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Lead Article

'Communicate' published for the first time in 2003 with a host of excellent articles and news from and for the translation industry. An introduction of the new ATC Chairman, John Wheen, kicks off, setting out his aims for the future of the ATC under his stewardship and reviewing recent progress in terms of membership, communications, market research and member services. John has been an active member of the ATC Council for some years, latterly as Vice Chairman and has been a key figure in the ATC's recent expansion and increased level of activity.

Alliance on the cards

An exciting new development in the form of a proposed alliance between the ATC and the British Chambers of Commerce, facilitated by Isabella Moore, CEO of ATC member company Comtec Translations Ltd in her new role as BCC President is announced in this issue. The implications are obvious: greater access to translation and interpretation services for BCC members and an excellent platform for the ATC. Plans being discussed include a market research survey of BCC members and a joint conference.

LNTO to launch research

Building on the success of the ATC's own groundbreaking industry research in 2003, the UK Languages National Training Organisation is to launch a new research project which will provide the basis for future planning by translation companies, training providers, professional associations, awarding bodies and Government agencies.

The project is designed to map current interpreting and translating provision in terms of the supply, the quality and the appropriateness of services, and will assess and quantify skills shortages and skills gaps in these specialist professional areas.

Terminology validation EU acts

An article on quality assurance strategies for the terminology database of the European Union appears in this issue of *Communicate*, authored by Dieter Rummel of the Translation Centre for the Bodies of the European Union. Highly relevant at this time, as the ATC plays an active role in the CEN initiative to produce a quality standard for the translation industry.

Translation memory copyright

The thorny and highly contemporary question of who owns the rights to the translation memories we build and maintain on behalf of our clients is explored by Alfredo Spagna, Vice Chairman of the Finnish association of translation companies, Sktol, and vice chair of thn euatc. His well-researched article and conclusion will no doubt settle as many arguments as it provokes, and any thoughts or contributions from readers of *Communicate* as a result will be welcomed.

EUATC News

Finally, Geoffrey Bowden, ATC General Secretary, reports on the latest developments on the EUATC's initiative to define a quality standard for the provision of translation services. As members of the CEN committee get ready for the next meeting taking place in Madrid during March, the Association of Translation Companies has submitted a proposal that would extend the appeal of the standard beyond Europe by bringing the work of the CEN committee into the scope of ISO. If accepted by other national delegations to CEN, the prize would be an ISO/EN standard in three years time.

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Association of Translation Companies (ATC)
Suite 10 - 11, Kent House, 87 Regent Street
London. W1B 4EH. United Kingdom
Tel: +44 207 437 0007
E-mail: info@atc.org.uk
Internet: <http://www.atc.org.uk>

Editor:

Robin Brown
Scandinavian Director
thebigword
PO Box 2034, 8900 Randers, Denmark
Tel: +45 86 40 76 00
E-mail: robin.brown@atc-council.org.uk

Design and layout by:

Simon Jefferson
The Language Bureau Ltd
1st Floor, 77-79 Lee Lane, Horwich
Bolton. BL6 7AU. United Kingdom
Tel: +44 1204 669 622
E-Mail: simon@languagebureau.co.uk

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ATC HAS A NEW CHAIRMAN

The Association of Translation Companies has a new Chairman. Robin Brown, Scandinavian Director of thebigword, who held the post for the last year has stepped down and John When his Vice Chair has taken on the role.

John When is the managing director of 1st Transnational Translations in Ealing in West London. He has had a relatively short career to date in the translation profession – just ten years – having previously been the European Marketing Director of an internationally known electronics company.

He has also worked as a consultant with a wide range of blue chip and SMEs around the world as a marketing and sales director. In his spare time he lectures on marketing at the University of Westminster, in London.

Speaking about his appointment and his aspirations for his tenure as the new Chairman he said:

“Without doubt, Robin Brown’s contribution to the strategic development of the Association will be felt for many years to come. He has helped lift membership to nearly 100, increased total income, attracted new, market-leading organisations and launched this publication. Much to be thankful for and a great act to follow.

“Solid foundations”

“I want to build on the solid foundations created by Robin, who has happily agreed to continue as editor of *Communicate*. The Association is expanding and attracting more and more new members not only in the UK, but from around the globe – another of Robin’s legacies – I intend to recruit even more members to strengthen our voice.

“The ATC is committed to developing the market for professionally produced translations, but we can not do this without accurate market information.”



John When, ATC Chariman

“We will continue our programme of market research to help our members hone their selling message and so improve their trading positions. Part of that drive has to be to seek to educate the purchaser and that too will be part of my mission as Chairman.

“Value”

“Adding value to membership remains a priority. Many members use the Business Support Helpline, read ‘*Communicate*’ and attend the Conference.”

“The new website should generate even more sales leads internationally. But in today’s uncertain world, should we not also consider ways of bringing members together for consortia tenders and mergers?”

“The ATC must lead the way to position our profession for tomorrow’s profitable, but competitive markets - when the going gets tough, the tough must collaborate!”

John When
1st Transnational Translations Ltd
john.when@atc-council.org.uk

With John When taking over as Chairman of the Association, a new Vice-Chair has been elected. Liz Robertson, a partner in Robertson Languages International, has taken on the role. She has played a leading role in the Association’s activities for many years, in particular representing it on the Council of the European Union of Associations of Translation Companies.

The ATC’s Council has been further strengthened by the co-option of Helen Eckersley. She is a director of International Translation Resources Limited and chairs the Association’s Education Sub-committee.

Current ATC-Council

John When (Chairperson)
Liz Robertson (Vice Chair)
Geoffrey Bowden (General Secretary)
Charles Sonabend (Treasurer)

Members

Lynne Everson
Helen Eckersley (Education Chair)
Simon Jefferson
Yahia Reguzi (Conference Chair)
Bernard Silver
Colin Smith
Anthony Withers
Peter Brooks
John Lord

each member can be reached by e-mail:
forename.surname@atc-council.org.uk

ATC AND BRITISH CHAMBERS OF COMMERCE SEEK TO JOIN FORCES

The Association of Translation Companies (ATC) has opened up a dialogue with the British Chambers of Commerce (BCC) to explore ways that the two organisations can work more closely together.

One of the first projects centres around the ATC's annual conference, which is scheduled to take place in central London in October this year.

As our photograph shows, Isabella Moore, who is the BCC's President and Chief Executive of ATC member company Comtec Translations, met with ATC Chairman John Wheen (left) and the Association's conference committee Chairman Yahia Regzui of Language Line Limited, to start exploring the possibilities.



Said Isabella Moore: "I have stated that I wanted make the importance of using professionally produced translations and language services a key focus of my period as President of the BCC. British businesses have yet to really grasp how important this is in making them competitive in overseas markets. I hope that it will be possible to support this year's ATC conference so we can get that message across to BCC members.

"The other important issue we want to explore involves not only the use of professionally produced translations, but the wider question of languages and language teaching and how this impacts on our competitiveness as a country."

Survey

One possibility discussed to support an Association of Translation Companies' annual conference is a survey of BCC exporting members to test their experiences of dealing with and understanding of the services provided by translation companies and also to test their views on how the UK's education system is affecting the country's long term international competitiveness.

"Such a survey, if it proved possible, would provide us with valuable information to build on the data gathered from last year's market research study into the intentions of translation purchasers, as well as giving us an important platform for promotion and examination at the conference," said ATC Chairman John Wheen, who added, "Like the BCC, we have made strong representations to the Minister for Education about the Government's policy on language teaching in our schools. We believe that it is totally short sighted".

Yehia Regzui added: "With Isabella Moore occupying such a high profile position, we will not get a better opportunity to place the importance of the translation company centre stage. I am confident that we will be able put on a conference with the support of the BCC that will, at last, promote our services to those people that really matter – our customers."

Geoffrey Bowden, General Secretary Association of Translation Companies
E-mail: info@atc.org.uk



From left to right: John Wheen (ATC Chairman-1st Transnational), Isabella Moore (BCC President), Yahia Regzui (Conference Committee Chairman-Language Line Limited)

The UK Languages National Training Organisation has agreed a new research project which will provide the basis for future planning by translating companies, training providers, professional associations, awarding bodies and Government agencies.

The project will map current interpreting and translating provision in terms of the supply, the quality and the appropriateness of services. It will also assess and quantify skills shortages and skills gaps in these specialist professional areas. An important part of the project will be to collect stakeholders' perceptions of need, demand, supply and provision.

The work is receiving funding support from the FCO Language Group and will be completed by the end of July 2003. The research will be carried out by Dr. Philida Schellekens, well known to many professionals in the Interpreting and Translating fields. The Project Director is Derek Winslow, LNTO Chief Executive.

Describing the impetus for the project Derek said:

"This project comes at the right time for the translation and interpreting professions. We know from our regional audits that translation companies are experiencing recruitment problems in some languages and fields. We also know of skills shortages in sign language interpreting and in provision of accredited public service interpreters and we need to try to quantify these. Placed alongside the well-documented decline in specialist language study at universities we need to ask how this is reflected in the proportion of English native speaker entrants to the translating and interpreting professions and what the longer term impact of a proportional drop might be. Senior international managers have already pointed to a worrying deficit in the level of English skills in conference interpreting services.

Our audits have also made us aware of skills gaps, where employers find for instance that new recruits need to undertake further in-house training before they can contribute; or where native speakers of other languages living in this country are held back through lack of formal qualifications. We need to get closer to such issues so that we can suggest where modifications to training, work experience (or to expectations!) might be made to ensure a linear flow from training to employment".

The starting point for the research will be a survey of freelance professionals and of translating and interpreting companies or agencies. The survey questionnaires will be emailed in early February directly to colleagues registered on the LNTO's BLIS database. ATC and other professional associations will encourage their members to participate, either through their registration on BLIS or by using links to the LNTO website, where the survey can also be accessed.

The results of this first survey will inform discussions with focus groups and then with training providers, awarding bodies and a selection of service users.

A broader based workshop for all stakeholders will be arranged in late June/early July at which interim findings and issues will be discussed before the LNTO and the FCO Language Group decide whether and what further work needs to be done before a final report is produced.

Contacts for the project are:

info@languagesnto.org.uk

or by telephone to:

Sharon Giles 020 7379 5134.

EMILLE (Enabling Minority Language Engineering)

This is a 3 year EPSRC project at Lancaster University and Sheffield University, designed to build a 63 million word electronic corpus of South Asian languages, especially those spoken in the UK.

This project is being supported by the Association of Translation Companies and its members.

<http://www.emille.lancs.ac.uk/>

WHO'S AFRAID OF VALIDATION?

Quality assurance strategies in the terminology database of the European Union

The IATE' project for the creation of a single terminology database for the translation services of the European Union was launched in 1999.

Acting on the recommendations of an external feasibility study, the project aimed at improving a situation where the existence of parallel, independent database systems and approaches to terminological work made cooperation between services difficult if not impossible. Problems of inconsistency, redundancy in the data and duplication of work resulted from what the feasibility study termed the "balkanisation" of terminology in the European Union. After three years the development phase of the IATE project will end in March 2003 and the system will finally go "live".

Interactivity

The usability of a terminology database in the translation process cannot, or at least not exclusively, be expressed in number of entries stored in the database. Even if the number of entries is counted in millions: this becomes a figure of pure academic virtue if you cannot find a valid solution for the *one* word that gives you a headache in the translation of an urgent document.

Two aspects play a role when it comes to unsatisfactory coverage in the existing databases. Either a specific subject domain is marginal in the activities of the Union and thus the need to generate systematic glossaries was never felt, or new political and social questions come up, bringing along a new vocabulary that needs to find its binding expression in all languages of the EU. The critical and uncertain phase for the translators lies between the appearance of vocabulary in reality and the time when, once it is mastered, it has become common. As early as possible in this phase a terminology database should offer a solution to speed up this process. The feasibility study mentioned above clearly analysed a lack of inter-activity in the terminology arrangements of the institutions as the main obstacle that prevents the terminology production cycle from being faster.

In many cases valuable terminology work done by translators in the course of their daily work remains unknown to their colleagues as most databases do not allow direct *write access* for a larger population of users. Often terminology is hidden in private MultiTerm databases or waits on the "to do" lists of a few privileged colleagues who actually have the right to add something to a database.



Dieter Rummel
(Translation Centre for the Bodies
of the European Union)

Who has access?

It was not only technical limitations of the early database systems that made the people in charge of the terminology resources of the Union reluctant to grant *write access* too freely to colleagues who are – although language experts – not necessarily trained terminologists, but it was also the fear that if everybody can contribute directly and unfiltered to a terminological collection chaos will break loose. Given an easy user interface people may well abandon the paper glossaries, hand written cards etc. and add the results of their reflections immediately to a database.

More pertinent terminology would be circulating and give valuable aid in the day-to-day work of the Institution's translators. Still – what about the reliability of the translations proposed?

What about the completeness of the terminological entries created this way? What about a certain ideal of terminological quality and coherence that should not be easily dismissed as "academic"? The key question for each system that chooses interactive feeding by a large population of contributors is how to ensure a certain quality standard in the data collected and published. In our case: how can we avoid creating a huge, uncontrollable interinstitutional terminology *scratchpad* that might satisfy some ad-hoc needs, rather than a reliable database that a wider, non-professional public can turn to in confidence? Terminology that is created by non-experts as problems arise may be fraught with a number of shortcomings: time constraints may simply not make it possible to provide complete documentation for a new term, the specific knowledge necessary to create a complete terminological entry may be lacking – just think of the labyrinthic complexity of some domain classification systems to see the point.

Questions such as the above had already been discussed in the above mentioned study that led to the definition of the project. Two interinstitutional workgroups dealing with the integration of the term base into the workflow of the different institutions and the problem of data validation helped to develop a number of strategies that should make it possible to reconcile the need to produce terminology ever faster and the requirement to satisfy high quality standards.

Continued \ ...

Who's afraid of validation? Continued \ ...

Richness vs. complexity

The back bone of each terminology database is its data structure; it defines the degree of detail and complexity the database allows. It may well be the first obstacle to efficient interactive data entry by non-expert users.

The data structure used in the EU term base takes into consideration the evolving standards in the field (SALT/MARTIF, GENETER). It adopted a concept oriented approach; the mono- and multilingual information on each aspect of a concept can be expressed on four inter-related levels:

1. The language independent level can contain all information that pertains to the entire concept. "Domain" is the classic example for that type of information.
2. Beneath this top level, information like definition, explanation and comments can be stored in and for each of the languages the entry contains.
3. Each language level may refer to several terms – synonyms of the same concept or abbreviations.
4. Finally the system foresees the option to add linguistic information, like *part of speech* or *gender*, for each term or each of the words constituting a term.

Each level contains a multitude of linguistic and administrative data fields, all in all about 60 different types of information could be stored. This brief and deliberately incomplete description of the data structure of IATE¹ is an excellent illustration of the dilemma mentioned above: this structure definitely caters for the creation of very complete, self sufficient terminological entries – but who will ever have the time and the know-how to fill in all the information this structure could hold?

A modern database system offers of course a number of features to assist users in the phase of data entry: a rather small sub-set of the data structure can be defined as mandatory and will thus be presented in a user interface accordingly, i.e. mandatory information will be made easily accessible on the interface whereas more "exotic" elements will be "hidden" in sub-screens. The system will check on the presence of these mandatory fields to avoid incomplete information being accidentally stored.

But what information would be considered *mandatory* in this context? When a new terminological entry has been created it should fulfil two requirements: it should be meaningful for other users of the database, and it should contain sufficient elements to allow for somebody to evaluate and if necessary improve the quality of the information given. The evident elements that spring to one's mind for the mandatory fields are: domain, language, the term itself, the source of the term and an example of its usage.

Six eyes see more than two: validation

The above already indicates that from the outset of the project it had been envisaged to integrate procedures that would support the review of new or modified terms. This means basically supplying technical solutions for the formalisation of proof-reading: the concept of a "validation workflow" was developed that would organise the cooperation of different actors (translators, linguists, terminologist and domain experts) in the terminology production cycle. The process would take into consideration the specific competencies of the people involved and would cater for a review of terminological entries on different levels: spelling, content, coherence, exhaustiveness etc.

Today the EU term base offers a fairly flexible system of validation that allows for the definition of different validation cycles for each participating institution whilst not ruling out the option of interinstitutional cooperation. A validation cycle is the sequence of validation stages. The number of stages, the actors of each stage and the type of checks that they should perform can be defined by each institution. A simple validation cycle could contain the following three stages:

- § Stage 1: formal check. This stage is launched directly after the creation or modification of an entry. The system will send the entry to a colleague who has the competencies to check its formal correctness, i.e. the spelling.
- § Stage 2: content check. Once the formal check is accomplished the entry will be routed to a domain expert who will verify the contents and enrich it when appropriate.
- § Stage 3: final check. A final coherence check by a terminologist terminates the validation process.

The system makes it possible to add validation phases (up to nine at the moment) if necessary but it also allows an institution to reduce the validation cycle to a single stage. The recommendation of the work group on this question was to have a least one validation stage. As each institution is free to handle this question according to their needs and possibilities it was necessary to introduce an element that would guarantee a certain coherence. A common set of validation statuses was thus defined that links the different institutional practises to each other and indicates to the users the degree and type of validation a terminological entry has undergone. As an entry will be visible, i.e. retrievable, even when it has not yet been validated this information is an essential indicator for the assessment of the entry's reliability.

Continued \ ...

¹ Translation Centre for the Bodies of the EU initially launched the "IATE" ("Inter-Agency Terminology Exchange") project to create an infrastructure for the management of terminology for the Centre and the decentralised Agencies of the Union. The other translation services of the European Institutions joined this initiative in the same year and gave the project its truly inter-institutional status.

Who's afraid of validation? Continued \ ...

This sequential approach to validation, that aims to benefit as much as possible from the competencies of a large population of participants, has the obvious advantage of providing the basis for a thorough, in-depth review of data. On the other hand it may hold the risk of creating an unbearable administrative overhead on terminology co-ordinators and thus turn what is supposed to be a workflow into a dead end. To avoid a situation where hundreds of entries remain unvalidated, a strategy had to be developed that would allow for the automatic distribution of validation work to the appropriate persons. This strategy had to take into account the fact that many actions in the validation cycle are closely linked to language competencies and domain expertise, i.e. attributes that are specific to individual users of the database.

This kind of information will be maintained in the interinstitutional database for each user. This "user profile" also contains administrative information like the user's name, e-mail address, postal address, password, the user's institution etc.

The essential element of the user profile for the validation process is the user's role. Roles offer the opportunity to group different users with common characteristics together. All users belonging to the same role share the same access rights to the system, i.e. they are allowed to perform the same type of actions.

The combination of individual user profile and the general role the user is assigned to is used to manage the validation process. The stages in the validation cycle are associated with specific roles, but they may also depend on language competence or domain expertise. Based on this information the system can distribute work to a suitable validator for each new or modified entry. The system provides a simple on-line user interface, an "inbox", that displays a list of terminological entries that have been assigned to users of a specific role. The list contains information on the type of changes that have triggered the validation process, e.g. "new term" or "content change". The validators can use the information to prioritise their work.

Good we can talk about it: communication mechanisms

Validation as it is implemented in the EU term base is a strongly formalised way of cooperation between colleagues. A specific event - the creation or modification of an entry in the database - triggers a pre-defined sequence of stages that lead to a clearly defined goal: attribution of the label "finally validated" to the entry in question. Another kind of cooperation, less formalised, one might even say deliberately open to improvisation, is the direct communication between users of the database. A database user might come across entries that he or she wishes to comment upon. These comments can be extremely useful if they are directed to the right persons. The IATE system uses so called *marks* to support this kind of activity.

Marks can be attached to each entry and can be sent to individual users or users groups (e.g. the terminology group of a specific language division). Besides marks, the database also offers an internal messaging system that can be used to communicate problems of a more general nature - i.e. comments that are not related to single entries - to other users of the database.

Conclusion

Maybe the best word to sum up the different strategies used in the EU term base to ensure the quality of the terminological data is "communication" - by "showing" a modified entry to other users (as in validation) or by providing the technical facilities to make sure that comments end up with the right people. Independent of the features that the system will offer, it remains however nothing but a tool. It may be powerful, it will hopefully be user friendly, but it will definitely be most efficient if used by well trained colleagues who see systematic terminology work, both the creation and validation of new concepts, as part of the trade. Then the EU term base could well become more than a tool. It will hopefully become a vehicle that will promote the idea of interinstitutional cooperation in the field of terminology.

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WHO OWNS THE COPYRIGHT OF YOUR TRANSLATION MEMORY?

Alfredo Spagna, Vice-chairman of Soumen Käännöstoimistojen Litto (SKTOL), the Finnish Association of Translation Companies and Vice-President of the European Union of Association of Translation Companies has conducted a study to start unravelling this issue

The increasing use of translation memory tools by translation service providers – both translation companies and freelancers — has raised an important question: who owns the rights to the translation memory database?

The question is quite tricky and everyone seems to have an opinion. In addition, there are no legal criteria covering the issue.

Nevertheless, disputes in Portugal and Spain show that the industry must try to solve this problem by developing general guidelines on the basis of the EU Copyright Directive 2001/29/EC.

Using a short questionnaire, I asked the 25 member companies of the Association of Finnish Translation Companies (SKTOL) to describe their policies regarding the ownership of translation memory databases. I also asked the opinion of some translation memory manufacturers — Trados, Atril, SDL. I was helped by Jukka Korpela to make sense of the legal aspects.

Although he is not a lawyer, Korpela has studied copyright issues for several years, especially in regards to the application to information technology. He works at TIEKE, the Finnish Information Society Development Centre, and maintains and updates a website dedicated to software copyright issues.

Definition of translation memory

The Expert Advisory Group on Language Engineering Standards (EAGLES) defined translation memory as “a multilingual text archive, containing (segmented, aligned, parsed and classified) multilingual texts, allowing storage and retrieval of aligned multilingual text segments against various search conditions”.

In order to simplify this definition, we say that the translation memory is a database that stores source and target language pairs of text segments that can be retrieved for use with existing texts and texts to be translated in the future.

The translation memory is not a machine translation tool because it does not create automated translations.



Alfredo Spagna,
Vice-chairman of Soumen
Käännöstoimistojen Litto (SKTOL),

Definition of copyright

Copyright is a legal term describing rights given to creators for their literary and artistic works.

The kinds of works covered by copyright include: literary works such as novels, poems, plays, reference works, newspapers and computer programs; databases; films, musical compositions, and choreography; artistic works such as paintings, drawings, photographs and sculpture; architecture; and advertisements, maps and technical drawings.

However, not all productions in the categories listed above fall under copyright protection. Copyright applies to ‘works of original authorship’, to use one form of wording, or to ‘literary and artistic works’, to use another. A simple verbal formulation of a fact or a trivially simple technical drawing is probably not considered as ‘work’ in this sense. The detailed interpretations vary by country and jurisdiction.

What Finnish translation companies think

The questionnaire was sent to all members companies of SKTOL, and 45% of them responded. 80% of the companies that responded use the most common translation memory tools, such as Trados, DéjàVu, Transit and SDLX. Only 10% of the companies declared that they have a clear ownership policy relating to translation memory databases.

The survey indicates, that translation companies have widely different approaches to the matter. For example, one company declared that it owns the copyright to the translation memory databases created by the in-house staff and by the freelancers. Another emphasised the fact that this type of policy is not applicable to EU projects. In this case, the EU pays for the translation memory. According to another translation company, their policy on the ownership of the translation memory database copyright is that it is transferred to the client, if they provide the database or ask for it. Otherwise the copyright remains in the hands of the translation company, if the client never asked for or it does not know of the existence of this kind of tool.

Continued \ ...

Who owns the copyright of your translation memory? Continued \ ...

Only 5% of the translation companies invoice the client for the creation, updating and maintenance of translation memory databases. Very few of the respondents to the survey revealed that they invoice database work by the hour.

The last and most difficult question relates to the legal aspects of the copyright of translation memory databases. All those who took part in the survey share a similar approach here. They all agree that the copyright depends on the creator of the memory. This means that the owner could be either the translation company, the freelancer or the client.

Only 5% of the companies said that they transfer the ownership of the database copyright to the client based on an agreement. The rest indicated that they never agree in writing on this matter.

Despite this, the majority of the companies would like to have clear guidelines, based on a legal interpretation of the European Copyright Directive.

What about translation memory tools makers?

Trados is the only supplier recognising the need for clear guidelines on this important issue. However, Staffan Lothsson, the Managing Director of Trados Scandinavia AB, took a neutral position. He explained that Trados offers technology to market segments with different interests. He also added, "I feel that the market would appreciate an opinion from our side, but I am still not sure it is right to do this".

The other suppliers to the market have yet to pronounce on this matter, so it is unclear whether they go along with the Trados line.

Legal aspects

When considering TM copyright, the legal issues are undoubtedly the most problematic. In fact, there are no legal precedents covering translation memory database copyright to guide us.

Judging by the opinions presented in some LANTRA mailing lists, it is possible to have a clear view of the complexity of this matter. According to some translation companies, "the translation memory database is a sentence-by-sentence log of work...translation memories are arguably a "by-product" of the translation process, which means that the translation company owns its copyright." Yet clients say, "translation memory is just a by-product of the work we commissioned, so it belongs to us."

Prompted by the views of some freelance translators, I decided to ask an expert's opinion.

Jukka Korpela of TIEKE, the Finnish Information Society Development Centre, maintains and updates a website dedicated to software copyright issues.

According to Korpela, a pair of text segments is usually not a 'work' in the meaning that this word has in copyright legislation and treaties. Its components are usually parts of works, an original and its translation, and copying even a part of a work is a copyright matter. Although the use of individual words and very short phrases is not normally regarded as being protected by copyright, it can be argued that a database of pairs of text segments contains such a substantial portion of the texts that permission is needed from both the author of the original and the translator, or from persons or organisations to which their rights have been transferred.

A compilation of a large number of pairs of text segments is usually not a 'work' when it has been produced in an automated manner or otherwise by applying a simple set of mechanical rules. However, in some countries, it might still be regarded as being copyright, due to the 'skill and labour' used to compile it. Moreover, in Finland and other Nordic countries there is a special right, 'catalogue right' (luettelosuoja), that would probably apply; it is not regarded as copyright, but as 'neighboring right', and the legislation about it is included into the Finnish copyright law.

Even more importantly, within the European Union there is another special right, called 'sui generis' right to a database, in order to ensure protection of any substantial investment in obtaining, verifying or presenting the content of the database, irrespective of whether its content is innovative or not. The *sui generis* right provides a 15-year period of protection against unauthorised extraction and reuse of all substantial parts of any database, regardless of whether the data involved is eligible for copyright protection in any other way. This right resembles copyright: it is in effect by the law, with no need to apply or register it, and it implies that the right holder's permission is needed for making a copy of the database as a whole or a substantial part thereof (but not for making copies of individual items in it).

The legal aspect presented above does not directly answer the question, "Who owns the translation memory database?" However, it clarifies the legal framework of this matter.

Continued \ ...

Who owns the copyright of your translation memory? Continued \ ...

Next steps

There is clearly confusion and variable practice in Finland and, I suspect, elsewhere in the world on this important issue. I can only see one solution: make translation memory copyright a specific point in contract negotiations. That way both sides will know that their respective investments in this asset are both protected and compensated.

The contract should be stipulated between the translation company and the client, and also between the translation company and freelancer translators using the company's TM database for a specific sub-contracted project. Only by defining in writing the copyright of the translation memory database is it possible to avoid improper use or misuse of the database.

The software industry has also recognised the problem there is when freelance translators working as sub-contractors for the company use the translation memory databases owned by the translation company.

Telelingua Software has developed a new add-in, T-Remote Memory, for standard translation memory tools like Trados and SDL, allowing the project manager of a translation company to let the freelance translators use the translation memory database through a remote connection. In this way, the TM database will not be transferred to the freelance translator, avoiding all the problems linked with the misuse of information included in the database. This software is still under development, but it will help many translation companies to protect their translation memory databases.

Pass your views to Alfredo Spagna:
alfredo.spagna@aazet.fi

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- Results of the information delivered by Jukka K. Korpela from TIEKE.
- Results of the questionnaire sent to the member companies of the Association of Finnish Translation Companies.
- Results of the questions sent to the manufacturers of Translation Memory Tools: Atril, SDL, Trados.
- Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonization of certain aspects of copyright and related rights in the information society:

<http://europa.eu.int/cgi-bin/eur-lex/udl.pl?REQUEST=Seek-deliver&COLLECTION=lif&SERVICE=all&LANGUAGE=en&DOCID=301L0029>



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*As of October 2002. The ATC is a growing organisation, please check for latest membership status.

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International News: National Translation Council on course in Portugal

A National Translation Council is being formed in Portugal to represent the interests of the profession to government.

The new umbrella group, which is an initiative of Associação Portuguesa de Empresas de Tradução (APET), representing translation companies, Associação Portuguesa de Tradutores (APT), representing freelance translators and a number of universities offering translation degree courses.

“The government and other official bodies in Portugal have little regard for the profession and appear not to recognise the important part we play in helping our economy,” Fatima Castanheira, President of APET told Communicate.”

A law recently introduced here illustrates this all too vividly. Lawyers are now empowered to notarise translations, regardless of whether they have the ability to check the validity of the translation. Formerly, this was a function only carried out by notaries. This sends out completely the wrong message to those seeking to purchase translations.”

According to Castanheira, the new umbrella organisation will have a much better chance of lobbying the Portuguese government to avoid this kind of legislation in the future.

“We are all determined to raise the profile of the translation profession and the new Council will provide us with a powerful voice to achieve this,” she stated.



Fatima Castanheira
info@traducta.pt

EUATC News

At a recent meeting of the UK shadow group working on the CEN quality standard project, it was agreed to submit an amendment to the draft agenda for the next meeting and we hope it will meet with support from members of the EUATC.

We were told that we have an ideal opportunity under the terms of the Vienna Agreement to widen the scope of the work we are about to embark on, so that we not only end up with a European Norm standard, but also ISO recognition.

The British Standards Institution representative acting as secretary of the UK shadow group, Chris Cox, is a member of ISO TC 37 Terminology and other language resources.

At its recent 50th anniversary meeting in Vienna this year he asked the Secretary about the possibility of adopting some form of parallel voting under the Vienna agreement and was told that an approach by the Secretariat of CEN BTTF 138 (AENOR- the

Spanish association of translation companies, Ed.) would be welcomed and very seriously entertained by ISO/TC 37.

The result, at the end of our endeavours would be to produce EN ISO documents which would have a global recognition, rather than for Europe alone.

I am confident that the move would be greatly welcomed by our colleagues in the Association of Language Companies (our US counterparts) and by the Canadians.

Suzanne Robinson of ALC has been using the original EUATC document as the starting point for work on a translation company standard in the US and has been closely liaising with her Canadian counterparts. This move should result in support of US and Canadian based translation companies for the work programme.

We have been categorically assured that the move would not lengthen or add to the cost of the process we are about to undertake and the position of AENOR would remain unchanged. All that would happen is that a parallel development with ISO would be instituted and we would end up with quality standards with far greater international appeal.

I hope this late addition to the agenda by the UK is viewed as a positive contribution to our agreed aim of producing the best quality standards for the provision of translation services and wins your support when it is discussed in Madrid next week.

The UK delegation to Madrid will be myself and Liz Roberston who has agreed to chair our shadow group.

BSI has forwarded other comments to AENOR on behalf of the UK shadow group following our meeting and I will forward these to all EUATC colleagues shortly.

Geoffrey Bowden, General Secretary
Association of Translation Companies
E-mail:info@atc.org.uk

ATC Member News

Kent firm PBSS Translations joins Robel at Railtex 2002, Birmingham

....and celebrates an on-going successful partnership

Market leader ROBEL Bahnbaumaschinen GmbH, manufacturer of light machines for the construction and maintenance of railway tracks, exhibited at Railtex 2002 at the National Exhibition Centre (NEC) in Birmingham, UK, from 26th to 28th November 2002. Railtex has established itself as the premier rail industry event in the United Kingdom.

ROBEL used this opportunity to exhibit its range of rail grinding machines which are used for all types of grinding required in the construction and maintenance of railway tracks and can be performed by light machines. Grinding is of central importance to the railway industry as it not only improves and ensures the overall safety of railway traffic but also helps companies keep their expenses in check.

All ROBEL machines are provided with comprehensive documentation and handbooks in English due to a highly successful partnership with Kent based translation solutions company, PBSS Translations. PBSS has considerable experience of translating railway industry material, particularly operating manuals, from German to English as well as providing English to German translations whenever required.

PBSS Director Alison Morton commented: "We are extremely pleased to meet up with ROBEL here at Railtex 2002 to exchange news and information and to strengthen our partnership. As a quality driven company, we tend not to compromise on providing our clients with a first class product. For ROBEL documents, we have two specialist German to English technical translators, plus a 'reserve', all of whom have considerable experience across the railway, mechanical, automotive and electrical engineering fields and who can handle ROBEL material well."



Left to right Sarah Williams, PBSS specialist technical translator, Stefan Mayerl, Technical Sales Manager from Robel GmbH and Alison Morton, PBSS Director

"All three are, of course, mother-tongue English speakers. Equally, when we translate into German, we have a German mother-tongue automotive and engineering specialist."

"We have always found ROBEL to be professional and friendly, willing to develop solutions together to any problem that arises. This close working relationship is indeed the crux of any successful client/translator relationship. As a translation company, we have to admit that we do not experience any language barriers when dealing with ROBEL! Neither have we found any particular difficulty in working in Euros and would commend it to other UK companies."

Additional information:

PBSS Translations started up in 1994 as a business and administration services provider and became a full-time translation company in 1998, becoming a member of the prestigious UK Association of Translation Companies in 2000.

Director Alison Morton heads a team of over 75 mother-tongue professional translators who provide translations in virtually every European language. Multi-lingual mailshots, presentations and web searches complement traditional document translation. PBSS is currently expanding into Central and Eastern Europe developing a network of Estonian, Latvian, Lithuanian and Slovene translators as well as strengthening its existing team of Russian, Polish, Hungarian, Romanian, Czech and Slovak experts.

PBSS Translations
Alison Morton
Tel. +44 (0) 1892 / 824 833
Fax +44 (0) 1892 / 825 134
e-mail: partners@pbss-uk.com
web site: www.pbss-uk.com

ATC Member News

COMTEC Translations helps Land Rover challenge the world.

Leamington Spa based COMTEC Translations has helped Land Rover launch its new G4 Challenge by translating the website designed specifically for the event.

The Land Rover G4 Challenge, scheduled to take place over 4 weeks from March 2003, will feature competitors from 16 nations who will participate in an off-road driving and multi-sport challenge. The competition will take place over four different time zones, covering 4,000 miles, and with many thousands of applications expected, COMTEC has translated the site into Italian, French, Spanish and German.

Niki Davies, Manager, Land Rover 3D Experience, commented: "In line with our philosophy of inspiring and delivering adventure for everyone, the dedicated website was designed to reach as many nations as possible to give people the opportunity to participate in an adventure of a lifetime."

COMTEC Director Isabella Moore added: "Our long-standing experience of translating for the automotive industry enabled us to tackle the Land Rover G4 Challenge website localisation with the confidence and expertise required by a company such as Land Rover."



Paul Jennings
PJMC Limited
Tel: 01926 312886
Fax: 01926 435355
Email: paul@pjmc.com

ATC Member News

Express Interpreting and Translation Services achieve ISO accreditation

ATC member Express Interpreting and Translation Services, which is based in Birmingham, at the heart the West Midlands of the UK, has been awarded its ISO accreditation.

The company, which has just notched up its first decade in business, is justly proud of its achievement as our picture shows. Alan Beale, Business Manager from Certified International Systems, left, presents the ISO certificate to Usha Chuhan, Senior Partner, Express Translation, while, witnessing the moment are from left to right: admin team members Michelle Legister and Saphina Begun and translators Rabina Aziz and Abdul Nasiri



ATC Member News

Transglobal Languages: Ten years of language services to business

Transglobal Languages has been celebrating its tenth anniversary as a language services provider helping British and overseas companies to communicate more effectively with their international business partners.



Clients and staff celebrate Transglobal's tenth anniversary

The business was launched in the summer of 1992 and in October of the same year won its first contract - Dutch language training - for the finance director of a packaging company being relocated to The Netherlands.

Since then Transglobal has gone from strength to strength and expanded its portfolio of services to include translation, interpreting, cultural briefing and English language training alongside its original provision of foreign language training.

The company has also won widespread recognition for its language and culture services to international business including Languages for Export and Exporter of the Year national awards.

Clients include a wide range of local exporters, multinationals, professions and public bodies in the North West, UK and overseas. Ten years on Transglobal's services still appear to be very much in tune with the needs of companies trading globally.

"We are very encouraged by the demand we are experiencing," commented Transglobal's founder Jonathan Smith. "It tells us that the North West business sector is ever more international in its outlook and local companies - like their partners overseas - very aware of the importance of language and culture in their trading relationships."

Jonathan Smith, Transglobal Languages
E-mail: translations@transgloballanguages.co.uk

TR International Translation Resources Ltd has been awarded the coveted International Environmental Standard - ISO 14001 by The British Standards Institute (BSI).

ITR, a wholly independent British company offering exporters a comprehensive range of foreign language solutions was founded in 1985. It is widely renowned for its expertise in language technology and for producing high quality translations.

Since inception ITR has always considered matters concerning the environment and its preservation of utmost importance and early in 2002 the company took a decisive step in defining its role and responsibility with respect to its environmental performance.

The company set out to meet and where possible, exceed relevant environmental regulatory requirements, to educate and encourage its people to employ working practices that serve to reduce the impact on the environment.

These objectives have been met through the implementation of an accredited Environmental Management System - providing a framework in which continuous improvement in environmental performance can be achieved.

During the 6 months that the management system has been in place at ITR, significant savings in energy and material utilisation have been realised. The introduction of a more efficient recycling programme has also ensured that the volume of its waste materials has been dramatically reduced.

ITR joins a growing number of British companies that have been awarded BSI accreditation and bears testament to its commitment to uphold international standards in every aspect of its operation.

Contact: www.itr.co.uk, info@itr.co.uk.

Future dates for Council meetings:

Please note that dates for the other Council meetings during 2003 are as follows:

Thursday, 1st May, 2003
Thursday, 17th July 2003

These meetings will also take place at the offices of CILT and will commence at 2.30 pm and end at 5 pm.

Industry related news:

SDL International announces new center for outsourced testing

Expanded Dublin Test Center to broaden Software Testing and Engineering services

SDL plc ("SDL"), the world's leading provider of multilingual solutions offering scalable translation technology software and services, announced the opening of a new Test Technology Center in Dublin, Ireland. SDL has had an installation in Dun Laoghaire for the past three years. Due to further expansion in demand, the new location will provide a wider solution for software testing of SDL customers' products.

SDL's new Center is located in the Apex Business Center, Sandyford, Dublin, Ireland, and works closely with many leading software and computer related companies such as Microsoft, FileNet, Intel, Adobe, CA and Vivendi. The new Center will mean the recruitment of more than 30 technical staff into the Group and improvements in services, such as higher speed networks and coverage of multiple hardware platforms.

"We have a large number of IT operations that have begun to expand their development activity, as a sign of confidence in their future markets", confirmed SDL's Divisional Director, Dominic Kinnon. "Ireland is a key location for software localization and technical expertise, so Dublin was the obvious choice to locate our new, purpose-built Center."

"We have experienced a huge upsurge for the type of technical Testing services that we offer. The investment in the expansion of our facilities and staff expertise will allow SDL to meet the growing demand for dedicated Testing solutions, as the market continues to outsource this vital function." commented Sean Nolan, General Manager of the Center.

About SDL International

SDL International (London Stock Exchange: 'SDL') is the world's leading provider of multilingual solutions offering scalable translation technology software and services. Its comprehensive and integrated offerings include multilingual content and globalization management solutions, real-time translation technologies, translation memory and a full range of internationalization and localization services.

Since its founding in 1992, SDL International has worked with numerous blue chip companies in defining and executing on their global business strategies, including Rockwell, Morgan Stanley, Hewlett-Packard, Sony, Adobe, Kodak, Siebel, Microsoft, Sun Microsystems, William Hill, 3Com, Canon, IBM, Oracle and Volvo.

With more than 1100 staff, the company maintains its headquarters in the U.K., and 32 offices across North America, Asia and Europe.

<http://www.sdlintl.com>

For information on SDL, please contact:

Fiona Camden
Tel: +44 (0)1628 410120
Email: fcamden@sdlintl.com

Events

17 to 30 August 2003

2003 Cambridge Conference Interpretation Course (CCIC) Cambridge, England
19th intensive course in the practice of simultaneous conference interpretation

For information, detailed course brochure and application forms, please contact:

Christopher Guichot de Fortis
Tel: (+32-2)654-2080
Fax: 652-5826
E-mail: defortis@belgacom.net

This annual refresher course for professional interpreters provides an excellent student/teacher ratio. Participants will receive tuition based on their interpretation of guest speakers. A wide range of general and technical subjects will be briefed under authentic conference conditions. In addition to the core curriculum, there will be daily, specialised tuition in a variety of fields and briefings on AIIIC, the international institutions, and the profession.

15th-17th May, 2003

Controlled Language Translation
Dublin City University, Ireland

The Joint Conference of the 7th International Workshop of the European Association for Machine Translation and the 4th Controlled Language Applications Workshop.

July 17-19, 2003, Berlin, Germany.

The Fifth Annual International Workshop on Internationalisation of Products and Systems — IWIPS 2003

The theme of the conference is "Where East Meets West." The IWIPS workshop series bring industry, government and academic specialists in the globalization, internationalization and localization of products and systems for multi- and cross-cultural use.

IWIPS 2003,
E-mail: jose_coronado@hyperion.com,
Web: <http://www.iwips2003.org>