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Articles ('A', 'An' and 'The')

1 Introduction

If you speak a European language as a first language, you may think the words 'a', 'an' and 'the' are simple. Indeed, it often comes as a surprise to speakers of English that there could ever be any alternative to them as far as function is concerned. Almost all languages have a similar set of basic features. These include nouns to name things, and verbs to describe action. In addition, like many people, I always assumed articles to be a universal feature of any language.

Of course, now I know how wrong that assumption was.

I remember the first time I read in my Japanese beginners-level textbook that these words were absent in Japanese. How, I thought, can one understand the meaning of a simple phrase like...

犬は黒い
inu wa kuroi
dog (subject) black

...without articles? How, I wondered, can one tell whether the correct meaning of the above is “The dog is black” or “Dogs are black”?

Of course, the problem is similar in reverse, i.e. from English to Japanese. The most difficult things to explain to non-native speakers of any language are those things which do not exist in the other language at all. Articles are in fact missing from many Asian languages.

Here is my attempt to explain English articles, including some special cases relating to patent documents. There are some useful rules to follow, although as always with English, every rule has some exceptions.

2 Articles and Determiners

Articles are a subset of a group of words called determiners. Determiners are found at the start of noun phrases, and tell the reader something about that noun.

Example determiners describe things like quantity (for example *this* vs. *these*), position (for example *this* vs. *that*) or possession (for example *my* vs. *your*).

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3 Articles : Introduction

Articles are used to tell the reader about how specific the following noun is. In other words, if they refer to a specific thing, or refer to some unspecified thing. They also tell you how many there are (*a/an* for one, *some* or a number for more than one).

If you know which item, use *the*. If you didn't previously know which item, use *a/an*.

Example 1 (singular):

"I bought **a** new PC last week. It was cheap, but I needed to replace **the** monitor."

"...a new PC..." - before this sentence, we didn't know which PC, so we use 'a'.

"...the monitor." - The PC was introduced earlier. We already know computers have a monitor, so we could only be talking about one monitor. In other words, *my* monitor (which was old or broken).

Example 2 (plural):

"I bought **a** new car last week. It was cheap, but I needed to replace **the** tyres¹."

"...a new car..." - before this sentence, we didn't know which car, so we use 'a'.

"...the tyres." - The car was introduced earlier. We already know cars have (usually 4) tyres, so we could only be talking about a specific set of tyres. In other words, *my* car's tyres (which were worn out).

You could say "...some tyres..." or "...some of the tyres..." if you didn't change all of them. If you only changed one tyre, you'd use "... one of the tyres...". Saying "...a tyre..." would be OK but less natural.

Example 3 (more technical):

"The vehicle is equipped with an airbag control system. **The** airbag control system has **an** accelerometer which detects the acceleration of the vehicle. If the acceleration exceeds **a** predetermined threshold, the airbag is inflated."

"The airbag control system..."
- The system has been introduced before, so *the*.

"...an accelerometer." - The accelerometer is being introduced for the first time, so *an*.

"...a predetermined threshold,..."
- The threshold is being introduced for the first time, so *a*.

¹ Or if you prefer the American English spelling, "*tires*". However, I'm from the UK and use the British spelling.

4 Special cases

a) Physical quantities

In the example on the previous page, you may have noticed *the acceleration*. Why not *an acceleration*?

Essentially, physical quantities (e.g. speed, mass, acceleration, voltage, current, density) use the definite article *the*. The reason is that these things only have 1 value. Therefore, we know *which* value. Therefore, 'the' is correct.

- i) "...which detects **the** acceleration of ..." (OK)
- ii) "...which detects **an** acceleration of ..." (Unnatural)

Even though a vehicle has many different values of acceleration during a journey, these do not occur at the same time. If you say "an acceleration" here, it sounds unnatural, like there is more than 1 acceleration. This might be correct, if you have acceleration vectors, say [a_x , a_y , a_z] (but you would probably say 'acceleration component' if you wanted to discuss them separately). It might also be correct in a different sentence if it's obvious that you are sampling the acceleration every 0.01s, for example. However, in the simple sentence in the previous page, *the* is correct and *an* is unnatural and looks wrong.

In patent claims, the use of *a* or *an* even for voltage, acceleration etc. is however quite common. This is particularly the case for US patent applications, and often leads to language similar to the following, which would be regarded as strange or incorrect in other contexts.

"An airbag control system for a vehicle,
comprising
...a controller, an acceleration sensor,...
...
...wherein
the sensor detects **an** acceleration of the vehicle,..."

However, in European patent applications this use of *an* is sometimes objected to by the examiner. This potential objection is because "an acceleration" implies "one", meaning that the sensor detects acceleration once only, which was probably not what the patent writer intended. In this case, especially for European patent claims, it may be better to either use *the*, or no article at all.

- i) "the sensor detects the acceleration of the vehicle..." (OK)
- ii) "the sensor detects acceleration of the vehicle..." (OK, possibly best)

b) Intrinsic properties

This is quite similar to the previous section. As an example, consider the following sentences

“Each disc is circular and composed of aluminium alloy. The centre of each disc is marked by a cross.”

- i) “**The** centre of each disc...” (OK)
- ii) “**A** centre of each disc...” (Incorrect)

In normal English, technical English, business English or even in the specification of patent applications, the partial sentence (i) is correct, and (ii) is incorrect. Remembering that *the* means *we know which one*, and of course circles only have one centre, we say “...the centre...” because we know which centre – the *only* centre. *The* centre.

Saying “...a centre...” implies a circle has more than one centre, which is impossible.

Once again, there is, according to many people, a special case in patent claims. These claims often include sentences such as

“...wherein a mark is made at a centre of each circular disc...”

The reason for this is usually concern about something called *antecedent basis* in patent claims. Essentially, patent examiners (mainly in the US) would often refuse a claim if it described the centre of a circle with “...the centre...” the first time it was referred to. The examiners rejection would include some phrase such as

“Claim 3 is rejected because there is insufficient antecedent basis for 'the centre' ”.

In response, patent writers tended to take one of two approaches, exemplified by the following sentences

“The <something> includes a plurality of circular discs ,
wherein
a mark is made at a *centre* of each circular disc...”

OR

“The <something> includes a plurality of circular discs each *having a centre*,
wherein
a mark is made at *the centre* of each circular disc...”

Both cases are problematic in normal English. Fortunately, this particular irregularity is no longer necessary, as we will see on the next page.

As a result of a 2001 court case², the (US) Manual of Patent Examining Practice (MPEP) now states³ that

For example, the limitation "the outer surface of said sphere" would not require an antecedent recitation that the sphere has an outer surface. See *Bose Corp. v. JBL, Inc.*, 274 F.3d 1354, 1359, 61 USPQ2d 1216, 1218-19 (Fed. Cir 2001) (holding that recitation of "an ellipse" provided antecedent basis for "an ellipse having a major diameter" because "[t]here can be no dispute that mathematically an inherent characteristic of an ellipse is a major diameter").

In other words, the normal English structure "the centre of a circle" can be used in patent claims.

c) *said* meaning *the*

A word common in patent applications which is rare elsewhere is *said*. To adapt a previous example, one commonly sees the following:

"*Said* <something> includes a plurality of circular discs each *having a centre*, wherein
a mark is made at *said centre* of each circular disc..."

Said is however for all practical purposes the same as *the*. In modern patent practice, it is unnecessary.

d) Usual or common objects or places

Some places in normal speech or writing always take *the* as an article. For example

"I'm going to **the** supermarket. Shall I get some milk?" (We don't say ~~a supermarket~~)

The following (this is not a complete list) also use *the*

the station
the cinema
the theatre
the post office
the fire station
the police station
the television
the radio

In this case, *the* means 'the usual (station, cinema, etc.)'. This is correct even if there is more than one supermarket, cinema... and they are in different places. Even if there are, say, 5 cinemas in your city, you would usually say "the cinema".

² *Bose Corp. v. JBL, Inc.*, 274 F.3d 1354, 1359, 61 USPQ2d 1216, 1218-19 (Fed. Cir 2001)

³ MPEP 2173.05(e) Lack of Antecedent Basis [R-5]

Some people believe this is for historical reasons, in that generally there was only one railway station, cinema or whatever in a town. This may be correct, but bearing in mind the meaning of *the* as “you know which one”, the feeling of *the* as meaning *the usual* is also a helpful explanation.

In casual speech, *the* is used in the following kinds of sentences

“I'm going to **the** shops. Do you want anything?” (The usual shopping area)

“Have you fed **the** cat(s)?” (Meaning: Presumably you know we have cats, so you know which one(s)).

This style is informal however.

e) Single example

Some things truly only exist in the singular. We say *the universe* because there is only one universe⁴. Also *the government* because (unless you live in an anarchy, or are in the middle of a civil war) there is only one government. For similar reasons we usually say *the army, the navy, the air force, the police* and *the coastguard* (at least, when referring to our own country).

f) Single example understood from context

In normal conversation, if you and a friend went to see a film recently, it is perfectly correct to say

“I liked **the** film.”

From context, it is obvious which film is meant. Of course, if you say this just after the film finishes, it's perfectly acceptable. The next day is probably OK. If you say it one week later, your friend has forgotten about it, and you get a blank look, maybe something more specific would have been better, like

“That film we saw last week was really good.”

In the specification of a patent application, *the* can be used where the identity of the object is clear. For example, when talking about a vehicle, one could use *the engine, the alternator, the fuel tank, the accelerator pedal* etc. because while there could theoretically be more than one engine, it should be clear from the situation that we don't mean *another car's engine* or similar.

Of course, in the claims section much greater care must be exercised.

⁴ Theoretical physicists should feel free to dispute this. Nevertheless, for the rest of us there is only one.

g) Generalisation [I]

It is important to realise that this is *not* the normal sentence structure for generalising.

However, in some special cases generalisation is possible using sentences such as

“Do you prefer living in **the** city or **the** countryside”? (OK)

The question does *not* refer to a specific city or rural area, but only asks whether the listener prefers living in cities or country/rural areas.

h) Countries

Although there is only one France, we say *France* and not *the France*⁵. Similarly, we don't use *the* with country or state names.

There are exceptions, though. The most common examples are probably the United States, the United Kingdom, the United Arab Emirates etc. In addition, there is *The Netherlands*, the government of which is located in a city named *The Hague*⁶.

However, if there is a longer, more descriptive name for a country, *the* is often used, for example we say *Germany* in normal English, but *the Federal Republic of Germany* in some extremely formal, official situations.

i) Superlatives

With superlatives (e.g. longest, heaviest, fastest etc.) we use *the*.

“**The** longest of the three rods is welded to the plate”

Writing *a longest* would sound like there might be more than one longest item, which looks strange.

If there are 5 rods, of lengths 20cm, 30cm, 45cm, 50cm and 50cm, one would probably most naturally say

“...one of the two longest rods is selected to be welded to the...”

note that

“...one of the longest...”

does not mean necessarily one of the 50cm rods; it could also mean a 45cm rod, as the previous phrase actually means something like “...the longest or close to the longest...”

⁵ Although in the French language, it is correct to say *la France*, where *la* is approximately equivalent to English *the*.

⁶ Despite this, the capital city is actually Amsterdam.

for example

“K2 is one of the tallest mountains in the world”

is correct even though K2 is not *the* tallest mountain, Mount Everest is even taller.

j) Comparison

The is used with comparison words such as *the same*, *the next*, *the previous* and *the only*. *The only* may seem an obvious example (by definition, there is only one), but

“All of the steel bars B have **the** same length”

is correct. In patent claims, alternatives to avoid using *the* include the following

“All of the steel bars B have equal length” or
“... are of equal length”

k) Generalisation [II]

The following sentence structure is fairly common in patent applications, especially those written by people for whom English is not their first language

“**The** vehicle having good fuel economy is increasingly popular” (?)

compare this with examples of the more common (plural) generalisation form

“*Vehicles* having good fuel economy are increasingly popular (OK)

The first example is not as such incorrect; however it is a very old-fashioned and stilted version of the second example. Using “The <something>...” in a generalisation sounds archaic, as though from a 100 year old school book.

In a patent context, the most common place to find this sort of sentence is in sections such as “Background to the Invention” or similar. The modern second form should normally be used.

In longer text, the modern form especially “flows” better.

“*Vehicles* having good fuel economy are increasingly popular (OK)
for both environmental and financial reasons. These vehicles use a variety of techniques, from more efficient engines, engine management systems and idling stop systems, to purely electric propulsion and regenerative braking.”

l) Countable vs. Uncountable Nouns

The standard rule discussed before regarding *a/an* and *the* applies well to countable nouns. For uncountable nouns, *a/an* however are not used.

“I drank **a** water because I was thirsty” (Incorrect)
 “I drank some water because I was thirsty” (OK)

The following example table may help.

	Indefinite	Definite
Countable	An apple	The apple
Uncountable	Water	The water

There are some nouns that frequently cause problems, however. The following are usually *uncountable* but are frequently used incorrectly.

data	information	knowledge	advice	help
weather	work	radiation	illumination	research
pollution	processing	storage	equipment	machinery
DNA	electricity	wave	trouble	heat
reliability	productivity	progress	damage	travel

In addition, some words are in practice normally uncountable, but can in some special cases be countable. For example, consider *wave*. If you mean *an electromagnetic wave*, you can't (normally) send a single wave or photon, and you would probably want to use “...a radar beam...”, “...a light beam...” or something similar. However, if you mean *ocean waves*, they are countable.

To use these words, either use a quantifier (piece of data, strand of DNA), use a countable version (beam not wave, machine not equipment) or use them in their uncountable sense (“...increase reliability of...” not “...increase a reliability of...”).

m) Profession

In English⁷, we say

“She's an engineer” not “~~She's~~ engineer”

⁷ This is a good example of how the grammar of European languages is not as consistent as some people imagine. If you speak French, you may quite logically have thought the second (incorrect) version was OK. However, it is not correct in English (or German or Spanish either). Nor can one assume German is “closer” to English in some way. Many English uncountable nouns are countable in German, for example.

n) Other irregular cases

In spoken English, phrases such as the following are common

“I took the train to town to do some shopping.”

“I watch the news every day.”

The above *do not* mean *you know exactly which train* or *you know exactly which news programme*. Using *a train* instead of *the train* would be correct. However, you can't say *a news*. These cases are somewhat irregular, and are used when there is a common shared experience.

Also, the sentence

“The wasp stung him on the hand”

is correct in both formal and informal English, even though we don't know which hand, because it isn't important⁸.

When writing a patent application, more precision is probably required, and these forms are unlikely to be used.

⁸ It does not mean that he only has one hand, either.