

# THE ORIGINAL SCIENCE FICTION STORIES

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## JUST RUB A LAMP...

by Theodore L. Thomas

Illustrated by EMSH

What happens when some inventive genius tries to patent Aladdin's Lamp?

IT STARTED out to be just another hectic day at the United States Patent Office. The clerks in the Application Branch were all busy checking over the newly-arrived patent applications to make sure that everything was in order. Some checked the patent applications for omissions; others put the papers into jackets; others assigned serial numbers and filing dates to the complete applications; and others read the claims in each application in order that it could be assigned to the proper Examining Division. And right there for the first time an official

of the Patent Office read the one claim in the patent application of Herkimer Tree-limb.

The clerk read it and gulped and read it again. He snorted a loud laugh and said to his cronies, "Here's another one. This is the best we've had in years. Just listen to the claim in this application:

I claim:

The process of accomplishing anything one desires which comprises rubbing Aladdin's lamp, and demanding of the apparition thereby produced that said apparition

tion accomplish anything one desires.

"Brother," continued the clerk, "there's a guy whose gears don't mesh anymore. I've seen some screwball patent applications in my time but this one is it. I'd better tell the chief." So he took the application in and showed it to the chief of the Application Branch.

The chief called the Solicitor's Office for advice, and the Solicitor, as always, knew just what to do. "You can take care of it easily," he said. "Treat it just like those patent applications on perpetual motion machines we're always getting. Send back the inventor's filing fee; point out that he is claiming the impossible; and tell him to forget it. Nothing to it." The Solicitor hung up.

Exactly one week later, the Patent Office received its answer from Mr. Herkimer Treelimb, inventor. The answer consisted of affidavits from the mayor, the chief of police, the fire chief, a minister, and a Federal judge, all saying that Mr. Herkimer Treelimb had demonstrated to their complete satisfaction that said Mr. Treelimb did indeed possess Aladdin's lamp, and that the lamp worked as described in the patent application. There was also a rather nasty letter from Mr. Treelimb himself demanding that his patent application be examined like

anyone else's. Who did the Patent Office think it was, refusing to examine the application of a man who wanted to enjoy Aladdin's lamp exclusively and legally for seventeen years?

There was more in the letter, but the chief of the Application Branch didn't stop to read it. Instead he personally carried everything over to the Solicitor's Office and dumped it on the Solicitor's desk, "It's all yours. I'll have nothing more to do with it."

**THE SOLICITOR** glanced at the documents and immediately dispatched a law examiner to go to Mr. Treelimb's home in Maine to see for himself.

When the law examiner returned the next day, one look at his face was all the Solicitor needed. He picked up the phone and called the Commissioner of Patents and explained what had happened. There was a slight delay while the Commissioner asked a few questions and digested the answers.

The Commissioner decided it was too big for him, so he called the Secretary of Commerce. The Secretary knew it was too big for him so he called the President. The upshot of the series of phone calls was that an emergency meeting convened in the President's study the following morning. The entire cabi-

net was there, and not one of them looked as though he were enjoying it.

The Commissioner of Patents explained the situation in greater detail to the distinguished assembled company. He pointed out that Mr. Treelimb's patent application was in proper form, and that unless the United States Government seized it, it would have to be examined in due course.

The Attorney General interrupted to explain in a lackluster voice that the Supreme Court would not look with favor on such a seizure—a little matter of the Fifth Amendment, deprivation of property without due process of law.

The Secretary of Defense loudly asked what would happen if Mr. Treelimb commanded his genii of the lamp to produce a hydrogen bomb and detonate it over some site for which Mr. Treelimb had no fondness.

The Attorney General related how several F. B. I. agents had questioned Mr. Treelimb yesterday along those very lines. Mr. Treelimb had explained that he only wanted the legal monopoly to which he was entitled under the U. S. patent laws. His wants were simple, and he was a peaceful man; he wanted to retire. Once the seventeen years had run their course, after he got his patent, he would turn every-

thing over to the government. He didn't want anybody fooling around with his legal rights, so watch out or he'd sic that there genii on them; and here it is nine-thirty—don't you fellers ever go to bed?

The distinguished company sat in silence for quite a long time. One by one they shrugged their shoulders and looked at the President. It became painfully evident that just as in the making of all other weighty and unpleasant decisions—the President was not going to get much help.

The President ticked off the various courses of action and the reasons why none were satisfactory. Furthermore as a practical matter, just how do you go about taking property away from a man who has a genii at his disposal? There was no good answer.

THE COMMISSIONER discussed and discarded the possibility of putting a Secrecy Order on Mr. Treelimb's application. Mr. Treelimb could so easily let the news get out without violating the letter of the law, however, that a Secrecy Order seemed useless. Besides Mr. Treelimb somehow was doing a good job of keeping the public from learning about the lamp.

The President asked how long it would normally take

for Mr. Treelimb's patent to issue. The Commissioner of Patents guessed about three years. That gave them time to decide how to prepare the public when the time finally came for everybody to learn about Mr. Treelimb's unusual process.

And thus it was that the assembled dignitaries regretfully decided that the best thing to do was to do nothing, and hope for the best. The patent application was to be like any other application, processed and examined, just under the usual rules of secrecy that prevail in the Patent Office.

Now the Patent Office is overburdened with work; there are too many patent applications and too few Examiners. So it was just one year later that Mr. Herbert Hatton Patent Examiner Extraordinary, finally worked down to Mr. Treelimb's application.

Mr. Hatton had just finished writing an Office Action in a case. He sighed and pulled the topmost case from a huge pile of waiting applications on one corner of his desk. He noted the inventor's name—Treelimb—and then turned to read the single claim:

The process of accomplishing anything one desires which comprises rubbing Aladdin's lamp, and demanding of the

apparition thereby produced that said apparition accomplish anything one desires.

He read it again and then looked out the window for a moment. He shook his head, clucked sympathetically, and picked up the phone and dialed a number.

"Hello, Charley," he said, "This is Herb. Bridge tonight as usual? Good. Say, what I called about. I know you run a scientific library down there, but by any chance do you have a copy of *"Arabian Nights"*, or maybe it'll be listed under *"Thousand and One Nights"*? Yes. I'll wait."

"Oh, good, Charley. Look, find the story about Aladdin...Got it? Now find the part where he deliberately rubs the lamp to make old what's-his-name show up. Got it? Good. Read that to me, will you?"

As Charley read, Herbert Hatton ran his fingers along the claim in Mr. Treelimb's application. There was no doubt about it; the description that Charley read from the book matched the description in Mr. Treelimb's claim.

"Thanks, Charley," said Hatton. "Now what's the date of publication of that book? 1840? Fine. No, oh no, this isn't for my kids. I've got a patent application here where some fellow's trying to claim a process of rubbing Aladdin's lamp in order to accomplish

something. The poor man doesn't seem to realize that before you can patent anything it has got to be new. This fellow is trying to claim a process that has been written up in books for at least one hundred years; I'm afraid he's just wasted his money and time. Well, thanks, Char-

ley; we'll see you about eight. Bye."

Mr. Hatton marked the Treelimb application for Final Rejection and tossed it onto a small pile. He sighed and pulled the topmost case from a huge pile of waiting applications on one corner of his desk.