第8回の3級試験問題

1. 記述問題の部

下記の英文は、傘に関する特許明細書の一部を抜粋したもので、従来の技術の問題点について述べています。 それに続く日本語文章は、発明の目的や問題解決の手段について記述したものです。 英文中の言葉を用いて日本語文章を英訳してください。

No one can doubt the effectiveness umbrellas have for keeping persons walking in the rain dry. Because umbrellas have proven to be extremely effective over the years, minimal changes have been made to their simple design. Although umbrellas do well keeping persons dry, they do nothing to enhance a person's safety when they are used in dark, rainy conditions. In fact, black and dark colored umbrellas may actually reduce a person's safety by making him or her less visible to approaching motorists.

雨天の夜間においても運転者から視認しやすい傘があれば交通安全の観点から望ましい。 この発明は、先端に発光素子を取り付けた傘を提供することによってこのような要求を満たすものである。この発明のこのような利点、更なる利点、特徴及び目的は、以下に図面を用いて例示的に説明される実施例の記 載から更に明らかになるであろう。

2

2	マークシートの部
	1 次の英文のそれぞれについて最も近い意味の和訳文を選びなさい。 (1) The specification must be enabling.○ A 明細書は発明を実施できるように発明を開示しなければならない。○ B 明細書に記載された発明は実施可能でなければならない。
	○ c 実施できない発明を明細書に開示してはならない。(2) The invention is obvious from known art.○ A この発明は公知技術に対して新規性がない。○ B この発明は公知技術に対して進歩性がない。
	 ○ C この発明は公知技術に対して改良されていない。 (3) To overcome an outstanding Action, applicant has to file a complete and proper reply within time. ○ A 拒絶理由を覆すためには期限内に完全かつ適正な回答を行わなければならない。 ○ B 裁判に勝つためには申請人は回答を期限内に行う必要がある。
	 ○ C 期限内に完全かつ適正な回答がなされれば拒絶理由は回避される。 (4) A patent for an invention is the grant of a property right to the inventor, issued by the United States Patent and Trademark Office. ○ A 特許とは発明者に対して認められる所有権であって米国特許庁から発行されるものである。 ○ B 特許は発明を保護する権利であって、米国特許庁が認めるものである。
	○ C 特許は発明に対して特許庁が認める権利であって発明者に対して与えられる。 (5) Trademark rights may be used to prevent others from using a confusingly similar mark. ○ A 他社が紛らわしい商標を使うことに対抗するためには商標登録が必要である。 ○ B 商標権は、他者が紛らわしい商標を用いることを防ぐための唯一の手段である。
	○ C 商標権を得ていれば他者が紛らわしい商標を使用することを防ぐことができる。 (6) The desire and need to provide cooling for buildings is as old as the art of constructing human habitation. ○ A ビルディングにおける冷房は、建築技術と同じくらい旧くから求められている課題である。

○B 人間の居住のための建築技術があらわれた当初から建物の冷房が求められていた。

○ C ビルディングの冷却も住宅の冷却と同じように昔から求められつづけてきた。 (7) Exhaust emissions of automotive engines constitute a major source of global warming.

	○а ○в	自動車エンジンの排ガスは大気汚染の主な原因である。 地球温暖化の原因のひとつとして自動車エンジンの排気ガスがある。
(自動車エンジンの排出物は地球温暖化の主な原因のひとつである。 Soil moisture sensing devices and other methods of water conservation have been available for decades, but have enjoyed only limited success.
	Ов	my minted success. 水を確保するための土壌湿分検出装置は長年用いられてきたが十分な効果をあげたとは言えない。 ここ何十年ものあいだ土壌湿分センサーなどの水資源確保のための手法が用いられてきたがその効果は限定的であった。
	Ос	水資源確保のための方法として土壌湿分センサーが数十年にわたって用いられてきたがその効果は不十分であった。
((9) 1	The comparator receives the sensor output and compares it with the reference voltage.
	\bigcirc A	比較器に入力されたセンサーの出力が参照電圧と比較される。
	Ов	比較器はセンサーの出力と参照電圧とを比較する。
	Ос	センサーの出力が比較器に入力され比較器がこれを参照電圧と比較する。
(10)	As most if not all of these compounds are toxic, handling requires greatest care.
	OA	一般的にこれらの化合物は有害なので取り扱いに細心の注意が必要である。
	Ов	これらの化合物の一部は有害なので取り扱いに注意が必要である。
	Ос	これらの化合物の大部分は有害なので取り扱いに細心の注意が必要である。
問	2 次0	D英文のそれぞれについて明かに誤った和訳文をひとつ選びなさい。
		A description of a machine could be copyrighted, but this would not prevent others from making and using the machine.
	\bigcirc A	機械についての記述については著作権が得られ、他者がその機械を製造したり販売したりすることを防ぐことができる。
	Ов	機械についての著述には著作権が与えられるが、この権利はその機械の製造や販売までには及ばない。
	Оc	機械についての文章を起草すれば著作権を得ることができるが、この権利をもってその機械の製造や販売の権利を占有することはできない。
(2) A	A person skilled in the art would easily conceive the invention.
	\bigcirc A	当業者であれば容易にこの発明を達成できたであろう。
	Ов	芸術の素養がある人ならば簡単に発明を達成できるであろう。
	Ос	当該技術について通常の知識があれば容易にこの発明を着想するであろう。
(3) A	A claim readable on a known product lacks novelty.
	\bigcirc A	クレームに記載された限定事項の全てが公知の製品中にあればそのクレームに記載された発明には新規性がないということになる。
	Ов	クレームの文言が単一の公知の製品上で読み取れればそのクレームには特許性がない。
	Ос	クレームに記載された限定事項が全部製品中にあれば侵害となる恐れがある。
(4) Ir	n contrast to the US patent practice, European patent practice regards any "means plus function expression" as being proad expression.
	\bigcirc A	欧州特許実務では「ミーンズ・プラス・ファンクション」表現は広い表現とされるが米国実務ではそうではない。
	Ов	米国特許実務と比較すると、欧州特許実務では「ミーンズ・プラス・ファンクション」表現はより限定的に解釈される。
	Ос	米国特許実務とは対照的に、欧州特許実務では「ミーンズ・プラス・ファンクション」表現は広い表現とされる。
(5) A	complete description, not a mere suggestion, of the subject matter for which a patent is sought is required.
	OA	特許を求める発明の主題を、単に示唆するのではなく、完全に記述することが望ましい。
	Ов	発明について特許を求める場合には、その発明の主題を完全に記述しなければならない。
	Oc	特許を求める発明の主題について単なる示唆ではなく完全に記述することが求められる。
(_	ig. 1 is a cross-sectional view of an embodiment.
	O _A	図1は実施例の横断面図である。
	Ов	図1は実施例の縦断面図である。
	\bigcirc c	図1は実施例の断面図である。
(The device of the invention is generally denoted by numeral 1.
		本発明の装置を概略的に参照番号1で示す。
	\bigcirc A	本発明の装置全体を参照番号1で示す。
	Ов	
	Oc	符号1は本発明の装置全体を示す。
(8) A	As people become more ecology conscious, public expectations for solar panels, which use clean energy, increase.
	() A	人々のエコ意識の高まりにつれて、クリーンエネルギーを用いる太陽光パネルについて期待がたかまる。
	Ов	人々のエコ意識の高まったので、今後クリーンエネルギーを用いる太陽光パネルについて期待がたかまるであろう。
	\bigcirc c	クリーンエネルギーを用いる太陽光パネルについての期待は人々のエコ意識の高まりにつれて大きくなる。

	e criterion of practical use of electric vehicles is whether they can provide a mobile performance equivalent to or
	re than that of the gasoline vehicles. fソリン車並の性能が得られるならば電気自動車の実用化は可能である。
_	電気自動車が実用化されるかどうかの境目は、ガソリン車と同等以上の性能が得られるかどうかである。
<u> </u>	電気自動車の実用化が進むためには、ガソリン車と同等以上の性能を得ることが鍵となる。
_	copper content not less than 1 wt% provides the expected result.
Oa €	胴の含有量が1重量パーセント以上であれば所期の効果が得られる。
Ов €	胴の含有量が1重量パーセントを超えれば期待された効果が得られる。
Ос₿	胴の含有量が1重量パーセントを下回らなければ期待された効果が得られる。
問3次のE	日本文のそれぞれについて最も近い意味の英訳文を選びなさい。
	国においては発明者しか特許出願を行うことは出来ない。
OA L	Inder US patent practice, a patent may be applied for only in the name(s) of the actual inventor(s).
Ов А	According to US patent practice, a patent application can be filed by the inventor himself/herself.
○c F	Persons other than actual inventors have no right to file patent applications.
_	ームに記載された文言と明細書に記載された文言とは必ずしも同じである必要はない。
	Vords appearing in claims should have clear support in the specification,
<u> </u>	t is not necessary to have literal correspondence between the words in the claims and those in the specification.
	Practice allows the use of expressions which are not exactly the same as those used in the specification.
	国においては特許権の存続期間は出願日から20年または発行日から17年である。
~ A	Inder US Law, the term of patent is either 20 years from the filing date or 17 years from the issue date.
_	
	Inder US Patent Law, any patent right expires after 20 years from the filing date or 17 years from the publication date. ・一ムにおいて、製品をそれを作る方法によって定義することは認められている。
-	は is not illegal to draft and submit a product-by-process claim.
-	A claim which defines an article by a manufacturing process is called a product-by-process claim.
<u> </u>	
\bigcirc c. A	product may be defined in a claim in terms of the process for making it.
	v product may be defined in a claim in terms of the process for making it. 頃人は、発明を実施するための最良の形態を開示しなければならない。
(5) 出原	
(5)出原 ○A ^A	頂人は、発明を実施するための最良の形態を開示しなければならない。
(5) 出原 〇 A A 〇 B T	頃人は、発明を実施するための最良の形態を開示しなければならない。 An applicant must set forth the best mode for carrying out the invention known to him.
(5)出版 〇A A 〇B ^T 〇C A	頃人は、発明を実施するための最良の形態を開示しなければならない。 on applicant must set forth the best mode for carrying out the invention known to him. The best mode for carrying out the invention must be disclosed in the specification.
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(5) 出版 〇 A A A 〇 B T 〇 C A (6) この 〇 A A	順人は、発明を実施するための最良の形態を開示しなければならない。 An applicant must set forth the best mode for carrying out the invention known to him. The best mode for carrying out the invention must be disclosed in the specification. An applicant is required to disclose the best mode of the invention to a greater detail as possible. O分留塔の中では上昇する気相と下降する液相とが互いに接触する。 A fractionating column allows mutual contact between ascending vapor and descending liquid. The ascending vapor and the descending liquid mutually contact in the fractionating column.
(5) 出原 〇 A A 〇 B T 〇 C A (6) この 〇 A A 〇 C T	順人は、発明を実施するための最良の形態を開示しなければならない。 In applicant must set forth the best mode for carrying out the invention known to him. The best mode for carrying out the invention must be disclosed in the specification. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention known to him. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the best mode of the invention to a greater detail as possible. In applicant is required to disclose the
(5)出版 ○ A A A ○ C A (6) この ○ A A ○ B T ○ C T (7)高別	関人は、発明を実施するための最良の形態を開示しなければならない。 An applicant must set forth the best mode for carrying out the invention known to him. The best mode for carrying out the invention must be disclosed in the specification. An applicant is required to disclose the best mode of the invention to a greater detail as possible. D分留塔の中では上昇する気相と下降する液相とが互いに接触する。 A fractionating column allows mutual contact between ascending vapor and descending liquid. The ascending vapor and the descending liquid mutually contact in the fractionating column. The fractionating column is designed to cause the ascending vapor and the descending liquid to contact with each other. The should be th
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り日本文のそれぞれについて明かに誤った英訳文をひとつ選びなさい。
米国以外の国の特許法は先出願主義に基づいている。
All national patent laws other than US Law rely on first-to-invent system.
The first-to-file system is used in all countries and district except for the states.
All countries other than US employ the first-to-file system.
この出願の発明には公知技術に対して新規性がないので拒絶する。
This application is rejected as being anticipated by prior art.
This application is rejected as lacking inventive step over known art.
This application is rejected as it lacks novelty over known art.
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For companies, it is important to perform intellectual property activities in collaboration with R&D strategy.
For companies, it is important to link R&D with intellectual property strategy.
Intellectual property activities linked to R&D is important to companies.
曼害被疑製品は文言侵害は構成しないが均等論下での侵害の可能性はある。
The accused product may constitute an infringement under the doctrine of equivalents, although there is no possibility of literal infringement.
The allegedly infringing product does not literally infringe the patent but may constitute an infringement under the doctrine of equivalents
The product in question may literally infringe the patent, not to mention possibility of infringement under the doctrine of equivalents.
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Translation of PCT international application when entered into national phase must be faithful to the original language.
Faithful translation is required when formulating a PCT international application entering into international phase.
Translation of PCT international application entering into national phase must be as faithful as possible to the original specification.
ウインドシアとは、小さな距離を隔てた空間の間での風速や風向の差のことである。
Wind shear is a difference in wind speed and direction across a short distance in the atmosphere.
Windshear is a phenomenon which occurs when wind speed and direction change over a short distance.
The term "windshear" means difference in wind speed and direction occurring across a short distance.
ヽイブリッドカーの開発は、燃費の向上と公害防止のふたつの貢献を果たしてきた。
The development of hybrid vehicles has served the dual purpose of fuel economy and prevention of pollution.
The development of hybrid vehicles has made contribution in two aspects: fuel efficiency and anti-pollution.
The development of hybrid vehicles will contribute both to higher fuel efficiency and prevention of pollution.
携帯電話のデザイン においては重さを小さくすることがますます求められている。
Increasingly mobile phone design requires smaller weight.
Lighter weight is more and more required in cellular phone design.
Reduction in weight has been achieved in mobile phone design.
この目的は、現在利用可能な手法をもってしてはまだ十分に達成されていない。
This aim cannot yet be satisfactorily met with the available instrumental techniques.
In order to satisfactorily achieve this object, various available methods are effectively used.
All the presently available techniques fail to provide satisfactory solution to this problem.
コンデンサーは交流は通すが直流は通さない。
A capacitor allows AC to flow therethrough, but not DC.
A capacitor provides an AC coupling but blocks DC.
A condenser blocks DC, while providing an AC connection.