

The Changing World of Japanese Patent Translators

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Anything that creates unity and harmony and dispels distrust and hatred is a step forward. The translator, obviously, has a very important role to play. I think I am carrying out a task which, in their way, my parents wanted me to perform, and I know that all those teachers and friends from the older generations who guided me and helped me along wanted me to do this, too. The microcosm and the macrocosm converge somewhere—by imposing a tiny bit of order in a communication you are translating, you somehow are carving out a little bit of order in the universe. You will never succeed. Everything will fail and finally come to an end. But you have a chance to carve out a little bit of order and maybe even beauty out of the raw materials that surround you everywhere, and I think there is no other meaning in life.

Donald L. Philippi

Some 15 years ago when I lived in San Francisco, a translation agency in downtown called and asked whether I could come to their office to have a look at a patent. It had been faxed to them by a law firm but they were not sure whether it was legible enough for translating because, like most translation agencies, they could not read Japanese. So I took the bus downtown and then an elevator to the agency's office on Market Street to have a look at what appeared to be a third generation fax. It was hopeless. Nobody can possibly read these illegible blobs, I said to the disappointed agency owner and went back to Market Street to wait for my bus for the ride back home, surrounded by the colorful, multilingual, and smelly San Francisco human Zoo that populates the downtown bus lines. (I used to put on my earphones to blend into the environment and turn the radio off to listen in on conversations in foreign languages if I knew the language, or listen to music if nobody talked about anything interesting or if they talked in a tongue that was foreign to me).

Today all I need is the correct patent number. In most cases, I can go either to the Japan Patent Office website or the European Patent Office website and download a legible copy of the patent in question

Although the resolution of fax transmission has not changed in decades and a second- or third-generation fax at 90 dots per inch still renders small characters in a patent almost completely illegible, when customers call me today with a prospective patent translation, all I need from them is the correct patent number. In most cases, I can go either to the Japan Patent Office website or the European Patent Office website and download a legible copy of the patent in question in Adobe Acrobat format (.pdf), store it on my hard disk and print it on my printer. I used to order patents for about \$10 from services such as the British Library in London (<http://www.bl.uk>), or from the IBM database

(<http://www.delphion.com>), or for about \$6 (9 Canadian dollars) from PatentWorks in Quebec Canada (<http://www.patentworks.com>), but it is faster and cheaper (free—courtesy of the Japanese and European taxpayers!!!) to download the patents directly from the source, although most patent law firms and some translation agencies sending work to me nowadays will do the downloading part for me and e-mail an image file to me. These and other services also have links to free databases (digital libraries) of patents from different countries on their website. The British Library in London in particular has a comprehensive list of links to very useful sources of patent databases and other information.

The English Part of the JPO Website Has a Nifty Machine Translation Tool

The Internet has definitely changed the working environment of most translators of patents from Japanese, German and other languages in the past few years. The fact that we can go directly to a source of legible patents on line and download a legible copy almost immediately means that we no longer have to wait 2 or 3 days for a Fedex delivery of a patent that may or may not be legible, perhaps at a time when we have no other translation work during those 3 days. Sometime, of course, the work never arrived if the customer was unable to find a legible copy of the patent in time. The Japanese Patent Office (JPO) at <http://www.jpo.go.jp> (this is a new URL as of March 31, 2001) displays stored Japanese Kokai (unexamined) and Kokoku (examined) patents, as well as examined and unexamined utility models. The website has two different parts—an English part and a Japanese part. The two parts are really two different sites aimed at different audiences. The range of the English part of this website is very limited because it only contains abstracts of patents and utility models from the year Heisei 5 in the Japanese calendar (1993). On the other hand, it has a nifty machine translation program that will translate in a few seconds a summary of the claims and of the outline of the patent (in about 10 seconds on my DSL line) if you click on the button DETAILS in the English part of this website. The machine-translated text is not bad, in some cases it is clearly understandable, especially if the patent describes a simple concept, for instance a new chemical composition, which is basically defined by the weight percentages of individual components in this new composition. In fact, the best results of machine-translated texts available from this free tool are almost indistinguishable from the worst examples of translations done by

humans whose native language is not English, if we are dealing with a very simple design and a very simple sentence structure. Machine translation may in fact soon replace robot-like human translators in tasks involving simple and repetitive texts, although it will probably never replace human translators for the reasons that I am explaining in another article (see my article *Reflections of Human Translator on Machine Translation* in the July 2000 issue of the Translation Journal).

The Japanese Part of the JPO Website Has the Most Complete Collection of Japanese Patents and Utility Models

The Japanese part of this website is not very useful for patent lawyers in this country unless they can read Japanese because everything is in Japanese, including the instructions on displaying and downloading. If you make a mistake, for instance by typing in the wrong number of digits or the wrong sequence, the website will display fourteen (count them ??????????????) angry question marks, which is the only help that is offered to novice users by the JPO. If you still can't figure out the proper sequence, an angry spirit dwelling in the innards of the JPO site will display 28 question marks in two rows (The Help File is of no help, of course, like all Help Files. I always visualize an angry Japanese face that is looking reproachingly at me when I see those question marks). Another problem with this site is that the default display form is low resolution, and the default printing is also in low resolution, possibly to save storage space for zillions of Japanese patents that need to be stored and thrown at non-Japanese patent lawyers in legal disputes dealing with infringement of existing patents. It is possible to change the format by clicking on the "display again" button and display and print the text at high resolution. However, this will display and print only selected blocks of text and it is almost impossible for some reason to print the entire text at high resolution on any of my printers. I usually print out the whole text at low resolution and then go back to view or print out at high resolution the portions that are not clearly legible in my text. In spite of the shortcomings of this website, as far as I know, this is the most comprehensive collection of Japanese applications for patents and utility models available online for free. In the Japanese part of the website, Japanese patents are listed from the year Showa 46 (1971) for unexamined (Kokai) patents and from the year Taisho 11 (1922) for examined (Kokoku) patents.

But My Favorite Website for Foreign Patents is the EPO Website

The second website, one that is frequently used by US patent lawyers (I found out about this website one day when I was identifying Japanese patents in a lawyer's office), is the website of the European Patent Office (EPO) at <http://www.espacenet.com>. If for some reason your browser refuses to take you there, go to my website at <http://www.japanesetranslators.com> (or <http://www.pattran.com>), click on buttons: HELPFUL LINKS -> EUROPEAN PATENT OFFICE -> PATENT SEARCH (bottom line) -> ACCESS esp@cenet via the EPO. This will take you to the QUICK SEARCH page. This is an extremely useful page for me because I can use it not only to search for and to display the patents that I need to translate, but I can also search here for other information in a number of languages. For

example, I can type the words *narrow-band beam expander* or a German compound word such as *Kabelsatz* in the field *Simple Text* to display hundreds of patents in various languages that I can use as reference to track down the proper term for a certain technique. Several hundred to thirty thousand or so patents will be usually identified in one hit, although the system can display only the first five hundred patents. Or I can type the name of the company in the field *Company name* to display other patents filed by the same company. Because Japanese and German companies file the same patents in America and in Europe in English and in various European countries also in other languages, I can sometime find a very similar patent dealing with a very similar technique which has the precise terms that I am looking for in English or another language. This sometime saves my life when a Japanese patent uses transcription into katakana (one of two Japanese alphabets used, along with Japanese *kanji* characters which are of Chinese origin). The problem with transcription of foreign words into Japanese is that since the original spelling is lost in Japanese, you either know what the original word was, or you don't. And if you don't, it may be very hard to figure it out from the mutilated form resulting from a transliteration that fits the Japanese phonetic system, which has only a limited number of sounds. And because the transcription provides no indication as to which language the original word was in or whether it is a personal name or a common word, it can be very difficult to track down such a word.

Will Japanese Patent Lawyers Ever Learn That "Anaguro" Is Wrong?

In addition, Japanese patent lawyers who write patent applications also sometime make mistakes and they frequently transcribe foreign words incorrectly. This is sort of understandable because a foreign word is just a foreign word to those busy Japanese patent lawyers and they don't really care what the correct spelling is as long as they know what the word means. I remember for instance how an in-house Hitachi patent lawyer (lets's not name names here—I have not sunk that low yet) kept using in an old Hitachi patent application the word "anaguro" instead of "anarogu" which is the correct transcription for the English word "analog". Obviously, analog is a very easy word to figure out, even if the transcription is wrong. But what about for example the word "purikahsahtoh"? It did ring a distant bell when I saw it recently in a patent opposition brief, but since I had not dealt with patents in this field (spinning techniques for multi-filament fibers) for several years, I could not remember what it meant. But when I ran a search on the EPO website for other patents filed by the same company, after about a minute of clicking on patents published in English, I realized that these were two words: "purikahsah", which sounded at first like the name of an African king to me, meaning "precursor", and that the second word "toh" is "tow". Without the EPO website, I would have had to pore over a number of Japanese-English and monolingual dictionaries for a long time, trying different spelling combinations before arriving at the correct term, although I would have recognized the term immediately of course ten years ago or so when I was dealing with this field daily.

English Summaries on the EPO Website Can Also Be a Lifesaver

If I type the number of the patent application in the field *View a patent application*, the EPO site will display an abstract in English first, usually from 50 to several hundred words. This abstract is very useful not only because it gives me the terms that a Japanese native translator, possibly a specialist in the field (whose English, however, is often not very good) would use in this translation, but also because the text in English also displays the names of the inventors transcribed into English. As every Japanese patent translator knows, transcription of Japanese names is a major hassle and it makes very good sense to have other people do this work for us, especially if they do it for free and Japanese is their native language. I use the EPO website not only to locate highly legible easily searchable copies of Japanese patents, but also for German and French patents, most of which are also provided with an abstract in English.

Second Plug for My Own Website

You can go from the EPO links or from the links on my website (<http://www.pattran.com>) or (<http://www.japanesetranslators.com>) also to other national patent offices in various countries. For instance the Czech Patent Office also has a similar search engine that one can use to search for and display Czech patents. The patents are stored here only in the form of abstracts (up to about two hundred words) and only in Czech. However, because many Czech patents are owned by foreign companies, I can often find a similar patent for instance in German on the European Patent Office website if I have the name of the inventor or the name of the company, and this will often point me in the right direction during a search for a proper translation into English of an obscure term in Czech. For instance, dozens of patents for inventions made at the Skoda Works factory in Pilsen, home of the original pilsner beer, are owned by a Swiss company and are thus easily available in German.

Lonely Wolves Are Turning Into Lonely Eagles

Most translators of Japanese and German patents that I have met over the years tended to be very individualistic and highly opinionated people who became freelance contractors because they enjoyed the freedom that is available, at a cost, to those of us who run a freelance business. Those who lived in large metropolitan areas, as I did in the eighties and early nineties, had the luxury of being able to live the lifestyle of their choice while at the same time they could also meet other translators at regular meetings of groups of translators not far from their home. Translators who lived far away from major metropolitan centers did not have the advantage of being able to network with their colleagues as frequently.

The Internet has changed also this part of the equation. The lonely wolves who used to live and work as freelance translators mostly in urban areas some 15 years ago have often dispersed to other parts of the country where the real estate costs are much lower and parking spaces are much easier to find. When I think of the group of

Japanese translators that used to meet in the house of Donald Philippi in San Francisco several times a year until Don passed away in 1993, only a couple of them or is still living in the San Francisco area. (There are three interesting interviews with Don Philippi, who became the mentor of many Japanese translators on West Coast in the eighties, on Don Philippi's memorial Web page <http://www.jai2.com/dlpivu1.htm>. These interviews were conducted by Fred Schodt in 1984).

Some have moved to other parts of California, some to the Pacific Northwest, others to the East Coast, Japan, and even Australia. We can all communicate by e-mail or phone if we want to, but for some reason, we never seem to find the time to do that. Many of the lonely wolves who used to congregate every now and then in packs of translators, partly because this made it easier to hunt down the prey (translation work) have turned into lonely eagles. Eagles don't need to hunt in flocks because they have an excellent view from high up in the sky. We can see most of what we want to see from the Internet—our new and very useful vantage point. So much so that we don't seem to talk much to each other any more. Some translators talk to other translators on online forums such as the Honyaku, LANTRA-L, or FLEFO, some just lurk (i.e., read messages without ever posting), and others simply don't have time for chitchat any more. This new, "informed isolation" is to me a destructive part of the development brought about by the Internet.

The Internet Is Great for "Knowledge Workers"—But Only If They Really Know Something

However, for the most part, the Internet has created a better world for technical workers ("knowledge workers"), including translators of patents from Japanese, German and other languages. It provides an invaluable reference tool for us when we are not sure what term to use, if we can only figure out where the right sources of information are and how to search for information in those sources. And most of the work that needs to be translated is available for downloading for free on the Internet.

The Internet also provides an important direct link between freelance translators and their clients. As one patent lawyer told me when I was identifying Japanese and German patents at a law firm in the Silicon Valley: "Good, experienced legal secretaries, researchers, and technical translators are very valuable to us because they can save us a lot of time and money". In many cases, we can find our customers in databases available for free online if we know who we want to work for and if we can offer them the services they need. It costs me about 250 US dollars a year to be listed in two national and three regional directories of translators that maintain searchable databases of translators online: the ATA (American Translators Association) directory and directories of translators in Northern California, New York, Washington D.C. and Prague. Potential customers can also access websites of individual translators online if we make it easy for them to find us. The cost associated with creating and maintaining a website is again quite reasonable, normally just a few hundred dollars.

One of the places where the microcosm seems to converge with the macrocosm is now clearly the Internet. It is estimated that by about the year 2005, the number of people who are connected to the Internet will reach one billion and most of the new digitally literate surfers will come from developing countries. It is a pretty safe guess that instant access of so many people to patents will provide more high-octane fuel for the fire of human inventiveness. The word patent, which comes from the Latin expression *litterae patentes*, i.e., open letters or public documents, is now regaining its original meaning online.

The ubiquity of the Internet is thus slowly shifting the balance of power in the translation business away from brokers who simply resell stuff, all kinds of stuff, without necessarily knowing much about the stuff that they are selling, to specialized service providers who are able to provide added value because they know a lot about the product that they are selling.

What more can we ask for?