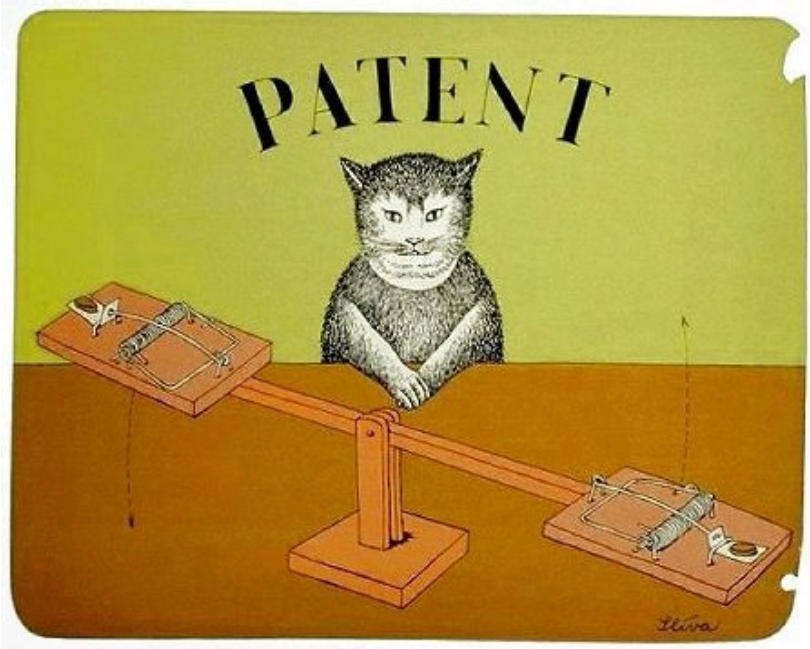
Patent Translation from Application to Publication

An Analysis and Annotated Translation of a Dutch Patent Application, Description, and Publication



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List of Abbreviations

EPC	European Patent Convention
EPO	European Patent Office
INID	Internationally agreed Numbers for the Identification of (bibliographic) Data
SL	Source language
ST	Source text
TL	Target language
TRIPS	Trade-Related Aspects of Intellectual Property Rights
TT	Target text
WIPO	World Intellectual Property Organisation
WTO	World Trade Organisation

1. Introduction

The protection of intellectual property is increasingly complicated and important in a society that loves economic profit. The increasingly global nature of the economic market has also increased the need for translation in this field. Patents are documents that protect the intellectual property rights of individuals in a specified territory and translation is often required to obtain this protection abroad.

According to De Groot, there is a growing demand for the translation of legal texts (2006:65) in an increasingly globalised society. Intellectual property law is only one example of an area of law that frequently requires translation. Other areas of law can also require translation of documents. However, the translation of legal texts is complicated and proper consideration needs to be paid to every aspect. Nevertheless, the translation of legal text is of vital importance to the global economy.

Chisum notes that the increasingly global economy makes the territorial scope of a patent problematic (1997). A product that is patented in one country (A) may be assembled in another country (B) with materials required in numerous other countries (C and D). Translation of documents, legal and otherwise, is often required within such a system. If a company based in another country (E) develops the same product, possibly with a similar system involving multiple foreign territories, and decides to sell this product in country (A) this can amount to patent infringement. In this situation, translation between the languages of countries (A) and (E) may be required in order for both parties to come to a settlement.

Legal systems and their individual rules are territorially bound and language reflects this difference. Like Šarčević, Cao notes that it is difficult to translate legal language due to a lack of equivalent terminology in different languages and legal systems (2010:192). This lack of equivalent terminology is further complicated by the lack of adequate legal dictionaries (De Groot, 2006:65).

The lack of equivalent legal terminology in not the only aspect that makes translating patent law difficult. Patents often involve technical and scientific language explaining an invention. Byrne notes the frequent requirement of technical translation within legal texts is an important reason to study it (2012:6). The patent in this thesis, for example, involves some technical and scientific language involving aquatic plant life and shipping.

This is a purely descriptive thesis that shows the difficulty in translating a patent this thesis will present an annotated translation of a patent application, description and publication. The annotation will describe individual translation problems—related to content and differences between languages—as they occur and offer solutions. In showing how these solutions were found this thesis will describe the how decisions on translation issues can be reached in legal translation as well as technical and scientific translation. These decisions are reached through careful consideration of the source and target languages as well as the best approaches to accurately translate lexical differences between languages. The lexical decisions and methodology can then be duplicated in similar future translations. The application form is the same for every patent application and as such a larger corpus is not necessary in order to show the difficulties of translating the patent application form and published patent. For translating descriptions a larger corpus might be preferable, but this is beyond the scope of this thesis.

The purely descriptive approach chosen in this thesis is useful as it fills a gap in the translation theory on legal and technical and scientific translation. There is no corpus that offers practical solutions to specific translation problems in these fields; nor is there any that presents solutions in dealing with two specialised fields of translation simultaneously. Describing a single translation offers more specific solutions to translation problems than a general study of previous translations.

To translate a patent properly there first needs to be an understanding of the legal framework. Since patent law is territorially bound, this thesis will discuss patent law in The Netherlands and abroad. Studying the differences between legal systems can show differences in priority as well as language. Cao notes a fundamental difference in the legal language of these systems (2010:192) and Bently notes an increasing divergence in the legal systems due to different national legal mentalities (2010:5) while concluding that divergence has been somewhat limited due to the global application of this law (2010:14). This divergence can be seen in the differences between the United Kingdom and the United State. The lexical differences and global application are useful in finding possible translations.

The focus on The Netherlands, United Kingdom and United States in particular is practical as this thesis presents a translation from Dutch to English. The United Kingdom is close to the Netherlands and their economic markets frequently associate, while the United States is globally positioned as one of the most influential markets in the world. Although other national

acts are equally interesting, the language use and legal environment in these systems will be of most use in translating a Dutch patent.

The global application of patent law is discussed after the domestic legislation. There are international agreements in place that affect national patent law. Most important are the Trade-Related Aspects of Intellectual Property Rights (TRIPs) agreement made by the World Trade Organisation (WTO) and the European Patent Convention (EPC) signed by various European countries. These agreements have caused tension in the international political environment frequently involving discussion on territorial rights and what can be subject of an invention. The discussion on this topic can also be a source of inspiration in solving future lexical problems.

Other than knowledge of the legal environment, it is important to understand the translation theory on the translation fields the patent application is part of. Translation studies, both general and specific, help create a better understanding on how to approach a translation and how best to solve problems when they are encountered. Translation theory helps in choosing a translation strategy and set up guidelines of use for this translation and any similar translation in the future. Vinay and Darbelnet (1995) are especially useful for this purpose as they set out practical, yet general, translation strategies that can be easily replicated.

Only after looking at the theory and deciding on a methodology can translation be attempted. The translation in this thesis is presented as a parallel text translation with annotations in footnotes that discuss the problems and important aspects to be aware of as they appear. The annotations discuss lexical problems, give warning about possible errors to avoid, and include grammatical issues if the sentence structure demands change in translation. The information in these annotations can be of help in solving problems of a similar nature in the future.

2. Theoretical Background

This chapter deals with the theoretical knowledge necessary in translating patents. The first section of this chapter discusses the legalities of patents in three countries—The Netherlands, United Kingdom, and United States—and two international agreements of most import to intellectual property rights in Europe, the EPC and TRIPS. The first section of this chapter will discuss the key differences between the individual patent acts and agreements and how these are important for understanding patents.

The second section of this chapter deals with the translation theory important for patent translation in three parts. The first part discusses general translation theory on how to approach a translation using Vinay and Darbelnet (1995). The second part discusses the difficulty of translating legal language and the third the difficulty of translating technical and scientific language.

2.1 Legal Analysis

If you knit a jumper, build a shed, or bake a cookie it is only logical that you have a right to own and use it that others should not interfere with, but intellectual property has no tangible objects and are therefore much more difficult to define and protect. A patent is a tool to protect the intellectual property of an individual. Intellectual property rights are still property rights even though they do not have the same features (Stevens, 2012: 921), but the rights provided by a patent do work differently from those applied to a jumper or a shed.

Over the years, patents have become increasingly popular and frequent (Caillaud, 2011:242). Patents offer exclusive rights to inventions and protect the intellectual property of the inventors or the companies they work for. Pila defines a patent in the *Oxford Companion to Law* as a document that "denotes the species of intellectual property that is granted […] for the creation and disclosure of novel, inventive, and industrially applicable inventions" (2009). The TRIPS agreement extends this definition by stating that patentable inventions are "any inventions, whether products or processes, […] provided that they are new, involve an inventive step and are capable of industrial application" (Article 27.1).

One important legal aspect to be aware of is that a patent is a territorial right (Pila, 2009). This means that patents are only valid, and can thus only be infringed upon, in the country they are applied for and published. However, there have been attempts to make international patents or European patents possible with international agreements, at present these attempts have not been completely successful. Pila notes that a reason for the lack of success are issues based on the view of liberal patent granting practices. A number of these issues will be considered in this chapter.

This chapter will discuss three national acts and two international agreements in order to help in understanding the legal framework the source text and translation are a part of. This is important as ignorance can lead to unfortunate translation errors that impede the functionality of the translation. The three national acts are chosen based on their relevance to the translation.

The first is the Dutch *octrooiwet* because this is the legal system the documents are a part of, the second is the British Patents Act because the United Kingdom is one of main economic associates of the Netherlands and its language the basis for European English discourse, the third is the U.S. Patent Act because the United States has one of the most globally influential economic markets and its English is one often taught to second language learners. Additionally, contrasting the British and American patent acts help highlight the main differences both legally and linguistically between the dialects as well as show those linguistic choices they agree on. Comparison with other national acts would be interesting but not strictly necessary or relevant to this translation.

Unfortunately, the legal documents all use different indications in the division of their text. Most of these indicative differences lie in the use of division titles like section, article, or chapter and the number of levels used. Figure 2.1 shows this division in the different legal documents.

TRIPS	**EPC**	***Rijksoctrooiwet***	**Patents Act (UK)**	**U.S. Patent Act**
Part	Part	*Hoofdstuk*	Part	Part
Section	Chapter		(Chapter indications)	Chapter
Article	Article	*Artikel*	# (section)	Section
# (paragraph)	(#) (paragraph)	(#) (*lid*)	(#) (subsection)	(a) (subsection)

(a) (subparagraph)	(a) (subparagraph)	(a) (*onderdeel*)	(a) (subsection)	(#) (subsection)
				(A) (subsection)

Figure 2.1 Act and Agreement division

This chapter will first summarize the contents of the three national patent acts (of the Netherlands, United Kingdom and United States) and then discuss the two international agreements most relevant for European citizens (the Trade-Related Aspects of Intellectual Property Rights agreement and European Patent Convention). While the topic of patent law is much broader and more legislation exists, these acts and agreements are of most importance for understanding the legal environment the documents translated in this thesis belong to.

2.1.1 Patent Acts

2.1.1.1 The Netherlands

Until relatively recently The Netherlands did not have its own patent law. It was in fact fairly common for countries not to have their own patent law (Cockbain, 2012: 18). When discussion of European patent law began, the Netherlands created the *Rijksoctrooiwet 1995*. The Dutch Patent Act sets out the legalities of obtaining a patent—*octrooi* in legal Dutch—in nine chapters, with a total of 114 articles. These nine chapters show what a Dutch patent protects, how it can be obtained, and how it can be enforced if infringed upon.

There are two main aspects to patent law to be aware of before attempting to translate documents vital to the application process. The first is the topic of a patent and the second is where the patent is of effect. Firstly, on the topic of patent inventions, article 2 of the *Rijksoctrooiwet* states that only new inventions can be patented and article 4 defines new as something that is not yet part of the regular application in a field of science or technology. Only those inventions that are significantly different from the norm and have not been defined, used, or patented before can be subject for a patent. This is in fact an aspect in all patent acts and agreements and is also incorporated in article 54 of the EPC, which defines the concept of novelty as something that is not "part of the state of the art" (EPC 54:1).

The Dutch Patent Act also excludes certain inventions from patentability. Article 3 of the Act presents several paragraphs on those inventions that cannot be patented. Inventions that involve medical approaches for any living creature (humans, animals, and plants)

(*Rijksoctrooiwet* 3:1) and even human cloning (*Rijksoctrooiwet* 3:2a) are excluded because of their importance for public health and the preservation of life.

Secondly, the territorial scope; article 55 of the Act sets out that the patent is of effect in the Netherlands and the Netherlands Antilles as well as any other territory where the Kingdom of the Netherlands has sovereign power. However, article 54 excludes ships and planes from Dutch territory. This exclusion is of particular interest because Chisum refers to an international patent infringement case between the United States and France (*Brown v. Duchesne*) in which a U.S. patented invention was used aboard a French ship that sailed into Boston Harbor. The decision concluded that the French vessel was French territory and therefore stated that there was no infringement but later led to changes in U.S. foreign policy to formally include vessels as a territorial part of their country of origin. These changes were later adopted abroad (1997:605). The fact that the Dutch law excludes their vessels as territory on which patent right are protected makes article 54 an anomaly.

The Dutch Patent Act sets out the application process in chapter 2. Article 24 states that the patent application needs to be submitted to the *Rijksoctrooicentrum* (Dutch Patent Office). The existence of a national patent office is the result of the EPC and in the Dutch Act is determined in article 15. The agreement and the national law both include requirements for the application of a patent. Article 11 of the Dutch Act states the need for the inventor to agree to the patent, a requirement that can also be found in EPC Section II, Chapter II. Other than the requirement to have the inventor's agreement there are also some specific requirements for the application form.

The application form needs to include (a) the applicant's name and address, (b) the inventor's name and place of residence, (c) a formal request for a patent, (d) a short indication of the invention, (e) a description including one or more conclusions on what is desired of the exclusive right the patent will give, and, finally, (f) a copy of the description of the invention (*Rijksoctrooiwet* 24:1), all of which needs to be done in either Dutch or English with the conclusions in Dutch (*Rijksoctrooiwet* 24:3). These requirements are all met in the document translated in chapter 4 below, where the applicant's name—also the name of the inventor—are both found on the first page of the application form—a form that is itself a formal request—the form also requires a short indication before the applicant's name is even asked and the description is attached.

When all requirements have been met, article 36 describes the process of publication. Paragraph 2 states that the patent office makes a note with a date on the application and the patent is entered into the national register. It is also possible to keep patents secret, but this requires the involvement of the Ministry of Defence. The specifics of secrecy are set out in articles 40 to 46 and can be important for national security, but are not generally required.

The topic of translation is broached in connection with the European patent in article 52. Paragraph 1 again states the necessity of either Dutch or English language use in the patent and if the EPC decides to give a European Patent translation may be necessary. These translations have to meet ministry requirements (*Rijksoctrooiwet* 52:2); translations that do not meet those requirements can actually interfere with the process (*Rijksoctrooiwet* 52:4b). Simple mistakes in translating measurements can lead to costly building errors or dead astronauts and accidentally changing the chemical makeup of a compound can lead to patenting the wrong invention or have explosive results.

The published patent is of little use without enforcement possibilities. The particulars on enforcement are set out in chapter 6 of the Dutch patent act. This area—despite being of little interest for the purpose of this translation—is of vital importance for the effectiveness of the jurisdiction, which depends on enforceability (Pertegás Sender, 2002:39). Stevens notes that especially Americans are obsessed with the matter of enforcement (2012:932).

2.1.1.2 The United Kingdom

A summary of the Patents Act 1977 is nearly identical to a summary of the Dutch patent act. Other than the numbering, the contents of the British Patents Act 1977 are not much different from the Dutch *Rijksoctrooiwet* 1995. The definition of novelty ("an invention shall be taken to be new if it does not form a part of the state of the art" Patents Act I:2(1)) is nearly identical to the Dutch section on the same topic. Even the requirements of the application form given in section 14(2) are similar.

One difference is the incorporation of the United Nations. The Patents Act 1977 incorporates the availability of inventions for the United Nations (Patents Act 56(3b)) in the section that deals with national security. While the Dutch act is mainly occupied with the agreement of the ministry of Defence, the British act involves international military security as well as "services to the Crown" (Patents Act sections 55-59).

Like the Netherlands, the United Kingdom has an Intellectual Property Office. This name suggests that they also deal with copyright and geographical indications whereas the Dutch office is solely occupied with patents. However, both acts are again similar in their dealing with European patents and their need for translation. The word *translation* is used twenty-nine times in the Patents Act 1977 while the word *vertaling* is used twenty-three times in the Dutch act.

2.1.1.3 The United States

The U.S. Patent Act has a different focus from the Dutch and British acts. Some differences—such as the fact that it is set up in Parts, chapters and sections rather than sections, chapters and articles—are obvious but most concern the subject matter.

Where the Netherlands and the United Kingdom incorporate the international market—particularly the European market—the United States has very few sections on the international aspects of patent law. Only the final three chapters in part IV discuss this international aspect from a practical perspective and only very briefly. Section 363 indicates how a U.S. citizen can apply for an international patent while the sections in chapter 37 state how international patents are converted into U.S. patents.

The U.S. Patent Act is mostly set up for the national market and its protection. The protection of the US market can be found in section 271, which states that a patented invention cannot be used or sold in the U.S.. However, this clause is similarly present in the Netherlands and the United Kingdom and can therefore not be viewed as illustrative of the protection of the national market. What can be seen as illustrative is the fact that section 105 claims any invention made in outer space, whether or not a vessel is registered to the United States, "shall be considered to be made, used or sold within the United States" (Patent Act Part II, Chapt. 10, Sect 105(b)).

Another difference in focus with the Dutch and U.K. patent acts is the inclusion of fees. Chapter 4, section 41 of the U.S. Patent Act lists specific costs for patents and their maintenance. Sections 361, 371, and 376 again refer to specific fees for specific actions while the Netherlands and United Kingdom never specify costs for patent application beyond the confirmation that a patent is enforceable upon payment. The Netherlands and United Kingdom have separately managed, fluctuating ministerial indications for the costs of patent applications.

While the patent costs are strictly regulated in the U.S. Patent Act, the subject of a patent is not. Unlike the Netherlands or the United Kingdom, the U.S. Patent Acts has no section on the exclusion of patents on plants (Patent Act Chapt. 15) or inventions of a medical nature. Section 101 defines patentable inventions as anything new and useful and no subject matter exclusions are included in the Act.

However, some similarities do exist. Like the United Kingdom, the United States requires all patent applications to be in English (Patent Act Chapt. 37, Sect. 371.5) and has set up an office to manage patent applications. The establishment of the Patent and Trademark Office is confirmed in chapter 1 of the U.S. Patent Act.

2.1.2 International Agreements

2.1.2.1 European Patent Convention (EPC)

The EPC is similar in form to the Dutch and British patent acts. However, unlike the national acts it also needs to define its own legal status and relevance. Article 5 of the EPC states that the European Patent Organisation (EPO) will enjoy the same legal capacity as legal persons under the individual national laws of the contracting states. Chapters I to V set up the European Patent Office including its resources. This is extremely important because the EPC is an agreement between individual states that does not belong to a pre-existing organisation or legal entity like a government or the European Union. Membership to the EPO includes the European Union but extends beyond this (Olohan, 2016:119). So leaving the European Union will have no effect on British membership in the EPO as all membership countries have signed individually.

Discussion around the creation of a European Patent actually predates the EU. Cockbain notes that there was already deliberation on the creation of a European Patent Office in 1949. As it was difficult to reach agreement, a committee was formed the following year that drafted to conventions that were signed in 1953 and 1954 respectively (2012:21). These conventions eventually led to the creation of the EPC in 1973, by which time most of the European countries that lacked national patent law, like the Netherlands, had had time to rectify the situation. The length of the process and the involvement of the individual countries is one of the reasons the national laws and EPC have such resemblance.

Pertegás Sender notes that, while the European nations have come furthest in harmonizing patent law with the EPC, there is no central system of enforcement (2002:9). The EPC does not include any articles on the enforcement of patents; it is entirely left to the discretion of the separate nations. However, the extended harmonization can easily be seen reflected in the national laws. The Dutch and British patent acts are very similar and both include detailed description of European Patent Applications.

The place of the European Patent within the separate contracting states is set out in Article 66 of the EPC, which states that it will be the same as a national patent. The national law dominates, but the European Patent is a tool to easily acquire patents in multiple countries (Carr, 2010:88). This may seem ideal and easy in practice but the European patent is in effect a "bundle of national rights" (Stauder, 2005:294; Pertegás Sender, 2002:6). This means that infringement will need to be handled separately in individual countries and some confusion still exists as to the territorial scope of patent and its enforceability.

Other than setting up a central office to easily acquire patents in multiple countries, the EPC also includes agreement on those inventions that can and cannot be patented. Article 53 is on the exceptions to patentability and specifies that plants and animal genetics as well as medical techniques and materials cannot be patented. The exclusion of medical techniques and genetic material is a sensitive issue internationally. Chisum notes the displeasure at the loss of income this causes medical suppliers as well as the fact that some countries, like the United States, may be of the opinion that Europe does not help in contributing to medical research but still profits of those medical inventions patented in the United States (1997:617). He claims that "allowing Europe to enjoy the fruits of the research without having paid a fair share of the costs necessary to produce them is exactly the sort of free-riding that the international intellectual property system strives to prevent" (1997:617) with international agreements like TRIPS.

2.1.2.2 Trade-Related Aspects of Intellectual Property Rights (TRIPS)

The TRIPS agreement is the manifestation of a global effort to harmonize patent law. "The agreement obliges members to provide minimal enforcement mechanisms" (Pertegás Sender, 2002:7) yet still leaves much to be desired. The TRIPS agreement may include patent law, but it is not limited to this. The agreement provides articles on multiple aspects of intellectual property law as well as a lengthy discussion of geographical indications.

The section on patents has eight articles in total, most of which provide freedom for member states to decide their own legislation and none of the articles include the prevention of using medical inventions made in the United States in other countries. The TRIPS agreement is an agreement set up by the World Trade Organisation (WTO), which in turn has an agreement with the World Intellectual Property Organisation (WIPO) in order to best protect intellectual property on an international level.

The TRIPS section on patents starts by defining the inventions that can be patented, but the agreement itself does not exclude any inventions. Instead, paragraphs 2 and 3 in article 27 state that the members are free to exclude inventions from patentability within their own territory. However, paragraph 3 subparagraph b does state that protection of plant varieties is mandatory and if this is not done with a patent other protection must be offered.

Heath notes that the provisions in the TRIPS agreement are highly convoluted and involve mostly watered-down version of proposals brought in by Europe (2005:119). However, Heath also notes that the agreement has helped create significant change in Asia, especially economically, where many countries of the ASEAN[1] community have managed to adopt the TRIPS agreement into their national law (2003:3) in a similar manner to the inclusion of the EPC within individual European countries.

Despite the fact that the provisions are watered down and provide very little obligation, the TRIPS agreement has sparked discussion on the extent of its power and potential interference in national legislation. Kamperman Sanders notes that the problem seems to lie in the fact that the United States does not seem to be of the opinion that the TRIPS agreement should be extended while Europe prefers stricter regulations (2005:132). This observation on the United States' position on Geographical Indication in the TRIPS agreement aligns with Chisum's observation that the United States does not like Europe free-riding on genetic research (1997:617) and may be a reason further international harmonization of patent law is not on the horizon.

[1] The Association of South East Asian Nations (ASEAN), like Europe, has set up several agreements on intellectual property of their own including a regional filing system (Weeraworawit, 2003:254).

2.1.3 Conclusion

This chapter has shown that the Dutch and British patent acts are remarkably similar due to the fact that they follow the lead of the European Patent Convention. This convention, in turn, is an extended version of the TRIPS agreement, which—due to issues on patent subject matter—is exceedingly vague.

These acts and agreements show that patents are territorial rights on new inventions obtained by individuals. The territorial scope is the most important aspect of the patent and the novelty of the invention the most important requirement. The rights provided by a patent are protected on a national level and each individual nation is obliged, by the international agreements they have signed, to enforce these rights. The national acts also offer requirements for the patent application process and thereby help individuals in the process.

Understanding this legal framework helps place the source text (ST) and provides both possibilities and limitations for the translator. Limitations come from the rigid form the different acts and agreements set out while the possibilities come from the differences between these acts and agreements and the freedom of the subject matter. The translator will need to be aware of the legal aspects of the form and its uses as well as the technical and scientific language used in the product descriptions.

2.2 Textual Analysis

2.2.1 Introduction

Three documents involved in acquiring a patent in the Netherlands are translated in this thesis. First will be the application form; the application form is a neutral document designed to be used for all patent applications no matter the subject area of the invention. The document is five pages in total and includes payment information on the final page. The first four pages of the application are divided into twelve subject blocks. The patentee has to indicate the applicable options by signing a cross in an empty square box.

Internationally, there are significant differences between the standard forms of patent applications. The EPO offers a document (request for a grant of a European Patent) similar to the Dutch form with square boxes that need to be ticked or filled in. This form, like most of the EPO's official documentation, is trilingual, always using first German, then English and then French on each issue where the Dutch form only uses a single language.

The U.S. Patent & Trademark Office only offers HTML versions of its patents and applications and, while the information required in those applications is the same as that in the Dutch, they do not have a standard form to fill in. The American application is less rigid and more textual, requiring claims on the capabilities and purpose of inventions as well as the description, abstract and contact information. While the order in which the information appears is always the same it is not done on a form.

The same is true for Korean patent applications, which order their information slightly more neatly and easily accessible then their American counterparts using coloured headings for new information segments and a more readable format. However, the Korean published Patent does not use INID (*Internationally agreed Numbers for the Identification of (bibliographic) Data*) referencing while the Dutch Patent does. INID referencing are international numbers that easily signal to a reader what information can be found on the form and where.

Although the Dutch patent form is not unique in its presentation, other countries may require different formatting in their patent applications. However, all patent applications include the name of the inventor, the name of the applicant, the address of the applicant, the name of the agent, and a description of the product. Since this information seems to be required invariably, a translator should expect to find it and make note if it is absent.

The second document is the description; this document is an appendix to the application and describes the invention in more detail. The description is set on a single page with line number indication in front of every fifth line. This is the document where most technical and scientific language will appear, as it is a description of an invention.

The final document is the publication. This is the official document as it is entered in the *Octrooiregister*. The document includes the official seal at the top as well as a very brief description of the invention. The INID indications come in the form of a circled number preceding every element except for the footnote.

The documents each provide some difficulties of interest for a translator. The application form frequently uses a method for indicating multiple options useful in written texts. Terms such as *ondergetekende(n)*, *aanvrager(s)*, and *uitvinder(s)* all indicate a singular and plural option without having to repeat a term while a construction such as *vestigingsplaats en –land* uses a form of ellipses to avoid repetition. The pluralisation is possible in English but the ellipsis is not.

The difficulty in translating the description lies in the technical language used. The sentences are lengthy and often complex and there are frequent uses of terminology that involve aquatic plants and shipping. The technical translation aspect will be discussed in chapter 2.2.3.

The publication form combines the difficulties of the codes also used in the application and the technical language that appears in the description. In addition to this, there is a possible confusion in date indications as the Dutch norm of day-month-year is mostly used but there are variations in punctuation and some dates do not include the day and are then indicated backwards by stating first the year and then the month.

This section will briefly discuss one of the primary texts in translation theory before moving on to the difficulties of scientific and technical translation and how to solve translation problems in this field. After this, comes a section on legal translation that will also touch on the conflicts between these two fields of translation. Understanding the problems that occur in the specific fields of translation applicable to patent application will help in translating it.

2.2.2 Translation Theory: Strategies and Procedures.

Translation theorist have long discussed the theoretical aspects of translation and discussed the approaches they prefer. Many theorists have presented different sets of approaches with occasionally overlapping elements. One aspects almost all theorists have in common is that they

mention the need to consider the type of text and its purpose. These aspects determine the possibilities. Venuti offers a brief summary of translation theory in which he mentions the much-debated concept of equivalence (2012:85) as well as several of the most notable translation theorists, such as Berman, Nida, and Schleimacher. All theories offer valid research and arguments discussing notable problems and occurrences in translation, but few are as practical as Vinay and Darbelnet. Not all theories, however, are relevant to this thesis and the practical application of patent translation it intends to help even if all add value to the field.

Vinay and Darbelnet did a contrastive study of French and English in which they categorized changes created in the translation and provided methods for translation (1995:10). The method consists of several translation choices that are influenced by the purpose of the translation and its context. Categories, consisting of strategies and procedures, are a popular choice among translation theorist when providing advice. Byrne, for example, offers several translation techniques specifically for technical and scientific translation based on their model (2012:118-124).

Despite the fact that Vinay and Darbelnet's research was lengthy the number of strategies and procedures was limited. The basic methods—which Munday (2012:86-88) calls strategies—are direct and oblique translation. The main difference between the two is whether to translate word-for-word or sense-for-sense (1995:31). Direct translation matches the ST more accurately in word choice and sentence structure while oblique translation pays more attention to the maintenance of style and effect. Choosing a strategy is a matter of priority; deciding whether lexical matches are more or less important than the impact of the translation can guide to the translation procedure that will most effectively help in attaining that goal. Figure 2.2 below discusses the various procedures that can be used within these strategies to create a translation.

Strategy	**Procedure**	**Explanation of procedure**
Direct translation	Literal translation (V&D, 1995:33)	This is a word-for-word translation in which the word order is preserved.
	Borrowing (V&D, 1995:31)	The SL term is transferred into the TL without change. Munday notes that this is a common choice in many technical fields (2012:86).
	Calque (V&D, 1995:32)	This is a form of borrowing in which the borrowed term is translated literally without semantic change.
Oblique translation	Équivalence (V&D, 1995:38)	The use of terms and phrases that have the same sense if not structural or stylistic use.

	Transposition (V&D, 1995:36)	This is a change in parts of speech (e.g. verb to noun). This is either obligatory or optional based on whether the change is necessary or not.
	Modulation (V&D, 1995:36)	A change in the semantic point of view (Munday, 2012:88). Like transposition this can be obligatory or optional. Munday offers nine types of modulations 1. Abstract-general or particular-general 2. Explicative: effect-cause 3. Whole-part 4. Part-another part 5. Reversal of terms 6. Negation of opposite 7. Active-passive 8. Rethinking of intervals and limits in time and space 9. Change of symbol
	Adaptation (V&D, 1995:39)	Changing a cultural referent because it does not exist in the TL.

Figure 2.2 Table of strategies and procedures based on Vinay and Darbelnet (V&D).

2.2.3 Scientific and technical translation

The field of scientific and technical translation is a complicated field for translators. This difficulty arises from the fact that it involves not only transferring syntactic structures but also translating technical terms—the meaning of which is often not known to the translator and it is also not always available in dictionaries (Zambrana, 2010:295). Byrne and Olohan also note the lack op proper bilingual dictionaries for scientific and technical translation. Olohan in fact encourages the use of CAT tools (2016:45) in order to create personal or shared translation memories that include terms and phrases frequently used in translation of patents (2016:123). She also notes some useful term bases such as CLIR (Cross Lingual Information Retrieval), a system that can provide potentially equivalent terms based on bilingual dictionaries created from corpora of patents (2016:125).

Olohan states that “patent application is a communicative event” with a communicative purpose (2016:107). The application is a request and the patent specification is a declaration (2016:108). Unlike other fields in scientific and technical translation, patents have a tendency to have generalized descriptions (Olohan, 2016:131) that are always written in the present tense (Meraw, 1993:112). A translator needs to pay meticulous attention to detail in order to translate a

patent correctly and make sure there are no factual errors. If a translator makes a factual mistake this can be costly and even dangerous (Byrne, 2012:67).

Herman notes that it is important to be correct in technical translations. This means being accurate in the translation of ideas and technical terms as well as producing an accurate technical document (1993:18). Naturally, the need for a correct document in part depends on the client's requirements.

Using Byrne, Herman, Meraw, and Olohan it is possible to create a list with scientific and technical translation advice specifically for patents:

i. **Be correct**. "A translation of technical prose, though non-literal, should convey the exact meaning of the original text as directly as possible" (Herman, 1993:13). However, the translation still needs to be readable which often means recasting the sentences in doing this "purposeful ambiguities, ungrammatical constructions and sound combinations that call attention to themselves are the province of literary translation" (Herman, 1993:13) and as such need to be avoided. Olohan, too, notes that "lexical variation for purely stylistic reasons is not recommended" (2016:132).
ii. **Be clear**. Conveying the correct information in unclear language does not help a reader in understanding the information. Clarity can require repetition or the deletion of repeated information (Herman, 1993:16).
iii. **Be consistent**. Focussing on consistency is important in translating patents, numbering and crosschecking all the separate elements of a patent application may help in both being correct and consistent (Olohan, 2016:129). It is not uncommon to find inconsistencies or errors in the source text. Olohan urges to retain the inconsistencies but to add a translator's not to explain it (2016:129). These notes are not unusual (2016:130); Meraw, too, advises the use of a translator's note when necessary (1993:111) while the best advice in translating alternative expressions is to leave them as they are (1993:114). Simple linguistic errors, however, "can be corrected without any fuss" (Byrne, 2012:162). These simple errors can come in the form of misspelling of words, incorrect punctuation, unclear or awkward language, or grammatical errors.
iv. **Use correct numbers**. Meraw notes that patent claims are always numbered with Arabic numerals (1993:112). Some of the sections in the Dutch patent application are similarly

numbered while other sections are numbered with roman numerals. The best advice to follow in translating numbered sections is the advice Byrne offers for the translation of measurements: “Leave them alone” (2012:157). Similar advice is given in the translation of currency. However, currency provides a further problem in its written form (Byrne, 2012:158). Often there are numerous possibilities for the written form and the indication for the U.S. dollar ($) has an added problem of interpretation. It is often used as an indication of any currency rather than one specific. Byrne offers checking with the client as a solution to this problem (2012:159).

v. **Retain punctuation**. Meraw notes the importance of keeping parenthesis, brackets, dashes and underlining as they are (1993:116). In the advice for scientific and technical translation, the advice often involves not translating information or to change it as little as possible. It may be preferred to rewrite sentences for the sake of clarity; the correctness of the translation seems to be a more important aspect in scientific and technical translation. The English rules of punctuation do permit some level of individuality as they are not rigid, but “any punctuation that is an integral part of the standard format cannot be changed” (Šarčevic, 1997:179-180).

vi. **Do not change the address**. However, “if a document does not identify the country, consider adding the country” (Byrne, 2012:169).

Naturally, there is more advice and literature that can be consulted. Regulatory documents, like patents, have a certain overlap with legal translation. As well as highly specific scientific and technical language, documents can contain varying amounts of legal terminology and constructions (Byrne, 2012:67). Byrne notes that this legal dimension is especially apparent in the case of patents (2012:67). Since these guidelines are not overly strict or regulatory any possible conflict with legal translation would be easily resolved. Accuracy is of as much importance in legal translation as it is in technical and scientific translation.

The circled numbers that can be seen on the Dutch patent publication are an example of the specific legal terminology. Although the numbers themselves should not be translated, as is stated in iv above, it is important to be aware of what these numbers refer to. Olohan notes that number indications such as these are usual on patents and refer to INID codes (2016:111).

INID stands for *Internationally agreed Numbers for the Identification of (bibliographic) Data*. This is a system used by patent offices worldwide and each number corresponds to a specific bibliographic item. In this way it is easy to access and identify each aspect of the published patent for what it is even if the patent is not written in a language that a specific reader can understand. The aim of INID is to overcome difficulties in identifying bibliographic details in patent documents (WIPO, 2013:3.9.0). The meaning of the specific INID references used in this patent publication can be found in Appendix IV.

2.2.4 Legal translation

The indication "legal translation is used as a generic term to cover both the translation of law and other communications in legal settings" (Cao, 2010:191). Much of what it is important to look at in scientific and technical translation applies to legal translation. Šarčevic notes that translators have to strive to be as accurate as possible in translating legal documents (1997:65). This advice is similar to the first guideline presented above in chapter 2.2.3. In fact it could be argued that all translation of any type of specialized document has a similar set of limitations to keep in mind.

In the case of legal translation this may be specific to legal knowledge, but Šarčevic simply states "specialized translators also need a certain amount of expertise in a particular subject" (2010:192). Despite the fact that Šarčevic is referring to legal knowledge, this phrasing is general enough to be applied to any specialized field, including scientific and technical translation. Furthermore, Cao notes that legal language is a technical language (2010:192). If it is taken as such, all of the above information on scientific and technical translation also applies to legal translation.

However, literature on legal translation does provide some further difficulties specific to legal translation. Cao notes that "a basic difficulty in legal translation is the absence of equivalent terminology across different languages" (2010:192). Šarčevic notices this absence of equivalents too and urges equivalence of any form, determining that near equivalence and partial equivalents are the preferred options but if these are impossible to look for alternative equivalent terms (1997:254). This difficulty rises from the differences between legal systems and could potentially create conflict depending on the purpose of a translation. If the purpose of the translation is to function in a different legal system requiring changes in the text, then it may be necessary to

decide whether changes to comply with legal requirements trump the desire to stay close to the source text.

In the case of patents this is not necessarily a problem as the requirements do not differ much and most of the technical and scientific information is found in the abstract and description. The description is a separate document that is appended to the application and does not involve any legal language or requirement other than to accurately describe an invention. Most of the legal aspects of the text can be separated from the technical and scientific aspects; any conflict can likely be solved by prioritizing the purpose of the translation.

Following Šarčevic' advice to look for equivalent terms can easily lead translators to conflict rather than solution. The matter of equivalence in translation is a notoriously difficult one. The term itself can be used in numerous ways and even if it is taken to mean 'a word or phrase in the target language that is as similar to the source as possible so that it might be understood as the same,' there is no agreement within the field of translation studies as to what extend similarity between concepts needs to go in order to be considered as equivalent and which aspects are of the most importance. For Šarčevic, the most important aspect is that the new text preserves the intent and leads to the desired result in practice (1997:121).

Cao notes that a reason for the absence of the possibility of equivalence is that it is impossible to transpose one legal system into another due to differences in the historical development of the separate systems (2010:192). Full equivalence, according to De Groot, is only possible in bilingual countries where the ST and TT deal with the same legal system even though there is no single legal language (2006:67).

Based on Šarčevic, de Groot offers three ways of solving problems in legal translation: to preserve the source term and include an explanation (2006:68), to paraphrase or use a descriptive equivalent, or to use a neologism (2006:70). These solutions are only necessary if there is no standard translation available and bilingual dictionaries offer no solution.

As Zambrana, notes the lack of dictionaries for scientific and technical translation (2010:295), De Groot also notes the lack of bilingual legal dictionaries (2006:65). De Groot's list of criteria to be met is rather lengthy so it would be a great accomplishment for any legal dictionary to meet his requirements (2006:73).

2.2.5 Conclusion

After deciding the approach to take in a translation it is important to understand the translation fields a text is a part of as individual fields each come with their own set of problems. Knowledge of scientific and technical translation and legal translation can help in translating a patent correctly. The most important aspects in translation are to be correct, clear and consistent. Being correct is difficult as there are very few available dictionaries for finding equivalent terminology and true equivalence is impossible.

Equivalence is itself a difficult concept since there is no agreement on what it means and the differences in the development of separate legal systems have led to them having different concepts. Advice on this issue tends to be to find a term that is as close to the intend of the ST as possible and if this still leads to confusion it may be best to prioritize the purpose of the text over any similarity in wording.

The last problem in translation comes in the form of errors and mistakes in the ST. These can be either fixed in translation if they are minor or translated as such with the addition of an explanatory translator's note in order to provide a TT that is both pleasing and useful. With enough scrutiny and care it is possible to create a document that is as factually correct as possible.

3. Methods and Materials

3.1 Introduction

This chapter briefly discusses the purpose of the translation, how it is presented and which strategies and procedures have been implemented in translation. The purpose of this chapter is to inform on the key elements that have been vital in the decision processes during translation.

The first section of this chapter discusses the intention of the translation, as these are the driving force behind all decisions. This will be followed by an explanation of which strategies and procedures have been used in translation, some specific examples of recurring problems, and finally a section on some of the materials used in solving individual translation problems.

Explanation of problems and solutions in this chapter are of a general nature since individual translation problems are dealt with in detail in the next chapter.

3.2 Intentions of translation

The documents translated in this thesis are official documents designed to create an exclusive right. Although a corpus of a single text can usually not be seen as representative for a field, these documents are highly formalized and all other applications and patents, with the exception of the product description, are very similar. Other than the personal data, all patent applications look the same. The same can be said for the published patent, which has a set format.

The translation of these documents is not meant to function as a legal instrument, but to show how a Dutch patent application works and to give information on how to translate similar documents properly. In order to accomplish this, the translations need to be as close to the ST as possible while still rendering acceptable sentence structures and understandable wording.

The translations are accompanied by annotations on translation problems that discuss the decision process on the individual problems as well as show some potential pitfalls. These annotations are found in footnotes that first show the subject of the footnote, then discuss why this is a problem before discussing why a translation was chosen. These annotations can then be of use for future translations of a similar type as well as help illustrate the difficulties of translation to laypersons.

The final step in translation is not incorporated in this thesis. This step would be the production of the final layout. Instead, the translation is shown parallel to the ST in order to make comparison easier. Professional translators would likely be using a CAT tool in order to accomplish consistency in the translation and render a translated document with the same layout as the ST. CAT tools keep you from having to deal with the layout manually (Olohan, 2016:45) but a CAT tool is not useful for the purpose of an annotated translation as only the final product would be visible and annotations are difficult to incorporate.

The parallel text translation that is used instead makes textual differences easily visible and the inclusion of the annotations on the same page offers more easily discernable problems and solutions. The ST is shown on the left and the translation on the right. Footnotes are indicated in the translation using numbers in superscript.

The annotations discuss terminology that is difficult to translate, translations that can easily be done incorrectly, grammatical difficulties or anomalies, including punctuation, and deviations from the main translation strategy. Some annotations are fairly short while others are lengthier; this difference depends on the complexity of the problem. It is impossible to give a single solution for all translation problems and as such all problems are dealt with individually using dictionaries and literature relevant to the individual problems.

3.3 Strategies and procedures

While there is no single solution for all problems the approach to the translation can be uniform. This approach follows from Vinay and Darbelnet discussed in chapter 2.2.2 above. The general strategy used in translating the documents is a direct translation as this will keep the translation as close to the ST as possible. This strategy also corresponds with advice not to make any changes in the guidelines found in chapter 2.2.3.

Naturally there are problems that cannot be solved using the procedures for direct translation. English grammar conventions or the lack of adequate terminology sometimes demand more creativity. In those cases oblique translation procedures are used and annotated. Modulation is rare in the translation as semantic changes are in conflict with Herman's and Olohan's recommendations not to alter the text for purely stylistic changes. However, some stylistic changes are necessary to increase readability.

Other than changes to increase readability, sometimes another translation option is preferred to comply with the guidelines set out in chapter 2.2.3. While direct translation mostly complies with the guidelines, there are instances where a different translation choice can be made in order to increase clarity and correctness. These guidelines are prioritised over compliance with the procedures of the direct translation strategy. Most of these instances are solved with the oblique translation procedure équivalence. Other oblique translation procedures, as set out in chapter 2.2.2, are mostly avoidable.

3.4 Translating Dutch Laziness

In the previous chapter on Textual Analysis two examples of problems that would be encountered in translation the patent application, description and publication were mentioned. The first problem was one of ellipses and the second one of date indications. These two examples and their translation solutions are discussed here.

An ellipsis is the omission of information and its replacement with dots or dashes. However, in Dutch there is an additional form of ellipses in which the repetition of parts of compound nouns can be avoided by replacing it with a dash. An example of this can be found in the application form: *vestigingsplaats en –land*. This construction avoids repeating the segment *vestigings* as the dash implies it belongs in both compounds. This dash can also be used differently; *middag- of avonduur* has the dash implying the repetition of *uur*. Here the dash is used to replace the second component in the compound noun rather than the initial segment and the ellipses takes place before the ellipted term initially occurs; there is an expectation for the second element of the compound rather than omission of the first.

This form of ellipses is impossible in English and the easiest solution is to translate it as two separate terms. For the first example there are no single word translations of the separate compounds so a phrasal solution, *place and country of residence*, would be preferable either way. This solution also avoids repetition in placing *of residence* at the end.

The second example of an expected problem is that of translating dates. The guidelines in chapter 2.2.3 advise to be exact and not change the dates. However, the guidelines also advise consistency, while the documents have four different ways of referencing dates: *23 JUNI 2006, 23.06.2006, 2008/03,* and *2006.01*. The first of these examples is found in the application form

and the other three in the publication. When looking for information on writing dates in academic writing the advice is to keep the dates simple with clearly separated numbers and, in the case of British English, without commas (Hannay, 2009:241) similar to the way the date in the application is presented.

The other dates pose a potential problem if they are transferred. While the use of day-month-year is the norm in the Netherlands, other countries order their dates differently. Any day before the thirteenth of any month can cause confusion because it is possible to swap month and day. In the case of *2008/03* and *2006.01* it is possible to simply copy the formatting because confusion possibilities are minimal, but for *23.06.2006* it could be preferable to write out the month for the sake of clarity. However, as the purpose of the translation is to remain as close to the ST as possible there is no change in the order the date is presented. Nor is there a change in punctuation, as the punctuation does not interfere with function and the guidelines advise against it.

3.5 Materials

Although De Groot is of the opinion that bilingual dictionaries of an acceptable quality do not exist, there are dictionaries and websites available that can be used to solve single term translation problems. These websites need to be used wisely and the translations that are offered should be checked with regular dictionaries, legal dictionaries, and possible technical or scientific dictionaries, but they can certainly be used in order to find translation suggestions.

Some useful websites can be found in figures 3.2 and 3.3. The websites in figure 3.1 offer translations specifically for an international European environment while the websites in figure 3.2 can be used for general translations.

European Websites	
InterActive Terminology for Europe	http://iate.europa.eu/SearchByQueryLoad.do;jsessionid=82E5bhxp0sNMWQjp9clBUGZ5oxQtGVkN5yN2pTlflaDOfK-7xl06!-1402997553?method=load
EuroVoc Multilingual Thesaurus of the European Union	http://eurovoc.europa.eu/drupal/?q=nl
Interglot translation dictionary	http://www.interglot.com

Figure 3.1 European translation websites

General translation Websites	
Linguee	http://www.linguee.com
Reverso Translation	http://www.reverso.net/text_translation.aspx?lang=EN
Bab.la	http://bab.la
Van Dale	http://vandale.nl
Google Translate	https://translate.google.com
Microsoft Translator	http://www.bing.com/translator

Figure 3.2 General translation websites

For legal translation problems there is an additional source. Van den End's *Juridisch-Economisch Lexicon* is a bilingual dictionary specifically for legal translations that offers multiple translations for queries with indications of which contexts these translations ought to be used in.

No such source exist for scientific and technical translation, instead separate dictionaries defining scientific and technical terms are consulted when possible. For other problems exhaustive Internet searches on specific topics are necessary. In order to ensure that a translation choice is not incorrect and follows logically from the strategy and guidelines, the translation suggestions and possible other options are compared, whenever possible, using single language dictionaries such as the *Oxford English Dictionaries* or other Oxford dictionaries on a specific field.

3.6 Conclusion

The translation of the patent application, description, and publication in this thesis are done with an educational purpose with as little change as possible. In order to aid this purpose, the translation is offered in a parallel text format with footnotes containing explanation on translation problems and solutions.

Despite the fact that these documents may seem insufficient to be representative for a corpus of patent translation problems, the documents consist of a form that is the same for every applicant and a patent that is always formatted the same that even contains reference numbers to make it more easily understandable for international readers.

In general the translation is made with the direct translation strategy as defined by Vinay and Darbelnet, but some deviation is necessary to comply with the guidelines offered in chapter 2.2.3 when sentence structure or word choice make it otherwise impossible to comprehend. In

order to offer solutions for future translators and their translations, the annotations discus many changes and translation problems.

4. Translation

4.1 Application

AANVRAGE OM OCTROOI	**APPLICATION FOR PATENT**[2]
Dit gedeelte wordt door het Bureau voor de Industriële Eigendom ingevuld	This section is[3] filled in by the Industrial Property Office (*Bureau voor de Industriële Eigendom*)[4]
Nummer [1032052]	No.[5] [1032052][6]

[2] **Application for Patent**. The ST uses a marked spelling. The use of the subjunctive mood is no longer done in modern Dutch. However, legal Dutch, like legal English, frequently uses archaic language. In English the subjunctive mood is expressed with modality, but in translating technical and legal forms modality is often avoided. Phrases that might use modality in order to express futurity or a past are presented as fact using the present tense.

Using *patent application* as a translation may be more concise, but forms such as these usually opt for the phrasal construction and this phrasal construction has the added benefit of being a closer translation of the ST.

[3] **Is**. Following from the previous note, this is an example of the lack of modality in translation. This section of the form is not filled in at the time the applicant reads it, the future is a certainty and as such there is no need for a modal, such as will.

[4] **Industrial Property Office (*Bureau voor de Industriële Eigendom*)**. In non-fictional translation of company names it is practical to use the original ST or an official translation as this can help in referencing and contact if necessary. The *Bureau voor de Industriële Eigendom* uses *Industrial Property Office* as translation on its website and IATE also gives this as only possible translation. However, retaining the ST between brackets can give readers an additional reference possibility that is preferable from an educational point of view and prevents the possibility of misunderstanding.

[5] **No.** This is a deviation from the ST. The Dutch form has *nummer* fully written, but comparison with a similar EPO application form shows a preference in English to use the abbreviation.

Indieningsdatum [23 JUNI 2006]	Date of submission[7] [23 JUNE 2006]

Abbreviations are common in Legal English and using the same abbreviation consistently is more in line with the guidelines than a more direct translation of the individual terminology. This consistency is not only within this document but also with similar documents.

This translation is not one of the direct translation procedures but an oblique one, namely équivalance. Although this presents a stylistic change, it is functionally preferable.

[6] **[1032052]**. This is a visual element in the ST. The number is added to the form with a stamp. The square brackets indicate that this is other than regular text. The information is readable, but the quality of the stamp could vary between similar documents.

[7] **Submission date**. The application refers to several different dates throughout the documents. These dates not only need to be translated correctly but also consistently. This annotation will therefore discuss the four main referents and their translations and present them clearly in figure 4.1 below.

Figure 4.1 presents the four main indications with its Dutch definitions, followed by possible translations, and finally the translation that is chosen. The translations are chosen based on which suggestions are most prevalent and which definitions best match the ST.

Dutch Term	Definition	Translation suggestions	Translation
Indiening	The date the document is submitted to be processed	- Submit (Osselton, 2003:171) - Submit or file (Van den End) - Submit (Linguee) - Submit (IATE)	Submit
Ontvangst	The date the document is received by the Patent Office to be processed	- Receive (Osselton, 2003:261) - Receive (Van den End) - Receive (Linguee) - Receive (IATE)	Receive
Verlening	The date the patent is given	- Grant (Osselton, 2003:398) - Grant or issue (Van den End) - Grant (Linguee) - Grant (IATE)	Grant

Poststuknummer	Item no.[8]
Inschrijvingsdatum	Date of registration
Ontvangstdatum [OCTROOICENTR…onleesbaar] [23 JUNI 2006]	Date of receipt [unreadable][9] [23 JUNE 2006]
Verleningsdatum	Date of grant
Ondergetekende(n) verzoekt/verzoeken een	**The undersigned[10] request(s)[11] the grant of**

Inschrijving	"*inboeking in openbare registers*" (Fockema, 2012: 182) i.e. the date the patent is entered into the national register	- Register (Osselton, 2003:173) - Register or enter (van den end) - Register, enrol (Linguee) - Register or record (IATE)	Register

Figure 4.1 Table of date indications

The constructions in which these translations appear are also similar in order to create consistency. These constructions are different from the ST, which uses compounds, because any literal translation would construct neologisms that do not match the register of the text.

[8] **Item no**. Équivalence is the only possible translation procedure in this context. A Direct translation is not possible because this would impede the functionality and create a rather foreign text, whereas finding a translation that shares clarity and effect with the ST is more in line with the guidelines presented in chapter 2.2.3.

[9] **[unreadable]**. The difficulty here is already presented as a possibility in note 6. A stamp is used that leaves a section unreadable. Some of the information is still visible and the unreadable information can possibly be surmised to say *octrooicentrum*, there may be information lacking if a guess is made.

The source document has a stamp from the Industrial Property Office that can only be partially read. Rather than translating the half that can be read and creating the possibility of misinterpretation, the margin for error created by assumption is avoided by indicating that the entire element cannot be read.

octrooi te verlenen volgens de bepalingen van de Rijksoctrooiwet	**a patent according to the provisions[12] in the Dutch Patent Act (*Rijksoctrooiwet*)**

[10] **Undersigned**. The translation difficulty is created by the difference in pluralisation. While the ST needs to have a separate indication for the plural, the translation can be a general term that is both singular and plural.

Undersigned is the only translation of *ondergetekenden* offered by Van den End, IATE, and Linguee; defined as the person who signed at the end of the document (Garner, 2006:743). Sadly, the OED presents little added information on this translation as the entry has not been updated since 1921.

[11] **Request(s)**. The ST frequently uses parentheses to indicate multiple possibilities for a single term. However, the use of parentheses in English is different from Dutch.

The use of parentheses within words is not as widespread in English as it is in Dutch (Burrough-Boenish, 1998:17). Although parentheses or brackets are commonly used to explain, clarify, or comment on material (Burrough-Boenisch, 1998:19), the use of parentheses is not entirely abnormal in English.

Parenthetical pluralization is a concise and effective way to indicate multiple options and even using multiple parenthetical plurals in a single sentence can be a valid option in forms (Gaertner-Johnston, 2010). There are several instances in the translation where multiple parenthetical plurals are used consecutively.

[12] **Provisions**. There are several options for the translation of *bepaling*:

- Provision, stipulation, regulation (Van den End)
- Provisions, stipulations (IATE)
- Provision, stipulation, regulation (Linguee)

Foster (2009:31, 37) only offers *stipulations* as a translation but that is specific to contracts and business regulations context while Van den End specifies that the translation in a law context is provisions.

Stipulations are material requirements in an agreement usually concerning contracts or proceedings (Garner, 2006:678) while provisions are clauses in legal instruments (Garner, 2006:578). In this context the second definition applies as it directly relates to the Dutch Patent Act.

Lees voor het invullen de Toelichting	**Please[13] be sure to read the Explanatory notes[14] before filling in the form[15]**
Referentie van de aanvrager of zijn octrooigemachtigde:	Reference[16] of the applicant or his agent[17]:

[13] **Please**. The addition of please is a deviation of the direct translation strategy. In stating requests with an imperative the English uses please to be more polite (Swan, 2005:409). *Please* is added in order to match the politeness of the ST. Dutch imperatives have no necessity for the use of please to be polite, but not using it in English would be marked where the ST is not. The deviation from the strategy is therefore not as much a deviation as it is a necessity to match register.

[14] **Explanatory notes**. The *Toelichting* is likely a separate, perhaps appended, document that stipulates the particulars of the separate sections including the consequences and important aspects of every choice. *Toelichting* has no equivalent noun in English and as such an alternative translation is necessary. IATE offers *explanatory note* as a suggestion for the extra information on packaging similar to the leaflet inserted with pharmaceuticals. Most other suggestions on IATE are for statements in EU proceedings.

Van den End suggests *notes* and *explanation* depending on the context, but a similar context to this instance is absent. Combining both terms helps in understanding both the type and use of the documents as succinctly as possible. Using only one of the two terms would be more concise it would also be vague and therefore contrary to the guidelines in chapter 2.2.3.

[15] **[Sentence]**. In translation this sentence is more than twice as long. This extra length is created in order to match the register of the ST. The syntactic requirements to be polite are rather lengthy in translation when compared with the Dutch. However, if a legal document is to be clear and friendly, translating *please be sure to read* rather than just *read* is preferable. This creates a request, like the ST, rather than a demand.

A second significant change in this translation is the use of a modulation. This deviates from the main translation strategy, as a modulation is an oblique translation procedure rather than a direct translation procedure. In this sentence the noun, derived from a verb, *invullen* is translated with a phrasal verb, *filling in*, that also demands the addition of an object, *the form*. This modulation is partly responsible for the increase in sentence length.

[16] **Reference**. The translation issue here can be created by the urge to correct a translation that is perfectly acceptable. This originates from the sense that the translation could be a false friend and the fact that the ST is vague since it has no verb. The use of *referentie* in this context is most likely as *kenmerk*.

While Ossolton offers reference as only translation of *referentie* (2003:302), when looking at translations from English to Dutch the number of translations increases, which indicates that the Dutch use is more specific than the English.

The more general use of *reference* as a term that indicates relation (OED) does suggest it is a useful translation even if it lacks the specificity that the Dutch may have, especially since the ST use is ambiguous.

[17] **Agent**. Translating *gemachtigde* is difficult because there are numerous possibilities. The *gemachtigde* is a person who has gotten the authority to act in another's name (Fockema, 2003:145, 394). This term is used several times so a somewhat standardised and concise translation is preferable for these documents. Searches in translation dictionaries give several possibilities:

- Deputy; authorized representative, endorsee or proxy (Osselton, 2003:133)
- Authorized representative, representative, agent, authorized agent (IATE)
- Proxy, authorized person (Linguee)
- Authorized representative, agent, authorized agent (Van den End)

The fact that this person has been authorised by the applicant is made clear in the ST so the clarification of *authorized*, as is suggested by Van den End, is unnecessary. The two best options are *representative* and *agent*. In American Legalese a *representative* is "one who stands for or acts on behalf of another" (Garner, 2006:614) and an *agent* "one who is authorized to act for or in the place of another" (Garner, 2006:27).

The second definition most closely matches the Dutch definition, while the term *representative* cannot even be found in *The Oxford Dictionary of Law* (2014) the definition of *agent* there matches the Dutch definition as well. Additionally, when looking at the EPO form for the Request of a European Patent the term *agent* is also used in this capacity.

Deze aanvrage werd per telefax ingediend op: (*datum*)	This application was filed by fax[18] on: (*date*)
Deze aanvrage is een afgesplitst gedeelte van ___ (*nummer afgesplitste aanvrage om octrooi*) ingediend op ___ (*datum*)	This application is a divisional[19] part of ___ (*no. divisional application*) submitted on ___ (*date*)
Vak I. KORTE AANDUIDING	**Section[20] I. ABSTRACT[21]**

[18] **Fax**. Fax machines are not as ubiquitous as they may have been in the past and the Dutch *telefax* is the archaic term for the machine and the received copy. However, it is still possible to fax the *Bureau voor de Industiële Eigendom* and other such organisations.

The decision on this translation is between whether to use *facsimile* or *fax*, the former being the term the second is derived from. Using *facsimile* as a translation may echo the archaic use of Dutch *Telefax* but it would also include forms of copying that do not involve the use of a fax machine while *fax* does and is therefore the preferred translation.

[19] **Divisional applications**. An *afgesplitste aanvrage* can be expected to have an official translation, or at the very least a translation that is usual. The difficulty in translating comes in finding this translation.

IATE gives this as the translation of *afgesplitste aanvrage* specifically for intellectual property. The term nearly an official translation but the use in this segment is variable. The first instance only the adjective is needed while the second instance uses both the adjective and noun while not translating the second noun present in the ST as that would be redundant.

[20] **Section**. The document is divided into separate numbered sections, *vak* in Dutch. There are many possible translations for *vak*, such as *section*, *square*, *space*, and *box* and even *compartment*, *pigeon-hole*, *trade*, *profession*, *subject*, and *course* (Osselton, 2003:384). The first four are possibilities in this context.

The sections are clearly divided with thick black lines creating separated boxes that contain smaller boxes for the questions in each section. The choice for *section* is based on it being “a distinct part or division of a writing, esp. a legal instrument” (Garner, 2006:639). This document is a written legal instrument and the use of *section* in this context is more appropriate than *box*, which, if necessary, can still be used to refer to separate questions.

Inrichting voor het winnen van zonne-energie op zee door middel van wieren of waterplanten	Apparatus for extracting[22] solar energy at sea from[23] algae or aquatic plants
Vak II. AANVRAGER	**Section II. APPLICANT**
Naam en adres: (*Achternaam gevolgd door*	Name and address: (*Surname followed by*

[21] **Abstract**. This translation needs to deviate from the main translation strategy. The direct translation would render *short indication* as a translation, which would is not the preferred term in this context.

Instead translation with a functional equivalent, *abstract*, is preferable as this corresponds to the intention of the ST. The intention of this section is to give a short summary of the product to be patented. The term *abstract* is specifically used for a concise summary in legal texts and instruments (Garner, 2006:4). Translating with the oblique translation procedure équivalence rather than a direct translation procedure increases the clarity of the translation.

[22] **Extracting**. The Dutch *winnen* has several uses, but here is used in the technological or industrial sense of extracting a substance from the environment. The practice is similar to that of oil platforms, gas plants and other industrial bodies, which use extract to describe the process. The OED offers a specifically scientific definition for the verb but lacks detail and modern usage as the entry has not been updated since 1894.

[23] **From**. Translation of technical, descriptive elements in the ST frequently seem to demand deviation from the methodology. The methodology states that a direct translation is preferred in order to limit differences between ST and translation. However, in order to retain clarity and avoid unnecessary ambiguity, oblique translations are often preferred.

In the translation the correct description of the product is prioritized of the retention of the grammatical structure and word choice of the ST. The ambiguity of the ST is resolved in the translation with the preposition, from, in order to avoid the implication that the algae and aquatic plants extract the energy rather than provide it.

[24] **First name(s)**. Countries and cultures all over the world have different customs in applying names to people. Luckily, Dutch and English naming practices are fairly similar. Having multiple first or given names in usual in Dutch and fairly common in English cultures. One notable difference is the class association for people with multiple first names and corresponding nicknames between the Netherlands and the UK. This specific combination of names is common

volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden)	*complete first name(s)*[24]*; for legal persons state the full legal name*[25]*. Please indicate the postal code*[26]*, city and country in the address*)
Kreuger, Frederik Hendrik	Kreuger, Frederik Hendrik
Rotterdamseweg 113 2628 AK Delft Holland	Rotterdamseweg 113 2628 AK Delft Holland[27]

in upper class circles in the UK where Phillipas are commonly referred to as Pippa from infancy. In The Netherlands this form of nicknaming children is common in all classes.

Strangely, there is no numerically correct way of defining first or given names despite how common multiple names are. The problem with the regular reference is its possibility for numerical discrepancy; the first name(s) can be more than one.

Translation options, other than *first*, are *given*, *personal*, and *initial* name(s). *Given* implies names that are not necessarily official or given by parents at birth, *personal* is infrequently used, and *initial* creates the same numerical problem as *first*. Since *first* is most common and recognisable the numerical inconsistency can be ignored. The technical functionality of the text is not compromised and the use in this context is not uncommon.

[25] **State**. The ST presents a sentence without a verb. Although this is possible in Dutch, English sentences prefer a verb especially in the passive. The ST is not marked, so avoiding markedness in translation is preferred, which can be done by adding a verb.

[26] **Postal code**. There are multiple possible translations depending on which English is used. British English uses *postal code* and American English *zip code*. The Netherlands is a country in Europe and European countries prefer to use British English as a basis for their communication despite the recent political upheaval caused by the Brexit.

[27] **Holland**. This translation problem originates with a desire to correct language use. The official name of the country is The Netherlands while Holland is the colloquially used. Holland only denominates two of the twelve provinces that make up the country. Despite the fact that Delft is in one of these two provinces, an argument can be made to use the official name of the country rather than the unofficial one. The guidelines advise not to make changes when it is not strictly necessary and the use of Holland rather than The Netherlands does not impede the function of the text.

Deze persoon is tevens uitvinder.	This person is also the inventor.
Telefoon nr.: 015-2 567 192	Phone[28]: +31 015 2 567 192[29]
Telefax nr.:	Fax:
Verdere aanvrager(s) en/of uitvinder(s) is/zijn vermeld in Vak IV.	Additional applicant(s) and/or inventor(s) are listed in Section IV.
Vak III. GEMACHTIGDE	**Section III. AGENT**
Naam en adres: (*Achternaam gevolgd door volledige voornaam/voornamen; naam adres, postcode, woonplaats en evt. naam en vestigingsplaats octrooibureau vermelden*)	Name and address: (*Surname followed by complete first name or names; state name address, postal code, city of residence and possibly name and office location[30] of the*

[28] **Phone, fax**. There are multiple translation options. The decision process here is based on functionality and clarity. The usefulness and clarity of the translation increase when the translation is concise. It is possible to chose a literal translation that also includes *no*. However, comparison with similar forms shows that this and the prefix *–tele* can be omitted.

[29] **+31**. Although the guidelines specifically state not to change numbers of any kind, the country code is added to this telephone number in the translation. This addition makes it easy for any foreigner to call the number even if this use is unlikely as the translation is used for an educational purpose rather than a practical one.

[30] **Office location**. This is a translation problem because the Dutch *vestigingsplaats* can be used both for natural and legal persons. For natural persons the translation would be place of *residence*, but this translation does not cover legal persons. Out of necessity, the translation used is not a direct translation, but an oblique translation.

IATE suggests *location* as a possible translation. This translation option is not very specific, but when combined with *office* the translation functions properly without changing the register by using legal terminology that is overly difficult.

Adding office can be equally problematic because the ST could be referring both to the location of the agent's office and the official address as given in the articles of association (*statutaire vestigingsplaats*). These locations can differ even if the agent is not employed by a

	patent agency[31])
(geen)	(none)[32]
Telefoon nr.:	Phone:
Telefax nr.:	Fax:
Vak IV. VERDERE AANVRAGER(S) EN/OF UITVINDER(S)	**Section IV. ADDITIONAL APPLICANT(S) AND/OR INVENTOR(S)**
Naam en adres: (*Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden*)	Name and address: (*Surname followed by complete first name or names; for legal persons state the full legal name. Indicate the postal code, city and country in the address*)
(Geen verdere aanvragers of uitvinders)	(No additional applicants or inventors)
Deze persoon is:	This person is:
alleen aanvrager	applicant[33]

firm with multiple offices. However, this section is asking for contact information for the agent. Contacting the agent is most easily done trough their office rather than the main office of a firm.

[31] **Patent agency**. This translation deviates form the direct translation strategy in order to conform to the guideline on consistency. *Bureau* is possible in this context as it has a similar application in English as it has in Dutch, but *agency* is consistent with *agent* (note 17).

Another option would be to translate with *office*, as this would be consistent with *office location* (note 30). However, this translation would also add confusion as it echoes the EPO.

[32] **None**. The ST makes an interesting choice in using *geen* rather than *n.v.t.* which is more usual in legal texts.

In translation this does not present too much difficulty. The direct translation of *geen* is *none*. Using the direct translation of *n.v.t.*, *not applicable*, would be a modulation and conflict with the methodology.

[33] **[Omission]**. A direct translation of the tree segments renders a marked translation. The applicant needs to tick one of three options that are presented consecutively. In two of the options the ST uses *alleen*, this can be translated as *only* or *solely*. However, there is a third option:

aanvrager en uitvinder	applicant and inventor
alleen uitvinder	inventor
Naam en adres: (*Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden*)	Name and address: (*Surname followed by complete first name or names; for legal persons state the full legal name. Indicate the postal code, city and country in the address*)
Deze persoon is:	This person is:
alleen aanvrager	applicant
aanvrager en uitvinder	applicant and inventor
alleen uitvinder	inventor
Naam en adres: (*Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden*)	Name and address: (*Surname followed by complete first name or names; for legal persons state the full legal name. Indicate the postal code, city and country in the address*)
Deze persoon is:	This person is:
alleen aanvrager	applicant
aanvrager en uitvinder	applicant and inventor
alleen uitvinder	inventor
Naam en adres: (*Achternaam gevolgd door*	Name and address: (*Surname followed by*

omission. There is no functional need to use *only* or *solely* in order to present a grammatically correct translation and omission increases the clarity.

Omission increases clarity and is therefore more in line with the guidelines presented in chapter 2.2.3, it is not necessarily in line with the direct translation strategy. However, there are further difficulties with the use of *only* or *solely*. *Only* is ambiguous and *solely* in initial position is marked.

Choosing the translation is then a matter of priority. Creating a translation that functions correctly and does not alter the register is more important than not deviating from the translation strategy when necessary.

volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden)	*complete first name or names; for legal persons state the full legal name. Indicate the postal code, city and country in the address*)
Deze persoon is:	This person is:
alleen aanvrager	applicant
aanvrager en uitvinder	applicant and inventor
alleen uitvinder	inventor
Naam en adres: (*Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden*)	Name and address: (*Surname followed by complete first name or names; for legal persons state the full legal name. Indicate the postal code, city and country in the address*)
Deze persoon is:	This person is:
alleen aanvrager	applicant
aanvrager en uitvinder	applicant and inventor
alleen uitvinder	inventor
Vak V. GEMEENSCHAPPELIJK VERTEGENWOORDIGER	**Section V. COMMON REPRESENTATIVE**
Naam en adres: (*Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode en de woonplaats*)	Name and address: (*Surname followed by complete first name or names; for legal persons state the full legal name. State the postal code and place of residence with the address*)
Telefoon nr.:	Phone:
Telefax nr.:	Fax:
Vak VI. RECHT VAN VOORRANG	**Section VI. RIGHT OF PRIORITY**[34]

[34] **Right of priority**. Direct translation renders *right of priority* as the translation, but there are several alternatives to be found in the legislation and other documents.

De aanvrager(s) beroept/beroepen zich op een recht van voorrang dat berust op de volgende eerder ingediende aanvrage(n):	The applicant(s) claim(s) a right of priority based on the following previously submitted application(s):
Nummer	No.
Land van indiening	Country of submission
Indieningsdatum	Date of submission
De aanvrager(s) verzoekt/verzoeken het Bureau voor de Industriële Eigendom om een gewaarmerkte kopie (voorrangsbewijs) van bovenvermelde als recht van voorrang ingeroepen eerder ingediende Nederlandse aanvrage(n) te vervaardigen en aan deze aanvrage toe te voegen.	The applicant(s) request(s) that the Industrial Property Office (*Bureau voor de Industriële Eigendom*) to produce (a) previously filed application(s) as a declaration of priority and add a certified copy (priority document) of the abovementioned to this application.
Vak VII. VERZOEK OM EEN NIEUWHEIDSONDERZOEK	**Section VII. REQUEST FOR NOVELTY SEARCH**[35]
(*Lees voor een uitleg over de consequenties van uw keuze aandachtig de toelichting*)	(*Please read the explanatory notes for explanation of the consequences of your choice*)

The EPC speaks of *priority rights* (Part III, Chapter II, Article 87) that can be *claimed* (III.II.88) but the application form offered by the EPO calls it a *declaration of priority*.

Although there is a difference with the existing legislation, the direct translation is similar enough to the EPC not to cause confusion and IATE allows for this translation as well.

[35] **Novelty search**. This translation problem comes from the multiple options given in the patent legislation. The concept of novelty is included in all the patent acts and agreements discussed in chapter 2, but they use both *novelty* and *state of the art* in defining the concept, which has lead IATE to offer both *novelty search* and *state of the art search* as translation options.

The Dutch act also includes both options (*nieuwheid* and *stand van de techniek*) so the translations can be coupled with their counterparts even if the creation of a compound similar to the ST is not entirely possible. Making a translation choice here does not exclude the other option as *state of the art* can still be used in the next segment where the word choice differs.

De aanvrager(s) verzoekt/verzoeken het Bureau voor de Industriële Eigendom om een, met betrekking tot het onderwerp van de aanvrage, aan de verlening van het octrooi voorafgaand een onderzoek naar de stand van de techniek (nieuwheidsonderzoek) van het volgende type:	Previous to the grant of a patent from the Industrial Property Office (*Bureau voor de Industriële Eigendom*), the applicant(s) request(s), with respect to the subject of this application, the following type of state of the art search (novelty search)[36]:
nationaal; hiervoor dient bij de indiening een taks te worden betaald van EUR 340,--.	**national**; a fee of EUR 340.--[37] must be paid upon submission.
internationaal; hiervoor dient bij de indiening een taks te worden betaald van EUR 794,--.	**international**; a fee of EUR 794.-- must be paid upon submission.
gratis; het resultaat van een eerder door het Europees Octrooibureau of het Bureau voor de Industriële Eigendom op een overeenkomstige	**free**; the result of an earlier corresponding novelty search by the European Patent Office or the Industrial Property Office (*Bureau voor*

[36] **[sentence]**. This is an incredibly complicated sentence in the ST with two embedded adverbials. The cleanest translation solution is to place the adverbials on either end of the main clause in order to keep subject, verb, and object(s) as close together as possible.

As is customary in English syntax, the phrase that indicates time has been brought to the beginning of the sentence. The verb directly follows the subject in the translation despite the second phrase having remained embedded in the translation. This embedding is necessary because the direct object is directly relevant to the following segments.

[37] **EUR 340.--**. The guidelines stress the use of correct numbers as mistakes can be costly. The use of the comma, as is customary in Dutch would increase the sum a hundred fold. Punctuation is the only translation that needs to be made as the currency indication already uses the international referent for the Euro.

A chance in currency could be preferable in literary translations where the exact amount does not have non-fictional consequences, but such a change would possibly disrupt the functionality of a translation.

aanvrage ingesteld overeenkomstig nieuwheidsonderzoek wordt hierbij overgelegd.	*de Industriële Eigendom*) for a corresponding application is hereby disclosed.[38]
De aanvrager(s) deelt/delen mee **NIET** om een aan de verlening van het octrooi voorafgaand nieuwheidsonderzoek te verzoeken en wenst/wensen derhalve een octrooi met een maximale duur van 6 jaar.	The applicant(s) does/do **NOT** request a novelty search previous to the grant of the patent and therefore request(s) and wish(es) a patent with a maximum validity[39] of 6 years.
Vak VIII. VERZOEK OM VERVROEGDE INSCHRIJVING	**Section VIII. REQUEST FOR EARLY REGISTRATION**
De aanvrager(s) verzoekt/verzoeken het Bureau voor de Industriële Eigendom om deze aanvrage zo spoedig mogelijk in te schrijven in het octrooiregister zodat een ieder zo spoedig	The applicant(s) request(s) the Industrial Property Office (*Bureau voor de Industriële Eigendom*) to register this application in the patent register as soon as possible so that every

[38] **Disclosed**. The St uses a specifically legalese term that is difficult to translate. *Overleggen* means to make something (i.e. a legal document) available to be viewed by the public. The use of *overleggen* in this manner is typical of legal Dutch and a translation with a similar legal background is preferred in order to maintain register.

However, a direct translation is impossible as such a term does not exist in English. An équivalent is needed to fill the void. *Disclose* has a similar definition to *overleggen*, but its register is less legal.

[39] **Validity**. The ST uses a construction that is slightly strange in this context.

The ST does not define the validity of the patent but instead mentions the duration of the patent. In English legal documents do not have a *duration* but a length of validity. The concept of validity concerns the legal power of a document. A direct translation would therefore render a sentence that is incorrect.

As the guidelines advise to be correct deviation from the direct translation strategy in favour of oblique translation is preferred.

[40] **Familiarize themselves with.** The ST is rather ambiguous as to what the intention is. The translation is intended to retain the ambiguity in order not to assume intent and to more closely

mogelijk kennis kan nemen van de inhoud van de aanvrage.	person can familiarize themselves with[40] the contents of this application at the earliest opportunity.
Vak IX. AANVRAGE OMVAT HET GEBRUIK VAN EEN MICRO-ORGANISME	**Section IX. APPLICATION INCLUDES THE USE OF A MICROORGANISM**
De cultuur van het micro-organisme is gedeponeerd bij: (*naam, adres, vestigingsplaats en –land van de instelling*)	The sample[41] of the microorganism has been deposited at: (*name, address, location and country of the depositary institution*[42])
op (*datum van depot*):	on (*date of deposit*):
onder nummer (*depotnummer*):	under number (*deposit number*):
De aanvrager(s) verklaart/verklaren onherroepelijk toestemming te verlenen tot	**Pursuant to[43] article 21 of the Patent Act (*Rijksoctrooiwet 1995*), the applicant(s)**

resemble the ST. The translation has an increase of length as English verb demands an object, *themselves*, where Dutch does not.

[41] **Sample**. Translation difficulties occur with scientific language, as this needs to be precise. There are two options in translating *cultuur*: *culture* and *sample*. The difference is whether there is an intention to grow an organism so it can be used, *culture*, or to freeze or keep as a referent, *sample* (OED). This application is asking for a sample so that if necessary the invented organic material can be compared to other samples.

[42] **Depositary institution**. The ST uses a single term, *instituut*. In the context of patent applications, this is usually some sort of research lab where more samples are kept and tested. The EPO uses *depositary institution* on their application form. The use of the clarification is practical as the connotation of *institution* is more general and medical than its Dutch counterpart.

[43] **Pursuant to**. The ST segment has a rather complex structure that needs to be changed in translation in order not to create a marked and illegible sentence. In changing the sentence structure some of the register is changed, *pursuant to* is an équivalent translation of *overeenkomstig* that is preferable to the literal translation, *corresponding*, as it is in a legal register appropriate in the context and compensates for the loss of legal register that is created by the sentence structure in the ST.

het overeenkomstig artikel 21 Utvoeringsbesluit Rijksoctrooiwet 1995 verstrekken van monsters van de door hem/hen gedeponeerde cultuur van het micro-organisme.	**hereby[44] give(s) permission for the provision of samples of the samples of the microorganism deposited by them.**
Vak X. ALGEMENE GEGEVENS AANVRAGER(S) (*deze gegevens worden voor statistische doeleinden gebruikt*)	**Section X. GENERAL DATA OF THE APPLICANT(S)** (*these[45] data are used for statistical purposes*)
Categorie branche:	Branch category:
Categorie bedrijfsgrootte:	Company category[46]:
Vak XI. BIJLAGEN	**Section XI. APPENDIXES**
Bij deze aanvragen zijn de volgende stukken gevoegd:	The following documents are attached to this application:
Beschrijving met één of meer conclusies (in drievoud).	Description with one or more conclusions (in triplicate).
Tekeningen/formulebladen (in drievoud).	Drawings/formula sheets (in triplicate).

[44] **Hereby**. The translation of *onherroepelijk* demands an adaptation rather than a direct translation procedure. Including a literal translation, such as *irrevocably*, would create a change in register from legalese to satirical.

[45] **These**. This is not necessarily a translation problem but a grammatical one. Data can be preceded two different pronouns. Traditionally, data is a plural noun, but it is now often, especially in the U.S., used as a mass noun. In the first instance it would be preceded by the pronoun *these*, while in the second it will be *this*. In a legal context the traditional interpretation is preferred. Therefore, the translation of *deze* is *these*.

[46] **Company category**. There is no standardized translation or universal method of company categorization. In the Netherlands companies are categorized according to their income and number of employees. Within the two separate classes (*branche* and *bedrijfsgrootte*) there are three categories (i.e. small, medium, and large). The EU has a similar system called Small and Medium-sized Enterprises (SME). *Company category* is a term used by the European Commission.

Uittreksel met evt. tekening/formuleblad (in drievoud).	Summary[47] possibly including any[48] drawing/formula sheet (in triplicate).
Betalingsformulier.	Payment form.
Een door de aanvrager(s) ondertekende	Authorization of[49] the named agent signed by

[47] **Summary**. The most likely translation of *uittreksel* is *abstract* (note 21), however this translation has already been used in this document to translate *korte aanduiding*.

There is no legal definition of *uittreksel* in Fockema, but the intention is most likely a document that summarizes the invention. IATE and Van den End both offer multiple translation suggestions, among which are *abstract*, *extract*, and *summary*.

Abstract is defined as "a concise statement of a text, esp. of a legal document; a summary" (Garner, 2006: 4) and *summary* as "an abridgement or brief" (Garner, 2006:690), while *extract* has no definition in Garner and the OED does not include legal usage for the term.

As there are two different terms used in the ST the preference is to keep that distinction in the translation. For this reason one should be translated as *abstract* while the other is a *summary*.

The segment following the *korte aanduiding* found above fits the definition of abstract more than it does here. The segment is a short statement while the *uittreksel* also includes drawings and can thus be longer than a short statement.

[48] **Possibly**. The ST uses an abbreviation to keep the segment short and clear. A similar abbreviation is not possible in English. However, the only possible translation of *eventueel* in this context is *possibly* (cf. Osselton, 2003:114). This translation is an adaptation, one of the oblique translation procedures.

[49] **Authorized**. Translation of the acronym *t.g.v.* is difficult for two reasons. Firstly, the usage in this context is marked and, secondly, there is no obvious translation for the acronym. Only Van den End has a translation suggestion for the acronym *t.g.v.*.

In this context, the use of the acronym *t.a.v.* would be more usual than *t.g.v.;* both can be taken to mean that the *volmacht* gives the agent the power to act on behalf of the applicant.

In order to translate this problem correctly an oblique translation procedure is needed. An adaptation that prevents confusion and presents a translation that functions in the sentence is required. This adaptation translates *t.g.v.* and *volmacht* with *authorized*. The single noun produces the same effect in the translation as the ST.

volmacht t.g.v. de genoemde gemachtigde.	the applicant(s).
Bewijs/bewijzen van het ingeroepen recht van voorrang.	Evidence of the invoked declaration of priority.
Document waaruit de overgang van het voorrangsrecht blijkt indien een ander dan de aanvrager de aanvrage, op grond waarvan de voorrang wordt ingeroepen, de aanvrage heeft ingediend.	If someone other than the applicant submitted the application, a document providing the grounds for a declaration of priority on the basis of which the declaration of priority is invoked.[50]
Afschrift van het ontvangstbewijs van de instelling waar de cultuur van het micro-organisme is gedeponeerd.	Copy of the receipt of the depositary institution where the sample of the microorganism is deposited.
Diskette met sequentie-opsomming, indien de aanvrage betrekking heeft op een nucleotide- of aminozuur-sequentie en de aanvrager(s) om een nieuwheidsonderzoek verzoekt/verzoeken.	Diskette with sequence listing, if the application involves a nucleotide or amino acid sequence and the applicant(s) request(s) a novelty search.
Vak XII. ONDERTEKENING DOOR AANVRAGER(S) OF GEMACHTIGDE	**Section XII. SIGNATURES OF APPLICANT(S) OR**

[50] **[Sentence]**. This sentence is marked in Dutch and translating with the same sentence structure would create a grammatically incorrect sentence.

Dutch grammar offers more freedom in sentence structures where English grammar prefers to keep the two separate clauses in a conditional sentence separated (Foley, 2004:120). The if-clause in the ST is broken into two to make room for a section of the main clause. This type of interruption is impossible in English, as the if-clause cannot be intertwined with the main clause. For this reason the translation has a slightly different word-order than the ST.

The if-clause can come on either end of the sentence depending on its function – as a verb phrase adverbial or sentence adverbial (Burton-Roberts, 2011:187) – and the preferred focus. In the translation the if-clause opens the sentence because it offers a limitation.

	REPRESENTATIVE(S)
Vermeld bij elke handtekening de naam van de ondertekenaar en indien de aanvrager een rechtspersoon is, tevens de functie.	*With each signature, please state the signer's name and, if the applicant is a legal person, include the job title*[51].
Kreuger, Frederik Hendrik [handtekening]	Kreuger, Frederik Hendrik [signature]

BETALINGSFORMULIER AANVRAGE OM OCTROOI	**PAYMENT FORM PATENT APPLICATION**
Dit gedeelte wordt door het Bureau voor de Industriële Eigendom ingevuld	This section will be filled in by the Industrial Property Office (*Bureau voor de Industriële Eigendom*)
Nummer [1032052]	No. [1032052]
Ontvangstdatum [OCTROOICENTR…onleesbaar] [23 JUNI 2006]	Date of receipt [unreadable] [23 JUNE 2006]
Referentie van de aanvrager of zijn octrooigemachtigde:	Reference of the applicant or their agent:
Aanvrager:	Applicant:
Kreuger, Frederik Hendrik	Kreuger, Frederik Hendrik
Rotterdamseweg 113 2628 AK Delft	Rotterdamseweg 113 2628 AK Delft Holland[52]

[51] **Job title**. There is no obvious equivalent for the Dutch *functie*. It is a term used to refer to a specific position in a working environment, often in the public sector (Fockema, 2012:136).

Van den End suggests *position*, *post*, *office*, *function*, *duties*, and *job* as translation options and also includes *job title* for use in contracts. Similarly, IATE offers *function* and *job title*. The job title is a common addition to a signature on contracts and while this document is not a contract this instance does refer to a signature.

[52] **Holland**. This is an addition to the information. There is no mention of the country in the ST. Although the methodology and guidelines advise not to create changes, this addition is made in order to be complete and correct. If this text were read outside of the Netherlands the address

TE BETALEN TAKSEN	**FEES TO BE PAID**
Berekening van de voorgeschreven bedragen: (*het bedrag dat bij de indiening wordt betaald aankruisen*)	Assessment[53] of the required[54] fees: (*check the sum to be paid with the submission*)
Taks voor het indienen van de aanvrage om octrooi: EUR 90,--	Fee for submitting the application for a patent: EUR 90.--
Taks voor het vervaardigen van een gewaarmerkte kopie (voorrangsbewijs) van een als voorrang ingeroepen Nederlandse	Fee for the creation of a certified copy (priority document) of a Dutch patent application claimed to have priority (see Section V1) at[55]

would not meet requirements. The use of Holland rather than The Netherlands is in order to maintain consistency (note 27).

[53] **Assessment**. This is a difficult translation as there are multiple translation options for *berekening*, none of which match the definition precisely. A translation other than *assessment* may also be *calculation*. However, *calculation* is a rather mathematical term for a receipt. *Assessment* is a synonym with a slightly less mathematical connotation.

The Dutch *berekening* is the action of determining an amount (of money) by compiling the relevant numbers and mathematically determining a total based on requirements that are influenced by criteria dependent on the type of *berekening*. They can be monetary, mathematical, or even sociological. *Assessment* has the same monetary and evaluating connotation, if not the mathematical implication.

[54] **Required**. The direct translation of *voorschrijven*, *proscribe*, has a medical connotation. This text needs a legal connotation that expresses that the total sum needs to be paid in order to obtain a patent.

The context discrepancy means there is a need for a different translation procedure. With équivalence it is possible to choose a translation that expresses this need: *require*.

[55] **At**. *Á* is difficult to translate as it meaning and use can differ depending on the context but is not defined in Dutch dictionaries. Generally it is used as *like*, *such as* or *on average*.

Osselton is the only dictionary that offers any definition or translation and defines *á* as “at (the rate of)” (2003:3). This definition suggests precision rather than an example of how to fill in the appropriate sum.

aanvrage om octrooi (zie Vak VI) à EUR 9,--: EUR ……	EUR 9.--: EUR ……
Taks voor het indienen van een nieuwheidsonderzoek van het nationale type (zie Vak VII): EUR 340,--	Fee for the submission of a national novelty search (see Section VII): EUR 340.--
Taks voor het indienen van een nieuwheidsonderzoek van het internationale type (zie Vak VII): EUR 794,--	Fee for the submission of an international novelty search (see Section VII): EUR 794.--
Het totaalbedrag van EUR 90,-- is als volgt betaald:	The total sum of EUR 90.-- is paid in the following manner:
Het Bureau voor de Industriële Eigendom wordt door de houder van depotrekening nr. ___ door ondertekening van dit formulier geautoriseerd om het tegoed hierop te belasten voor dit bedrag (*alleen voor houders van een*	The Industrial Property Office (*Bureau voor de Industriële Eigendom*) is with the signing of this form by the account holder authorized to debit the credit[56] from deposit account no. ___ (*only for holders of a deposit account with the*

The intent of the segment is to indicate how this section of the form should be filled in. This intent would be best expressed with *i.e.*. However, it is possible the ST intentionally created ambiguity and then a translation that is equally ambiguous is preferable.

[56] **Credit**. *Tegoed* is difficult to translate, as it has no obvious direct translation. The *tegoed* is the total sum or balance that needs to be paid in order to obtain the patent. One possible translation in this context would be *balance*. However, using balance in this sentence would create ambiguity where this was not present in the ST. Balance could refer to the sum to be paid or the total sum on the debit account.

Balance in a legal context is the difference between the credit and debit (Garner, 2006: 60). *Credit* is a financial term that can be defined as an amount of money to be paid or already paid. When it is used in combination with the verb debit the intention is clear and unambiguous.

depotrekening bij het Bureau I.E.).	*Industrial Property Office (*Bureau voor de Industriële Eigendom*)*[57]).
De aanvrager heeft het verschuldigde bedrag overgemaakt op [23] juni 2006 ___ (*datum*)	The applicant has transferred the credit on [23] June 2006 ___ (*date*)
op Rabobank rekeningnummer 1923.24.160	made out to *Rabobank* account number 1923.24.160
t.n.v. het Bureau voor de Industriële Eigendom te Rijswijk.	under[58] the *Bureau voor de Industriële Eigendom* in Rijswijk, Holland.
Met een cheque ten gunste van het Bureau voor de Industriële Eigendom te Rijswijk.	By means of a cheque in the name of the *Bureau voor de Industriële Eigendom* in Rijswijk, Holland.
Door contante betaling bij de kassier van het Bureau voor de Industriële Eigendom te Rijswijk.	By means of a cash payment at the cashier of the Industrial Property Office (*Bureau voor de Industriële Eigendom*) in Rijswijk, Holland.
De kas is op werkdagen geopend van 10.00 uur – 17.00 uur.	The cash desk is opened weekdays 10.00-17.00.
ONDERTEKENING DOOR AANVRAGER(S) OF GEMACHTIGDE/HOUDER DEPOTREKENING	**SIGNATURE(S) BY APPLICANT(S) OR AGENT/HOLDER DESPOSIT ACCOUNT**
[handtekening F.H. Kreuger]	[signature F.H. Kreuger]

[57] **Industrial Property Office (*Bureau voor de Industriële Eigendom*)**. The ST offers a partial abbreviation that saves space but can lead to confusion in translation. Rather than use a similar abbreviation, like IP Office, the guideline on consistency is adhered to.

[58] **Under**. Dutch *t.n.v.* is a concise and effective method of indicating relation. A similar acronym does not exist in English and direct translation of the acronym, *in the name of*, has a different connotation.

Prepositions, like *under*, are common in collocations that involve money orders. Using a transposition instead of a direct translation procedure renders a translation with a similar register.

4.2 Description

Beschrijving (Zonne-energie uit zee)	Description (Solar-energy from sea)
De inrichting volgens deze uitvinding heeft ten doel om zonne-energie, via in zee of andere wateren drijvende organismen zoals algen of wieren, om te zetten in chemische energie die in brandstof wordt vastgelegd.	The goal of the apparatus in this invention is to convert solar-energy into chemical energy that is secured in fuel from organisms like algae and seaweeds[59] that float in the sea or other waters[60].

[59] **Algae and seaweeds**. The Dutch terminology used in this description when referring to the plant life is problematic for two reasons. Firstly, the terminology is vague in what it refers to and, secondly, the Dutch uses redundancies that do not exist in English.

The ST names two types of floating organisms, *algen* and *wieren*, but these are exact synonyms. *Algen* is derived from the latin *alga* and can be simply translated with the English *algae* as this has the same origin and denotation. Algae is a rather vague grouping of non-related organisms that have a simple structure and photosynthesize, some algae are actually bacteria (Maresquelle, 1963:57).

Despite the fact that the technical definitions are exactly the same, the Dutch do understand a difference between *algen* and *wieren* in general use. Verschueren notes the general use of *wier* as seaweeds and sea grasses while its botanic definition is one of simple plants in fresh or salt water that have a thallus (1996:2061). *Algen* shares the botanic definition (1996:84) and both entries refer to each other.

This is a scientific text and the guidelines in chapter 2.2.3 advise scientific accuracy and precision. As such, the general use of *wieren* is of lesser importance. However, given that the ST includes a redundancy, using a scientific doublet in translation is preferable.

The second term in the doublet, *seaweed*, is used because the Latin *alga* was the term used for seaweed with the use for all photosynthesizing water plants coming later. The Dutch *wieren* can be *seaweed,* but can also refer to fresh water plants while the translation excludes both fresh water and oceanic possibilities but using *weed* without *sea* includes fauna on land as well.

[60] **Other waters**. There are two translation options for *andere wateren*: *other waters* or *other bodies of water*. The definitions for both options are virtually the same, but the second is defined

Deze brandstof heeft bij voorkeur de vorm van vloeistof zoals olie of alcohol, maar kan ook andere vormen, zoals poeder, korrels of brokken brandstof, of zelfs van brandbaar gas aannemen.	This fuel preferably takes the form of a liquid, like oil or alcohol, but it can also take other forms like powder, granules or chunks, or even a flammable gas.
De inrichting bestaat daaruit dat aan het begin	The apparatus consists of a strip[61] at the water

as specifically referring to larger bodies of waters, i.e. oceans, seas, and lakes, but also ponds and rivers (OED). In Dutch there is only one option and the literal translation is clear.

[61] **Strip**. *Strook* is a difficult term to translate as it does not have a very specific definition and can be used in a variety of context. *Strook* is defined as something that is narrow or thin in relation to its length (Verschueren, 1996:1755); a lane on the motorway is a *rijstrook*. Since the term does not have a very specific definition and can be used in varying contexts there are numerous possible translations like *lane*, *strip*, *breadth*, *ribbon*, *band*, or *stretch*.

When looking up the definitions of all the options it becomes clear that *strip* is the only option that fits in the context as it can refer to a "long narrow tract of territory" (OED) while *lane* generally refers to something to travel on that is clearly marked, *breadth* is a measure of distance, *ribbon* a long piece of fabric, *band* a strip of material, and *stretch* a continuous length or the extension of limbs (OED).

[62] **Water surface**. The ST uses non-scientific language in describing processes. In translation it is easy to opt for a more scientific translation in order to avoid confusion and adapt the register into something more appropriate. For specific terminology in scientific fields, Latin terminology is usually most precise. The layer of water that is referred to in this text is called the *epipelagic zone* or the *photic zone*. This is the layer of water where sunlight penetrates and plants can grow and photosynthesize. The algae and plants in this invention can only occur in this zone. However, the Dutch term *wateroppervlak* used in the ST more closely translates to *surface*.

The ST does not use scientific language and even though explicitation might be tempting, translation according to the strategy is preferable. However, a choice still remains: *surface* or *water surface*. One of the definitions for surface is "the visible area of the sea; the upper boundary or top of a body of water or other liquid" (OED), but clarifying with water may be preferable in the context. The title of the invention makes it clear that it takes place in the water

van een strook wateroppervlak levende organismen aan het wateroppervlak worden toegevoerd, welke organismen zich in deze strook vermenigvuldigen en zich al drijvend naar het eind van de strook verplaatsen.	surface[62]; living organisms are added at the beginning of the strip, these organisms multiply and floatingly move to the end of the strip.
Aan dit einde worden de organismen verzameld en verwerkt tot een calorierijke brandstof, zoals olie, alcohol of gas.	At this end the organisms are collected and processed into a calorie-rich fuel, such as oil, alcohol, or gas.
De inrichting bestaat uit drie onderdelen die er als volgt uit kunnen zien.	The apparatus consists of the following three components.
Deel 1: een drijvende eenheid, zoals een 'zaai-schip', die de organismen gelijkmatig over het wateroppervlak verspreidt, ofwel zaait.	Part 1: a floating unit, like a 'sowingship'[63], that disseminates, or sows, the organisms evenly over the water surface.

and algae do not grow on land, but there has not yet been a mention of water in the description so the clarification can prevent confusion.

[63] **Sowingship**. This invention uses several types of ship in the entire process. The vessels have different functions and purposes and corresponding technical terminology that cannot be easily found in dictionaries.

The description differentiates between the *zaaischip*, *fabrieksschip,* and *tankschip*. The ST indicates that *zaaischip* is not an existing term but a neologism to refer to a ship that sows organisms at sea, or other waters. The other two ships are existing terms.

Difficulty lies in finding the appropriate translation, as this cannot be found in dictionaries. Websites for ship enthusiast, like gCaptain.com, can offer suggestions.

Konrad offers a flowchart that shows different types of vessels according to their uses. The *tankship* is a collective name like *tanker*. There are specific types of tanker for different liquids and chemicals, but the ST does not specify it nor does the context demand it.

The *fabrieksschip* is more difficult to find on Konrad's chart but from the context it can be inferred that this ship is used to collect the organic material in order to produce oil or energy. As such it falls under the category of production ships.

De organismen bestaan uit algen, wieren of andere waterplanten die de energie van de zonnestraling omzetten in de chemische energie van zetmeel en andere biologische	The organisms consist of algae, seaweeds, or other aquatic plants that convert[64] the energy of the solar rays into the chemical energy of starch and other biological components of

The final translation problem is the neologism *zaaischip*. A literal translation of the term itself may actually be most useful. The compounds *sowship* or *sowingship* are easily understandable for the English reader and function similarly to the ST, especially with the retention of the apostrophe as per the guideline on the preservation of punctuation.

[64] **Convert**. Translation of this description is made more difficult because the ST is a technical and scientific text that does not use the corresponding register. Even though the segment presents a definition of photosynthesize the term is never used.

The literal translation of *omzetten* is *convert*; it is tempting to translate differently in order to create a more scientific register, this would be in conflict with the guidelines and the direct translation strategy.

[65] **Biological components of aquatic plants**. There are two issues with translating *biologische bouwstenen van waterplanten*. The first is how to translate *biologisch* and the second is the fuzziness of the phrase itself.

Firstly, translating Dutch *biologisch* can be a risk due to its use as a referent for plant-based, organically produced – and sometimes ecologically friendly – products.

The OED defines biological as relating to biology, involving or consisting of living organisms, and organic as relating to internal organs; while Garner states that is typical to use organic for food-related problems since all food is carbon based (2006:660). The algae are living organisms so in this case *biological* is not a false friend.

The second issue can be ignored to create an equally fuzzy translation, *biological building blocks of aquatic plants*, but it is preferable to understand the phrasing before creating a translation. A Dutch *bouwsteen* can refer to a constructive part of any whole. The English building block has slightly less range but, according to the OED, does also have a figurative use.

The phrase in this segment most likely refers to plant physiology. This scientific field is further subdivided into five fields each in turn with their own divisions. In all likelihood the *bouwstenen* in the ST refer to those parts of the plants that are beneficial in fuel production, such

bouwstenen van waterplanten.	aquatic plants[65].
Aan deze algen, wieren of andere planten kunnen micro-organismen, zoals bacteriën, worden toegevoegd, waarvan bekend is dat ze de groei van algen of planten bevorderen.	Microorganisms, like bacteria, that are known to promote the growth of algae, seaweeds, or other aquatic plants can be added.
Ook kunnen andere bemestingsmethoden worden toegepast.	Other fertilization methods can also be applied.
Deel 2: Een uitgebreide strook van algen, zeewier, of andere waterplanten welke planten langzaam naar het einde van de strook toe drijven en daar geoogst worden.	Part 2: an extensive strip of algae, seaweeds, or other aquatic plants, these plants slowly float to the end of the strip in order to be harvested there.
De beweging van de planten kan door pompen aan de ene kant van de strook en door zuigen aan de andere kant worden veroorzaakt worden.	The movement of the plants can be created by pumping[66] on one side of the strip and siphoning at the other.

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as proteins and enzymes, but any conclusions and explicitation may create unwanted or unnecessary differences between the ST and the translation. For this reason a slightly more scientific synonym of *building block* and *part* is preferable, i.e. *component*.

[66] **Pumping**. The ST description uses ambiguous terminology, *pompen*, *zuigen*, *zuigmonden*, and *pompleidingen*, to refer to machinery used to create circulation in the water and also uses similar terminology to refer to machinery used to harvest the algae from the water.

The Dutch *pomp machine* equates to the English *pump*, but there exist many different types of pumps categorized according to purpose and mechanism. Since the ST does not specify a type of pump, the general use of *pump* is a sufficient translation.

However, the compound *pompleidingen* does pose a problem. Depending on the purpose and material this can be translated as *pipe*, *tube*, *hose*, or *line*. Pipes are used in relation to plumbing in which they are usually stationary and from an unbendable material, like metal. The OED uses *pipe* to define a *tube* and explains that is something hollow used to convey liquids or fluids. A *hose* has a similar function, but its purpose is usually to direct liquids or fluids somewhere, like a garden hose. The last option, line, is more difficult to define as it has many

Maar ook kan dit geschieden door de strook in de richting van een heersende zeestroom te leggen, zoals bijvoorbeeld de Golfstroom op de Atlantische Oceaan.	However, a predominant current, such as the Gulf Stream in the Atlantic Ocean, can also cause this movement.
Deel 3: Een verwerkingseenheid, zoals een fabrieksschip, die de algen, wieren of planten opzuigt, van water ontdoet en verwerkt tot brandstof, bij voorkeur olie of alcohol.	Part 3: a processing unit, such as a production ship, that siphons the algae, seaweeds, or aquatic plants, expels[67] the water and processes them into fuel, preferably oil or alcohol based.
De gefabriceerde brandstof wordt opgeslagen	The produced fuel is stored and regularly

uses; relevant is that of a gas line. Since the hose has the connotation of being slightly more flexible in nature the translation used is *pumping hose*.

To contrast with pumping, the ST uses *zuigen* a logical translation for this is *suck*. However, combining pumping and sucking can have a slightly indecent connotation and is not a technical term. *Siphon* is a possible synonym for the verb but another option is to avoid it completely by saying that the "water is drawn in" (Everything Ponds). In order to keep the translation as similar to the ST as possible, it is preferable to use a translation that has a technical or scientific connotation, i.e. *siphon*, rather than a possible double meaning, i.e. *sucking*. However, when the *zuigmonden* are named, siphon is no longer an option. Siphon nozzles do not exist; technical manuals always refer to *suction nozzles*.

[67] **Remove**. There is no obvious translation for *ontdoen*. When the algae are siphoned a lot of water comes with them. The water is removed from the plants and disposed of. The ST has the ability to state this process concisely and in a formal register with a single word, *ontdoen*.

Single word translation options are *discard* and *dispose*, however these have a slightly different connotation, as these processes do not necessarily involve separating the water from the plants. A slightly more ambiguous way to describe the process op separating the water from the plants and then disposing of it is to use *remove*.

en regelmatig met tankschepen afgevoerd.	transported in tankers.
Er kunnen drijvende uitleggers worden gebruikt die de benodigde zuigmonden en pompleidingen tot vele kilometers vanaf de verwerkingseenheid naar buiten kunnen brengen.	Floating gantry[68] can be used to bring out the required suction nozzles and pump pipes many kilometers from the processing unit.
Ofwel het fabrieksschip vaart langs het eind van de strook om daar de waterplanten te oogsten en verwerken.	Otherwise, the production ship sails by the end of the strip to harvest and process the aquatic plants there.
[1032052 stempel]	[1032052 stamp]

[68] **Floating gantry**. The *uitleggers* are not included in any dictionary but the Dutch regulations on water traffic include images of a type of fishing net that floats to the side of the ship. However, Van Dale defines an *uitlegger* as either part of the ship or a *kraanbalk*; the latter translates as gantry and image searches give similar results.

A problem with this translation lies in its definition and use. Both the floating fishing net and the gantry are possible in this context. IATE only offers the gantry as a translation so this might be the preferred translation.

In a professional setting this translation would be verified with the inventor if possible or come with the addition of a translator's note explaining that there is another possibility.

4.3 Publication

(19) [seal] **Octrooicentrum Nederland**	(19)[69] [seal] **Octrooicentrum Nederland**[70]
(11) **1032052**	(11) **1032052**
(12) C **OCTROOI**[6]	(12) C[71] **PATENT**[6]
(21) Aanvrage om octrooi: **1032052**	(21) Application for patent: **1032052**
(22) Ingediend: **23.06.2006**	(22) Submitted: **23.06.2006**[72]

[69] **(19)**. This is the INID indication, all sections in this patent are preceded by the INID code in order to provide international readers the possibility to quickly find the information they require. Explanations of the INID codes used in this document can be found in Appendix IV.

[70] **Octrooicentrum Nederland**. This translation is fully borrowed from the ST as it is a proper name and referencing in an official capacity is easier if the full name is in the language and terminology it can be most easily found under.

[71] **C**. This is a CAS Basic code that indicates the type of patent (CAS). The CAS Basic code is an international system that uses lettering to indicate a type of official document on intellectual property. Although the CAS Basic code is somewhat standardized, it is not universal all countries that use it use different letters and some codes are used differently between countries.

The Netherlands uses C to indicate a standard patent. Other codes could have been C1 for a six-year patent without a novelty search and C2 for a twenty-year patent with a novelty search. Like The Netherlands, Canada, The Peoples Republic of China, Denmark, Norway, and Sweden use a single C to indicate a standard patent, but the code is not universal.

The U.K. does not have any CAS code to indicate a standard patent. The only options for the U.K. are: A, A9, and B for an application, a specification of a published application, and an amended patent specification. While the U.S. also uses A, for them it is a "granted patent" (CAS) rather than an application and C1-9 are certificates rather than types of patent.

The full code for the patent also uses the country indication to avoid any misunderstanding. The addition of *NL* here could help in clarifying the type of patent, but the guidelines advise against making changes and the country seal as well as multiple other indications already ensure that misunderstanding is unlikely.

(51) Int. Cl.:	(51) Int. Cl.:[73]
A01G33/00 (2006.01)	***A01G33/00*** (2006.01)
A01G31/00 (2006/01)	***A01G31/00*** (2006/01)
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(45) Uitgegeven:	(45) Published:
03.03.2008 I.E. 2008/03	**03.03.2008 I.E. 2008/03**
(73) Octrooihouder(s):	(73) Patent holder(s):
Frederik Hendrik Kreuger te Delft.	**Frederik Hendrik Kreuger of Delft, Holland[74].**
(72) Uitvinder(s):	(72) Inventor(s):
Frederik Hendrik Kreuger te Delft.	**Frederik Hendrik Kreuger of Delft, Holland.**
(74) Gemachtigde:	(74) Agent:
Geen	**None**
(54) **Zonne-energie uit zee.**	(54) **Solar-energy from sea**
(57)Een strook wateroppervlak, bijvoorbeeld op zee, waar waterplanten onder invloed van	(57) A strip water surface, for example at sea, where aquatic plants grow under influence of

[72] **23.06.2006**. This document uses several different ways to indicate dates. None of these dates are changes in translation as per the methodology. Luckily, misinterpretation of the dates is unlikely as there is no country with twenty-three months.

[73] **Int. Cl.**. This patent is already designed for an international readership. Many of its codes and abbreviations are in English and do not need translation as they have already been borrowed from English. Int.Cl. is a common abbreviation for *international classification* that is used in patents in many different languages.

[74] **Holland**. This is an addition similar to the one explained in note 52. Although the patent is clearly Dutch, the patentee need not be Dutch or even a Dutch resident to apply. Internationally the address would be incomplete without the specification.

zonlicht groeien en daar van een zaaiende eenheid (een zaaischip) naar een verwerkende eenheid (fabrieksschip) drijven ten einde te worden omgezet in een vaste, gasvormige, dan wel vloeibare brandstof zoals olie of alcohol.	sunlight and, by way of a sowing unit (sowing ship) and production unit (production ship), float in order to be converted into a solid, gas, or liquid fuel such as oil or alcohol.
Het zee-oppervlak en de bijbehorende schepen bevinden zich bij voorkeur in de tropen of sub-tropen, bovendien in gebieden waar weinig of geen scheepvaartverkeer te verwachten valt en waar weinig of geen stormen te verwachten zijn.	The sea-surface and the corresponding ships are preferably located in the tropics or sub-tropics, moreover in areas where little or no shipping traffic is expected and where little to no storms can be expected.
NL C 1032052	**NL C 1032052**
De inhoud van dit octrooi komt overeen met de oorspronkelijk ingediende beschrijving met conclusie(s) en eventuele tekening(en).	The contents of this patent correspond with the originally submitted description with the conclusion(s) and possible drawing(s).
Octrooicentrum Nederland is het Bureau voor de Industriële Eigendom, een agentschap van het ministerie van Economische Zaken	*Octrooicentrum Nederland* is the Industrial Property Office (*Bureau voor de Industriële Eigendom*), an agency of the ministry of Economic Affairs (*ministerie van Economische Zaken*)[75]

[75] **Ministry of Economic Affairs (*ministerie van Economische Zaken*)**. This problem is similar to note 4; this is a legal entity with an official translation that can be found on the website. However, the addition of the Dutch name in italics can help in correspondence because the English version of the website is less useful and the working language within the ministry is Dutch.

5. Discussion and Conclusion

Translating within a specific field, such as legal or technical and scientific translation, is difficult. When two such complicated fields of translation overlap, as is the case with patent translation, the level of difficulty increases. Understanding of these translation fields as well as the legal and technical and scientific fields relevant for the patent is paramount in translating correctly. Even then there is always more to learn and difficulties can still be encountered. Translation problems can vary from something as seemingly simple as the name of a country to something more specific, such as a specific type of ship. When the subject matter is invention, there could even be language used that has not previously been used or existed, like a *zaaischip*.

This thesis presents information relevant to the translation of a patent and discusses the difficulties of legal and technical and scientific translation. It does so by presenting practical information on how to translate within these fields and offering an example of a patent application, description and publication translation. This practical information on translation can be used in future translations and the legal background could even be of help if you have the desire to obtain a patent.

Even with the practical advice, translation of a patent application, description, and publication is not easy. Following the guidelines and strategies cannot solve each of the difficulties present in these documents. However, making choices when multiple options are available and creating a uniform translation is made less complicated with these guidelines.

Deciding on a translation strategy, based on Vinay and Darbelnet, fitting for the purpose of the translation and using the guidelines presented in chapter 2.2.3 makes translation choices clearer and helps in overruling personal preference.

In this thesis the direct translation strategy was used and proved successful in helping to create a uniform translation that fits the purpose of the text. Whenever there were translation problems that were impossible to solve with the procedures in this strategy, *équivalence* and adaptation proved to be successful in solving these problems. Modulations were not necessary and would mostly have been in conflict with the guidelines. For future translations similar to the application form, the method chosen in this thesis is recommended.

A different strategy may be preferable in translating documents similar to the description. This text had longer sentences and often changes in structure could increase the clarity of the text.

However, it is still advisable to loosely follow the same strategy and prioritize the guidelines in order to avoid deviation from the ST. After all, the correctness and clarity of the information that is presented as well as the functionality of the translation are paramount.

One of the difficulties that a correct approach cannot overcome is the lack of reference works when making lexical choices. There are very few bilingual dictionaries that include specialized terminology. For these problems there is a need for Internet databases that offer suggestions, some do exist but currently often offer suggestions without context. The lack of dictionaries and context can only be solved by sharing translations and compiling the information into a single, exhaustive database.

The annotations to the translation in this thesis can help in the compiling of a dictionary or personal translation database and be used to create uniformity in the translation of forms that straddle the legal and technical and scientific translation fields. The translation itself can show foreign readers what the Dutch patent application process entails and educate on the difficulties of translation in general.

To create a dictionary or translation database, a bigger corpus would be useful. This increased corpus is of most importance for the description, which can vary in subject, length, and complexity, but is of less importance for the application form, which is always the same. Translation choices within the form do not differ between applications except for those that describe the inventions.

Expanding the corpus to include different forms that still straddle both legal and technical and scientific translation would likely increase a dictionary or translation database in such a way that it will help in translating any legal or technical and scientific form or document.

Although the creation of a comprehensive lexicography was beyond the scope of this thesis, such a thing would be greatly appreciated among translators if it were done correctly and is certainly to be considered for future work.

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Appendix I. Patent application

AANVRAGE OM OCTROOI

Dit gedeelte wordt door het Bureau voor de Industriële Eigendom ingevuld

Nummer	Ontvangstdatum
1032052	OCTROOICENTRUM NEDERLAND 23 JUNI 2006
Indieningsdatum 23 JUNI 2006	
Poststuknummer	
Inschrijvingsdatum	Verleningsdatum

Ondergetekende(n) verzoekt/verzoeken een octrooi te verlenen volgens de bepalingen van de Rijksoctrooiwet

Lees voor het invullen de Toelichting

Referentie van de aanvrager of zijn octrooigemachtigde:

☐ Deze aanvrage werd per telefax ingediend op: *(datum)*

☐ Deze aanvrage is een afgesplitst gedeelte van _____ *(nummer afgesplitste aanvrage om octrooi)* ingediend op _____ *(datum)*

Vak I. KORTE AANDUIDING

Inrichting voor het winnen van zonne-energie op zee door middel van wieren of waterplanten

Vak II. AANVRAGER

Naam en adres: *(Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden)*

Kreuger, Frederik Hendrik
Rotterdamseweg 113 2628 AK Delft Holland

xXx Deze persoon is tevens uitvinder.

Telefoon nr.: 015 – 2 567 192 | Telefax nr.:

☐ Verdere aanvrager(s) en/of uitvinder(s) is/zijn vermeld in Vak IV.

Vak III. GEMACHTIGDE

Naam en adres: *(Achternaam gevolgd door volledige voornaam/voornamen; naam adres, postcode, woonplaats en evt. naam en vestigingsplaats octrooibureau vermelden)*

(geen)

Telefoon nr.: | Telefax nr.:

1032052

Vak IV. VERDERE AANVRAGER(S) EN/OF UITVINDER(S)	
Naam en adres: *(Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden)* (geen verdere aanvragers of uitvinders)	Deze persoon is: ☐ alleen aanvrager ☐ aanvrager en uitvinder ☐ alleen uitvinder

Naam en adres: *(Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden)*	Deze persoon is: ☐ alleen aanvrager ☐ aanvrager en uitvinder ☐ alleen uitvinder

Naam en adres: *(Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden)*	Deze persoon is: ☐ alleen aanvrager ☐ aanvrager en uitvinder ☐ alleen uitvinder

Naam en adres: *(Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden)*	Deze persoon is: ☐ alleen aanvrager ☐ aanvrager en uitvinder ☐ alleen uitvinder

Naam en adres: *(Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode, de woonplaats en het land vermelden)*	Deze persoon is: ☐ alleen aanvrager ☐ aanvrager en uitvinder ☐ alleen uitvinder

1032052

Vak V. GEMEENSCHAPPELIJK VERTEGENWOORDIGER

Naam en adres: *(Achternaam gevolgd door volledige voornaam/voornamen; bij rechtspersoon volledige officiële benaming. Bij het adres de postcode en de woonplaats vermelden)*

Telefoon nr.:	Telefax nr.:

Vak VI. RECHT VAN VOORRANG

De aanvrager(s) beroept/beroepen zich op een recht van voorrang dat berust op de volgende eerder ingediende aanvrage(n):

Nummer	Land van indiening	Indieningsdatum

☐ De aanvrager(s) verzoekt/verzoeken het Bureau voor de Industriële Eigendom om een gewaarmerkte kopie (voorrangsbewijs) van bovenvermelde als recht van voorrang ingeroepen eerder ingediende Nederlandse aanvrage(n) te vervaardigen en aan deze aanvrage toe te voegen.

Vak VII. VERZOEK OM EEN NIEUWHEIDSONDERZOEK
(Lees voor een uitleg over de consequenties van uw keuze aandachtig de toelichting)

☐ De aanvrager(s) verzoekt/verzoeken het Bureau voor de Industriële Eigendom om een, met betrekking tot het onderwerp van de aanvrage, aan de verlening van het octrooi voorafgaand onderzoek naar de stand van de techniek (nieuwheidsonderzoek) van het volgende type:

- ☐ **nationaal**; hiervoor dient bij de indiening een taks te worden betaald van EUR 340,--.
- ☐ **internationaal**; hiervoor dient bij de indiening een taks te worden betaald van EUR 794,--.
- ☐ **gratis**; het resultaat van een eerder door het Europees Octrooibureau of het Bureau voor de Industriële Eigendom op een overeenkomstige aanvrage ingesteld overeenkomstig nieuwheidsonderzoek wordt hierbij overgelegd.

x☒x De aanvrager(s) deelt/delen mee **NIET** om een aan de verlening van het octrooi voorafgaand nieuwheidsonderzoek te zullen verzoeken en wenst/wensen derhalve een octrooi met een maximale duur van 6 jaar.

Vak VIII. VERZOEK OM VERVROEGDE INSCHRIJVING

☐ De aanvrager(s) verzoekt/verzoeken het Bureau voor de Industriële Eigendom om deze aanvrage zo spoedig mogelijk in te schrijven in het octrooiregister zodat een ieder zo spoedig mogelijk kennis kan nemen van de inhoud van de aanvrage.

1032052

Vak IX. AANVRAGE OMVAT HET GEBRUIK VAN EEN MICRO-ORGANISME	
De cultuur van het micro-organisme is gedeponeerd bij: *(naam, adres, verstigingsplaats en –land van de instelling)*	
op *(datum van depot)*:	onder nummer *(depotnummer)*:
De aanvrager(s) verklaart/verklaren onherroepelijk toestemming te verlenen tot het overeenkomstig artikel 21 Uitvoeringsbesluit Rijksoctrooiwet 1995 verstrekken van monsters van de door hem/hen gedeponeerde cultuur van het micro-organisme.	

Vak X. ALGEMENE GEGEVENS AANVRAGER(S) *(deze gegevens worden voor statistische doeleinden gebruikt)*	
Categorie branche:	Categorie bedrijfsgrootte:

Vak XI. BIJLAGEN

Bij deze aanvrage zijn de volgende stukken gevoegd:

- [X] Beschrijving met één of meer conclusies (in drievoud).
- [ ] Tekeningen/formulebladen (in drievoud).
- [ ] Uittreksel met evt. tekening/formuleblad (in drievoud).
- [X] Betalingsformulier.
- [ ] Een door de aanvrager(s) ondertekende volmacht t.g.v. de genoemde gemachtigde.
- [ ] Bewijs/bewijzen van het ingeroepen recht van voorrang.
- [ ] Document waaruit de overgang van het voorrangsrecht blijkt indien een ander dan de aanvrager de aanvrage, op grond waarvan de voorrang wordt ingeroepen, de aanvrage heeft ingediend.
- [ ] Afschrift van het ontvangstbewijs van de instelling waar de cultuur van het micro-organisme is gedeponeerd.
- [ ] Diskette met sequentie-opsomming, indien de aanvrage betrekking heeft op een nucleotide- of aminozuur-sequentie en de aanvrager(s) om een nieuwheidsonderzoek verzoekt/verzoeken.
- [ ]
- [ ]
- [ ]
- [ ]

Vak XII. ONDERTEKENING DOOR AANVRAGER(S) OF GEMACHTIGDE

Vermeld bij elke handtekening de naam van de ondertekenaar en indien de aanvrager een rechtspersoon is, tevens de functie.

Kreuger, Frederik Hendrik

BETALINGSFORMULIER

AANVRAGE OM OCTROOI

Dit gedeelte wordt door het Bureau voor de Industriële Eigendom ingevuld

Nummer	Ontvangstdatum
1032052	OCTROOICENTRUM NEDERLAND 23 JUNI 2006

Referentie van de aanvrager of zijn octrooigemachtigde:

Aanvrager:

Kreuger, Frederik Hendrik
Rotterdamseweg 113 2628 AK Delft

TE BETALEN TAKSEN

Berekening van de voorgeschreven bedragen: *(het bedrag dat bij de indiening wordt betaald aankruisen)*

xXx	Taks voor het indienen van de aanvrage om octrooi:	EUR	90,–
☐	Taks voor het vervaardigen van een gewaarmerkte kopie (voorrangsbewijs) van een als voorrang ingeroepen Nederlandse aanvrage om octrooi (zie Vak VI) à EUR 9,– :	EUR	.....
☐	Taks voor het indienen van een nieuwheidsonderzoek van het nationale type (zie Vak VII):	EUR	340,–
☐	Taks voor het indienen van een nieuwheidsonderzoek van het internationale type (zie Vak VII):	EUR	794,–

Het totaalbedrag van EUR 90,– is als volgt betaald:

☐ Het Bureau voor de Industriële Eigendom wordt door de houder van depotrekening nr. _____ door ondertekening van dit formulier geautoriseerd om het tegoed hierop te belasten voor dit bedrag (*alleen voor houders van een depotrekening bij het Bureau I.E.*).

☐ De aanvrager heeft het verschuldigde bedrag overgemaakt op 23 juni 2006 *(datum)*

xXx op Rabobank rekeningnummer 1923.24.160
t.n.v. het Bureau voor de Industriële Eigendom te Rijswijk.

☐ Met een cheque ten gunste van het Bureau voor de Industriële Eigendom te Rijswijk.

☐ Door contante betaling bij de kassier van het Bureau voor de Industriële Eigendom te Rijswijk.
De kas is op werkdagen geopend van 10.00 uur - 17.00 uur.

ONDERTEKENING DOOR AANVRAGER(S) OF GEMACHTIGDE/HOUDER DEPOTREKENING

F.H. Kreuger

Appendix II. Patent description

Beschrijving (Zonne-energie uit zee)

De inrichting volgens deze uitvinding heeft ten doel om zonne-energie, via in zee of in andere wateren drijvende organismen zoals algen of wieren, om te zetten in chemische energie die in brandstof wordt vastgelegd. Deze brandstof heeft bij voorkeur de vorm van vloeistof zoals olie of alcohol, maar kan ook andere vormen, zoals poeder, korrels of brokken brandstof, of zelfs van brandbaar gas aannemen. De inrichting bestaat daaruit dat aan het begin van een strook wateroppervlak levende organismen aan het wateroppervlak worden toegevoerd, welke organismen zich in deze strook vermenigvuldigen en zich al drijvend naar het eind van de strook verplaatsen. Aan dit einde worden de organismen verzameld en verwerkt tot een calorierijke brandstof, zoals olie, alcohol of gas.

De inrichting bestaat uit drie onderdelen die er als volgt uit kunnen zien.

Deel 1: een drijvende eenheid, zoals een 'zaai-schip', die de organismen gelijkmatig over het wateroppervlak verspreidt, ofwel zaait. De organismen bestaan uit algen, wieren of andere waterplanten die de energie van de zonnestraling omzetten in de chemische energie van zetmeel en andere biologische bouwstenen van waterplanten. Aan deze algen, wieren of andere planten kunnen micro-organismen, zoals bacteriën, worden toegevoegd, waarvan bekend is dat ze de groei van algen of planten bevorderen. Ook kunnen andere bemestingsmethoden worden toegepast.

Deel 2: Een uitgebreide strook van algen, zeewier, of andere waterplanten welke planten langzaam naar het einde van de strook toe drijven en daar geoogst worden.

De beweging van de planten kan door pompen aan de ene kant van de strook en door zuigen aan de andere kant veroorzaakt worden. Maar ook kan dit geschieden door de strook in de richting van een heersende zeestroom te leggen, zoals bijvoorbeeld de Golfstroom op de Atlantische Oceaan.

Deel 3: Een verwerkingseenheid, zoals een fabrieksschip, die de algen, wieren of planten opzuigt, van water ontdoet en verwerkt tot brandstof, bij voorkeur olie of alcohol. De gefabriceerde brandstof wordt opgeslagen en regelmatig met tankschepen afgevoerd.

Er kunnen drijvende uitleggers worden gebruikt die de benodigde zuigmonden en pompleidingen tot vele kilometers vanaf de verwerkingseenheid naar buiten kunnen brengen. Ofwel het fabrieksschip vaart langs het eind van de strook om daar de waterplanten te oogsten en te verwerken.

Appendix III. Patent publication

(19) Octrooicentrum Nederland

(11) **1032052**

(12) C **OCTROOI**[6]

(21) Aanvrage om octrooi: **1032052**

(22) Ingediend: **23.06.2006**

(51) Int.Cl.:
A01G33/00 (2006.01) ***A01G31/00*** (2006.01)

(41) Ingeschreven:
27.12.2007 I.E. 2008/03

(47) Dagtekening:
27.12.2007

(45) Uitgegeven:
03.03.2008 I.E. 2008/03

(73) Octrooihouder(s):
Frederik Hendrik Kreuger te Delft.

(72) Uitvinder(s):
Frederik Hendrik Kreuger te Delft.

(74) Gemachtigde:
Geen

(54) **Zonne-energie uit zee.**

(57) Een strook wateroppervlak, bijvoorbeeld op zee, waar waterplanten onder invloed van zonlicht groeien en daar van een zaaiende eenheid (een zaaischip) naar een verwerkende eenheid (fabriecksschip) drijven ten einde te worden omgezet in een vaste, gasvormige, dan wel vloeibare brandstof zoals olie of alcohol. Het zee-oppervlak en de bijbehorende schepen bevinden zich bij voorkeur in de tropen of sub-tropen, bovendien in gebieden waar weinig of geen scheepvaartverkeer te verwachten valt en waar weinig of geen stormen te verwachten zijn.

NL C 1032052

Appendix IV. INID references

As found in WIPO's Recommendation Concerning Bibliographic Data On and Relating To Patents and SPCS.

11	Number of the patent, SPC or patent document
12	Plain language designation of the kind of document
19	WIPO Standard ST.3 code, or other identification, of the office or organization publishing the document
21	Number(s) assigned to the application(s)
22	Date(s) of filing the application(s)
41	Date of making available to the public by viewing, or copying on request, an unexamined patent document, on which no grant has taken place on or before the said date
45	Date of making available to the public by printing or similar process of a patent document on which grant has taken place on or before the said date
47	Date of making available to the public by viewing, or copying on request, a patent document on which grant has taken place on or before the said date
51	International Patent Classification or, in the case of a design patent, as referred to in subparagraph 4(c) of this Recommendation, International Classification for Industrial Designs
54	Title of invention
57	Abstract or claim
72	Name(s) of inventor(s) if known to be such
73	Name(s) of grantee(s), holder(s), assignee(s) or owner(s)
74	Name(s) of attorney(s) or agent(s)