

Thank you, sir.

PHIPPS

[Dramatically.]

I can stand this no longer. What does life hold for me? Endless specifications, millions of claims and oceans of testimony. Shall I die? Supposing I should find a patent system in Heaven? No—that can't be! In death, at least, I shall find peace.

[He raises the bottle of rat-poison to his lips, drinks and dies, with a smile on his face. Enter MISS DARLING. She rushes to his side, and sees that he is dead.]

MISS DARLING

Mr. Johnson! Mr. Johnson! Come quickly! Mr. Phipps is dead.

[Enter JOHNSON, who examines him.]

JOHNSON

He sure is dead, all right. [Smells bottle of rat-killer.] Gee, that must have been awful bad whiskey he was drinking. Why, Miss Darling, you're crying.

MISS DARLING

[Between her sobs.]

I can't help it. What a fine man he was, Mr. Johnson! How noble he looked as he walked around the office, the setting sun shining over his shoulder, dictating away for hours at a time. What a great brain he had, Mr. Johnson; equally at home he was, with a spinning machine or a door knob.

[Enter MRS. PHIPPS and CORDELIA.]

MRS. PHIPPS

[Sweetly.]

It was stupid of me to have made such a mistake.

CORDELIA

Don't mention it. Let me show you the corset.

[She opens her coat. MRS. PHIPPS is all curiosity.]

JOHNSON

I'm sorry to interrupt you, madam, but your husband is dead.

MRS. PHIPPS

[*Calmly.*]

Is he? [*Goes over to chair and examines PHIPPS' body.*]
Poor dear, so he is.

CORDELIA

[*Sympathetically.*]

Isn't that too bad!

MRS. PHIPPS

He seems to be quite dead, poor fellow. I hardly ever saw him, you know. He was always going down to Washington or New York or somewhere. Patent law is a hard business. . . . But please go on telling me about your corset.

CORDELIA

Very well—I'll explain about the flat back. But hadn't we better come around to my place, so that I can fit you?

MRS. PHIPPS

Of course. Johnson, take care of Mr. Phipps' funeral and see he is given a decent burial.

JOHNSON

Very well, madam.

MRS. PHIPPS

Oh—and you might let me know what time to be there.

[*Exit MRS. PHIPPS and CORDELIA.*]

MISS DARLING

[*Sobbing.*]

I am the only one that appreciated him—poor Mr. Phipps.

CURTAIN



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