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Flashes of genius, years of turmoil

By MARTI BENEDETTI, AUTOMOTIVE NEWS



Throughout his embattled life, Robert Kearns made it a point not to drive cars that featured his invention: intermittent windshield wipers. It was one way of protesting the injustice he felt had been done to him by automakers.

It is also an illustration of the man described by his children as "obstinate, determined, unique and unwavering." He was a 5-foot-7-inch veteran who never thought twice about the size of the person or the company when he took them on in a fight. Kearns won two of the most famous patent cases against corporations when he sued Ford Motor Co. and Chrysler Corp.

His invention and doggedness made his life—profiled by John Seabrook for *The New Yorker* several years ago—a fascinating story for the big screen. Nine years ago, movie director Marc Abraham got Kearns' permission to make the film.

The result is *Flash of Genius*, due in theaters Friday, Oct. 3. It stars Greg Kinnear as Kearns; Lauren Graham as his wife, Phyllis; Alan Alda as his lawyer; and Dermot Mulroney as Kearns' good friend.

Father of invention

Kearns was born in 1927 in Gary, Ind., and grew up in the Detroit suburb of River Rouge. He was drafted into the U.S. Army after high school and during World War II was a member of the Office of Strategic Services, which later became the CIA. After the war, he earned engineering degrees from the University of Detroit and Wayne State University, also in Detroit, while serving in the U.S. Marine Corps Reserves. He later worked for Burroughs Corp. in Detroit.

Kearns earned a doctorate in 1964 from Case Western Reserve University in Cleveland before becoming an engineering professor at Wayne State.

He got the idea for the intermittent wipers in the 1950s after a

ZOOM
In 1976, Pat Kearns, left, and his brother Dennis, right, found their father, Robert, in a Tennessee bus station after years of disappointment and frustration led to an emotional breakdown. He was "never the same," said Dennis.
JOHN SOBCHAK

champagne cork struck and injured his left eye on his honeymoon.

In an April 6, 1990, story in *The Wall Street Journal*, Joseph B. White wrote that the injury made Kearns "think about how his eyes worked and, specifically, how his eyes were periodically cleaned when he blinked. This observation sparked an idea: Why not develop windshield wipers that would 'blink,' too? That way, during light rain, the wipers would just occasionally clear the windshield."

Kearns and his wife had six children: Dennis, 54, a suburban Detroit private investigator who helped his dad with the lawsuits; Pat, 49, a Belleville, Mich., aircraft mechanic; Maureen, 44, of Detroit, co-founder of Inside Detroit, which does custom walking tours of the city; and Tim, 51; Kathy, 46; and Bob, 41, all of Maryland.

By 1962, the invention became a passion that Kearns worked on late into the night in the basement laboratory of his family home on Detroit's northwest side. He tinkered with the wipers on the family's Ford Galaxie 500 convertible.

"He would spend hours and hours down there, and he would explain to me what he was doing," Phyllis said. "That's when I started drinking coffee. He would ask me questions, and I had to know the answers."

In 1967, Kearns obtained a patent for his invention, Phyllis said. He encouraged a friend who was a supplier to Ford to try to sell his idea to the automaker.

As a Wayne State professor, Kearns gained an opportunity to show Ford engineers how the wipers worked.

"They called him in as a consultant," Phyllis said. "He was very idealistic. He thought it would be great if he could supply wipers to Ford. He thought it was the great American company, and he trusted them. He was very naive."

Said son Dennis: "Ford said it was interested. They said 'show us how they work, and we'll buy it.' But they did not buy the invention."

Dennis Kearns said his father was not paid for the consulting work on the wipers. "He did some consulting work for Ford later and was paid for that, but it was unrelated to the wipers," he said.

In 1969, intermittent windshield wipers first appeared on a Ford vehicle. "I remember some of the screaming and yelling" when Kearns found out, Phyllis said.

Court battles

In 1976, intermittent wipers that used a mechanism similar to Kearns' showed up on a Mercedes-Benz. This discovery and other pressures drove him into an emotional breakdown.

"He was taking apart the wiper unit of a Mercedes and snapped," Dennis explained.

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Kearns disappeared for days. He was found in a bus station in Tennessee, where Phyllis, Dennis and Pat picked him up. Dennis said his father's red hair had turned snow white, and he was "never the same."

After spending time in a psychiatric hospital in Maryland, Kearns came home. In 1978, he hired the suburban Detroit law firm of Harness, Dickey & Pierce to represent him in a patent infringement lawsuit against Ford.

After 12 years of legal battles, the courts awarded Kearns \$5.16 million, a fraction of the \$300 million he wanted. He appealed, and in the fall of 1990 was awarded \$10.2 million.

"The case was settled in a court of law two decades ago," said Ford spokesman Wes Sherwood. "We are focused on our future and our next innovations."

Sherwood added that Ford was not consulted before or during filmmaking by movie producers.

Over several years, Kearns filed lawsuits against more than 20 other automakers, including General Motors. He was awarded \$20 million in the Chrysler suit, which went to the U.S. Supreme Court. More than \$10 million of that went toward paying attorney and legal fees, Dennis Kearns said. The Ford and Chrysler suits were the only ones he won. "We (Chrysler) have not seen the film and cannot comment on its accuracy," Chrysler spokesman Michael Palese said in an e-mail. "Those interested in checking the film's accuracy—or whether it deals with the matter fairly and honestly—are free to find and review Chrysler's court filings, which we believe speak for themselves."

Palese added that the filmmakers did not consult with the company.

Family life

Maureen, Pat and Dennis said their dad resisted getting good-paying jobs, preferring to focus on inventions or selling his windshield wiper idea to the automakers. In 1968 he became building commissioner for the city of Detroit, but he lost that job in 1971.

He moved the family to Gaithersburg, Md., so he could take a job with the National Bureau of Standards, where he researched standards for tire friction.

Kearns' uneven work history meant his family struggled financially. "We ate a lot of peanut butter sandwiches," Maureen said.

His children said that even after he was awarded the money from Ford and Chrysler, Kearns lived a modest lifestyle. He drove inexpensive used cars. He owned a 1965 Chrysler New Yorker and a 1978 Ford F-150.

The years of court battles took a toll on the family, especially the couple's marriage. Robert and Phyllis Kearns separated in 1981 and had a drawn-out divorce that was completed in 1986. During the divorce proceedings, Kearns was held in contempt and put in jail for 90 days, Dennis said.

"He was fairly nonexistent for us," Maureen said.

"Once this (the lawsuits) started, he was not around," Pat added.

Kearns battled Alzheimer's disease in his last years and died of cancer in 2005 in Maryland. He was 77.

Movie premieres

Flash of Genius took two months to film in Toronto. Dennis Kearns was hired as a consultant, and the family reviewed the script before shooting began.

Said Dennis: "They adopted a lot of our changes. People on the set were amazing. They did a great job of replicating (everything). It is amazingly accurate."

He said the laboratory in the basement was built to the family's specifications. Even the dining room set is the exact same as the original.

Director Abraham "bent over backwards to get it right and make it as realistic as he could," Dennis said.

The court scene in the movie is actually a blend of the Ford and Chrysler trials but is presented as the Ford trial, he added.

The three siblings said being on the set during the filming was a thrill, but it was emotional. "My mom was in and out of teariness," Maureen said.

The film premiered at the Traverse City (Mich.) Film Festival in late July. The family had a private showing at a movie theater in suburban Detroit in June and were flown to Los Angeles for the premiere in September. The film also is being shown at a few other festivals, including the Toronto International Film Festival.

"Watching the filming was wonderful, but I cried most of the time," said Phyllis, 77, who lives in Payson, Ariz.

"It was very real. It opened up a lot of wounds and feelings. Greg Kinnear was so good. He talked to the kids and listened to tapes of Bob. He became Bob."

This article was last updated on: 09/29/08, 14:36 et

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GEORGE KORNELAKIS wrote:

Mr. Kearns you should feel very proud to stand in front of any automobile that has intermittent wipers. I first heard of your father's plight many years ago and wished him luck in getting some recourse for being slighted by the auto companies. When I heard that he won I was very happy for him although I did not realize the toll it took on him and your family.

I am an engineer by trade and I have occasionally had flashes of genius myself but usually have not pursued a patent. Your Father's story has made me aware that if I ever do pursue a patent that I will try to cover my bases. When I saw the trailer for the movie I immediately recognized the story within the first few seconds. I hope this movie will inspire people to not give up when faced with what seems an insurmountable challenge. Thank you for helping the producers create the movie as accurately as possible it makes for a better movie. I am looking forward to seeing it!!!

9/30/2008 4:10 PM EDT

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Dennis Kearns wrote:

What type of car should I drive when EVERY auto manufacturer infringed?

The foreign automakers just bought a copy of the patent for 50 cents, circulated it to their designers, who initialed it and copied my Dad's design.

Would you prefer a picture of me with my bicycle, or my horse?

I'm sure my Father is resting comfortably with his and my family's actions, and proud that this movie will continue to promote progress.

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tyak wrote:

Mr. Kearns sons, Pat and Dennis, should be ashamed of themselves for posing in front of a Ford Mustang. The company that stole his idea and drove him insane is used as their backdrop. How foolish. And shame on the photographer, too.

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