

2007年第4回知的財産翻訳検定<和文英訳> 共通問題 標準解答

The {principal objective | main purpose} of the Patent System
5 is to encourage inventions by promoting their protection and
utilization so as to contribute to the development of industry.
The Patent System promotes protection of inventions by granting
a patent right, or exclusive right, under certain conditions
for a certain period of time to those who have developed and
10 disclosed new technology.

Meanwhile, it gives the public an opportunity to gain access
to the inventions by disclosing their technical details.
The protection and utilization of an invention as described
above are {realized | accomplished} {by means of | by providing}
15 a patent specification and drawings, which serve both as a
technical document disclosing technical details of an
invention and as a document of title accurately defining the
technical scope of a patented invention.

In this regard, the Patent Law in Japan provides for a
20 description requirement, that is, for a "detailed description
of the invention" in the specification.

In the U.S. Patent Law, there is a corresponding provision that
the specification shall contain a written description of the
invention, and of the manner and process of making and using
25 it, in such full, clear, concise, and exact terms as to enable
any person skilled in the art to which it pertains to utilize
the same, and shall set forth the best mode contemplated by the
inventor of carrying out his invention.

In particular, the best mode requirement is uniquely codified
30 in the Patent Law in the U.S.

The best mode requirement is provided to counter the desire of some people to obtain patent protection without making a full disclosure as required by the statute.

The requirement does not permit inventors to disclose only what
5 they know to be their second-best embodiment, while retaining
the best embodiment for themselves.

(注： {} 内はいずれの語句でも使用可能な、等価な表現を挙げてあります。)