

## ABSTRACT

Title of Thesis: THE NOVELTY SEARCH OF PRIOR ART REQUIRES  
A LAWYER

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“Things are complicated” is a very true statement in which the vagueness is fitting, the utterance reprehensible and the implications impossible. But, things are complicated. They are not simply objects, although they might take the form; they might have mass and volume, substance and presence. But the object is tied to the act of perception, the thing is not; the thing can exist in no physical way but still maintain presence. What happens when encountering a thing? Does one rely on the tools of perception solely? Or is there something immeasurable in combination with what is present? Encountering a thing requires an ability to make connections, relate personally and internalize the situation. If the thing is known we put to work a relation of familiarity and if unknown the mechanism required for retrieval becomes infinitely complex.

THE NOVELTY OF PRIOR ART REQUIRES A LAWYER

By

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## Chapter 1. Beginnings

“Coming up next; making sure your new spring wardrobe takes into consideration the wetter weather with color and style on any budget. “

“And we’ll have our first guest Dr. Sara with us to discuss the value of reaching a higher level of spiritual companionship. “

“This and much mo...” The television went dark like one might imagine a star going out, all of a sudden starting from the perimeter toward the center leaving only a ghostly fuzzy spot at the center of darkness.

“Damned idiots. Isn’t there any real news anymore? Come on, people are suffering all over the world. The weather’s a mess, our planet’s a mess, I mean seriously?”

Freshly poured coffee sent off streamers of steam. The mug seemed alive as creamer fought off the darkness, ballooning and rolling within the mug. He always set out a spoon for stirring but never used it, something about the sound seemed out of place for such a time of day.

He owned a newspaper as well but preferred to yell at the television first, it got his voice a chance to get going. He had nobody to talk to otherwise and hated to catch himself talking out loud directed towards nothing.

He liked his morning ritual even though he didn't know it or give it much thought. Post coffee and a shower he was all business. His mind already working on what he needed to get accomplished during the day in order to feel like he'd gained some imaginary advantage.

...

As she opened and closed her eyes slowly, then faster, then as fast as possible she was still unable to decipher if it was physically easier to keep her eyelids open or closed. She tried squinting, then closing one eye at a time but this wasn't the same, both actions required more facial muscles.

Fascinated and annoyed that there was a part of her body she felt so unfamiliar with she bit the side of her bottom lip hard and with sustained pressure in attempts to get her mind off the subject. With a throbbing lip her annoyance compiled as she realized that when her eyelids closed a mysterious mechanism caused her eyes to roll upward and behind.

...

There were grooves in the table for no particular reason. It was not apparent what made them or for what purpose they served. Some force had to be exerted in their creation but there is no trace. There is no evidence that man or creature had a hand in their making. Was the table constructed originally to have grooves? This seems unlikely.

## Chapter 2. Things

“Things are complicated” is a statement used at will for any number of situations in which one wants no further investigation or interrogation. The thing itself remains undefined but is met with recognition or sympathy. The complication is implied to have come from unforeseen and uncontrolled external forces but clues are scarce. The thing and the complication both cohabitate between the lines of the real and the created. Like forms beneath a blanket, outlines apparent but no distinction, a fill in the blank with no prompt. “Things are complicated” is a very true statement in which the vagueness is fitting, the utterance reprehensible and the implications impossible. But, things are complicated.

The thing is all and not at the same time, existential and theoretical, tangible and circumstantial and dependent on factors of want and need. But just what the thing could be is totally contingent on the recognition by the participant. The thing is the largest in a set, the furthest removed and the most accessible. The thing is an outlet for what isn't necessary to define; to name it would be to lose it and to keep it is to maintain autonomy. Encountering a thing is complicated because perception is not the only measure of occurrence. Perception refers to the encountering of an object; the sensory input and neurological reception maintain physical grounding. The confusion between object and thing is inherent.

Things are not simply objects, although they might take the form; they might have mass and volume, substance and presence but these are all veneers of categorizing in attempts to make sense of matter. The problem with categorization is that it falls short; using tools such as labels, lists, charts and statistics that leave both too little and too much

room, ironically for interpretation. These tools are useful and if not put in place order would be an abstract afterthought. But what is missing in the tools that bark standardization is the understanding of the individual. Although the object is tied to the act of perception, the thing is not; the thing can exist in no physical way but still maintain presence.

What happens when encountering a thing? Does one rely on the tools of perception solely? Do we judge distance, wind direction and speed in attempts at accurately placing understanding? Or is there something immeasurable in combination with what is present? We all come with preconceptions; a hardwiring of what's up and down, left and right but what isn't so easily explained is the ability to draw upon direct and indirect experience. Encountering a thing requires an ability to make connections, relate personally and internalize the situation. If the thing is known we put to work a relation of familiarity and if unknown the mechanism required for retrieval becomes infinitely complex.

Familiarity can bring the person, place and thing into context. It starts with recognition and interpretation, from parts to a whole, with speed and then recollection in a cadence that can only be mapped out by retracing steps. The familiar has an offbeat sequence that circles in a trajectory only directed by clues of past experience. The familiar is what feels genuine, intimate and accepted in a way that only the personal renderings of living can allow. The familiar thing has qualities that move beyond quotidian definition to possess the descriptive fabric for narrative structure. There is a thing at the beginning of every conflict and at the end with ever resolution; the thing is the otherness that warrants the story.

The thing that mingles with the narrative is not always immediately apparent. The thing can be hidden from view as the storyboard is laid out. As the conflict is drawn into focus the thing emerges to those that carry content to the end and seek closure. When encountering a thing characters externalize the process for the viewer; this might be a look or an action, a narrated monologue, or is often the case a flashback. These tools keep the observer in the understanding that a thing is present because without the visual cue is confusion. Things are complicated because we are not often prompted, we cannot externalize the totality of our own thoughts and full comprehension is only an ideal theorized about but not practiced.

### Chapter 3. Anecdotal

The man who invented the modern dropped ceiling was named Donald A. Brown, patent number 2,984,946 issued in 1961 under the title “Accessible Suspended Ceiling Construction”.<sup>1</sup> A remarkable invention of some necessity but with the mediocrity of aesthetics attributed to work and institution. Brown used his invention to create the Donn Corporation, which at the time was the major manufacturer of hanging ceiling systems in the world. Making Brown very wealthy. He built a palatial estate complete with a garage that repositioned automobiles negating the need for reverse and a sunroom that would rise in the morning and descend in the evening. Donald Brown had a wife named Shirley and three son’s Keith, Kevin and Kenneth all of whom maintained some level of achievement and success. For instance Kevin Brown won several world speedboat championships in the 1980’s until tragically in a 1989 race he lost his life when his boat lost control skittering sideways into a wall of water and broke apart. Donald Brown sold his company in the 1986 but never truly stopped working. He maintained a full time workshop of engineers in his home to develop projects like a nuclear fallout shelter that could sustain up to eighty people for an undisclosed amount of time. On January 18<sup>th</sup> 2010 while traveling home from visiting family in Florida, Shirley and Donald Brown were killed when the small plane they were flying in crashed sum 1,500 yards from the runway; both the pilot and co-pilot perished as well.<sup>2</sup>

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<sup>1</sup> Brown, D. (1961). Accessible Suspended Ceiling Construction. *U.S. Patent Number 2,984,946*. Washington, D.C.

<sup>2</sup> Segall, G. (2010, January 20). Donald and Shirley Brown Launched World’s Biggest Drop Ceiling Business. *The Cleveland Plain Dealer*. Retrieved from: [http://blog.cleveland.com/metro/2010/01/donald\\_and\\_shirley\\_brown\\_launc.html](http://blog.cleveland.com/metro/2010/01/donald_and_shirley_brown_launc.html)

The common dropped ceiling elicits little recognition from those who walk under it; looking up at a seemingly endless grid of texture provokes little response. But with context one might for a second hesitate and linger on a thought. The dropped ceiling is meant to unify a space and make hidden the inner workings of a buildings nerve center and bone structure; air vents, water pipes, electrical wiring and the clues of construction are all tucked neatly away. What is created is false space, a kind of theater of homogeny that leaves the inhabitant with only the sense of moving through parallel plains of texture interrupted only by vertical walls and obstacles. The ceiling is defined; but there is some confusion with stacking flat upon flat; architectural anomalies are diminished and what the participant is left with is a facsimile of a structures interior rendering. The ceiling tiles work as spatial signifiers both visually and texturally but also with the auditory sense. Smell is not much a consideration with ceiling augmentation but sound is a notable factor in the creation of inhabitable space.

Modular ceiling tiles are constructed from minerals in a process of water felting that creates a fibrous substrate<sup>3</sup> in which sound can be absorbed and subsequently dampened. The engineering and implementation of something as seemingly simple as a ceiling has countless considerations not thought about by many. But that's the point; when something works and blends with the environment in a regimented repetitive way the only noticeable factors are flaws within the system. When a grid of ceiling is broken or obscured by defect one becomes more aware. When the constant dripping of a leaky pipe deposits onto the hidden side of a dropped ceiling, eventually the liquid wins out.

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<sup>3</sup> *Adobe Water Felted Mineral Fiber Ceiling Panel*; MSDS No. 41-200-001; USG: Greenville, MS, January 1, 2011 (<http://www.usg.com/rc/msds/panels/usg-ceilings/usg-adobe-msds-en-41200001.pdf>)

Water finds the path of least resistance in coordination with gravity, leaving behind a residual stain that blights the equity of the entire surface. It is this broken rhythm that causes alarm and notification that the hidden element is no longer passively dormant. The working reality of the world is messy; this is why the façade is constructed, it is easier to conceal than to come to terms with the gritty facts of waste and degradation.

## Chapter 4. Problems



Figure 1.

### Mitigation.

True silence is a rare occurrence that takes precedence over the other senses. The act of silencing requires conditions that are rarely individually controllable. Noise is everywhere. The spaces we inhabit are constantly humming with the static of electrical grids, the whistling movement of air handlers and the constant bombardment of grinding technology driven advancement. Silence is a valued commodity. Since the advent of the Industrial Revolution sound control has been a pressing matter. Lead has been used since the beginning to shield machinery and dampen noise. Lead has unique properties of density and malleability that disperse sound waves but concern lies with its toxicity. The world is ever reliant on caution. No longer can the personal items of a forgotten bag be

looked at with sympathy, it is now seen with maliciousness and fear. The theater of the public is confronted by surveillance, vigilance and protection, all mechanisms that trap the individual somewhere in the middle with imposing force.



Figure2.

Credenza.

Kings and nobles once had people taste food in attempts to guard against death. This grim reality comments not only on malevolence but also safe food preparation. The Credenza was the title given to these tasters, then to the room where they worked and finally to the piece of furniture the action took place on. This strange evolution of the word Credenza now recalls a piece of office furniture or the cabinet one might place a television set.



Figure3.

Seven Godiva.

Residue is an important signifier of life. The system of living always creates a byproduct. Consumption and expulsion are the reactionary processes for tangible existence. This residue is vulnerable to export and decay in an ever present cycle of both natural and intentional actions. There is an obvious tendency to clean, to make pure, to make substance congenial for consumption. It is within this distillation of matter and energy that allows life to sustain.

## Chapter 5. The End

Francis knew the likelihood of getting the job was low but the thrift store shirt and pants he forced himself to buy for the interview fit right. The shirt must have been thirty years older than himself but in better condition. He found it on the rack with the cardboard collar protector still buttoned in and shiny silver pins fastening the short sleeves to the back. The label said “Montgomery Ward, 65% Polyester, 40% Cotton, Little or No Ironing, Machine Wash Warm, Tumble Dry, Remove Immediately”. He couldn’t understand where the extra 5% was allocated; the shirt was thin requiring an undershirt and surprisingly not very breathable. The pants were okay, nothing he planned on wearing that often because he was unsure if he could pull off the permanent pleat on each leg. There was something strange about wearing an architectural angle from thigh to ankle, the straight lines didn’t make him feel tall just grounded like the angle iron of an old bridge, before everything was made out of concrete.

He sat on the train and tried to think about nothing. He noticed his mouth tasted terrible, metallic but not the taste of blood more like that of polluted well water. He moved his tongue across the backside of his teeth and along the roof of his mouth in a motion like that of scraping nature off the bottom of a shoe. He wondered if he blew it and just how badly his breath smelled. He noticed across the aisle of the train was a folded newspaper and before he knew it the paper was in his hands as he jolted noisily back onto the hard plastic chair he had originated from. It was the business section, not something he would normally read but he had time to waste and reading anything seemed better than acknowledging the state of his oral hygiene. The newspaper was unread, just folded once for extra mobility. He imagined a suited businessman with shiny tasseled

loafers and argyle socks daydreaming about the interior color of a new silver BMW he was going to buy and absentmindedly leaving the paper behind. On page two at the top it read “Montgomery Ward On the Outs, Pensions To Pay Millions”, he thought out loud, “That’s where the extra 5% went.”

## REFERENCES

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