

Translation accuracy and dissemination of disclosure of patent information

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Valorization

Since 2013, the University of Maastricht requires a Valorization Addendum as part of its doctoral theses. The goal of writing this valorization section consists in increasing the visibility and explaining the societal impact of the research.⁹⁵⁷ In other words, this section intends to explain the social and economic relevance of the present research, demonstrating why its results compensate the time and values invested on it and how they can be used to improve new products, services and policies in the area of the research. Therefore, in this section, it is intended to provide a didactic and concise description of the social and economic value of the present research.

First and foremost, it is important to explain what the patent system is, what it represents to society and why translation is so important to its functioning today. A patent is an exclusive right granted for an invention, which is a product or a process that provides, in general, a new way of doing something.⁹⁵⁸ There are various examples of exciting inventions, which can extend from a new drug that can cure a serious disease to a new device of a mobile phone or a clever idea for a new type of can opener.

The patent system is important for various reasons: it discloses technological information at a global level, making it available for innumerable uses; it encourages innovation; it protects the rights of inventors and investors; it reduces transaction costs in the process of patent bargain; it provides the existence of huge databanks containing all types of technological information; it enables many important ways of controlling, classifying and exploiting this information (developing of patent portfolios, basing decisions in technological planning and management, evaluating the quality of a technology, identifying competitors and even human resources,...). Above all, patents are an important element of enforcement of the rule of law and promotion of fair competition in democratic societies, in a globalized, knowledge-based era.

Although patents are granted nationally, at least to the date, the patent system operates at the global level, being, therefore, multilingual. That is why translation is so important for its functioning and plays a role during the whole timeline of a patent. In this context, machine translation, together with the advent of digital information and communication tools, has represented a true revolution to patent rights, facilitating the process of the disclosure and the dissemination of patent information. These new technologies really changed the face of the patent system, making the volume of documents (and the access to them) increase dramatically. These changes are recent, dating from no more than one decade ago. They are also happening very fast, as it is possible to follow continuous high impacting changes involving patent searching tools and machine translation. This research is a seminal work in the sense of understanding, describing and analysing those changes, in order to give a contribution on the functions,

957 Regulation Governing the Attainment of Doctoral Degrees, Maastricht University, 2013, file:///Users/macbook/Downloads/UM_Regulation_governing_the_attainment_of_doctoral_degrees.pdf (accessed 4 June 2018).

958 WIPO, What is a Patent?, <http://www.wipo.int/patents/en/> (accessed 4 June 2018).

features and future perspectives of patent translation and dissemination of the disclosure of patent information in the legal framework.

Below, the main questions related to the valorisation of this research are answered, in short, one by one. The complete answers are detailed in different parts of the dissertation, also indicated below.⁹⁵⁹

1. *Relevance: What is the social (and/or economic) relevance of your research results (i.e. in addition to the scientific relevance)?*

- Patent systems are central to regulate global trade and disseminate scientific knowledge. Language and translation constitute their basis of communication. As the volume and complexity of multilingual documents grow intensively, translation can influence the whole legal path of patents. Understanding and refining these flows of communication is important to improve the patent system and, therefore, to provide legal certainty to its users. An improved patent system is vital to fair competition, that is to say, to inventors and investors, directly, and to the agents associated with its legal framework (policy makers, patent attorneys, examiners, judges, translators...).

2. *Target groups: To whom, in addition to the academic community, are your research results of interest and why?*

- The same target groups mentioned in the answer to question 1. This research is practically a first reference in understanding the patent system from a language/translation perspective. Its results include recommendations for patent offices, possibilities of improving patent search tools and proposals on harmonizing the system, which comprises a set of results related to the Unitary Patent System in Europe.

3. *Activities/Products: Into which concrete products, services, processes, activities or commercial activities will your results be translated and shaped?*

- The main product of my research is the book, represented by this dissertation, which can be considered as a significant theoretical reference to the role of translation to the patent system. The set of recommendations contained by this book can be the basis to reformulate and improve the patent system in various levels, which may allow: more integration between national patent offices, improvement in searching tools and on the use of translated information to disclose technological content, recommendations on the language regime of the Unitary System in Europe, recommendations to developing countries in reaching higher levels of integration to the global system. During the period of research, there were publications, presentations and debates, in order to share and discuss the results not only with the scientific community, but with the agents mentioned in the answer to question 1.

⁹⁵⁹ The questions were transcribed from the Regulation Governing the Attainment of Doctoral Degrees, Maastricht University, 2013

4. Innovation: To what degree can your results be called innovative in respect to the existing range of products, services, processes, activities and commercial activities?

- The present research can be called innovative in the maximum degree, concerning the idea of an original contribution to patent law studies. Firstly, because it exploited an interdisciplinary topic poorly investigated before by other studies, dealing with empirical work and with a context of no prior art available. The researcher had to deal with the challenge of creating a methodology by combining techniques in order to exploit the existing primary sources.

5. Schedule & Implementation: How will this/these plan(s) for valorization be shaped? What is the schedule, are there risks involved, what market opportunities are there and what are the costs involved?

- A reference work can be implemented or consulted from the date it is published, with no deadline. It can inspire changes to the legal framework, the creation of new search databases or the improvement of the existing ones. Furthermore, the research results were shared and debated, in diverse occasions, with the European Patent Office (EPO), the European Intellectual Property Institutes Network (EIPIN) and with the Brazilian Patent Office (INPI).