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In the present work, we study the photoproduction of  $\Theta^+$  for the two possible quantum numbers, i.e.  $J^P = 3/2^-$  and  $1/2^+$ . We use the Born approximation with the effective Lagrangians. The Rarita-Schwinger formalism is utilized for describing spin-3/2  $\Theta^+$  relativistically. The gauge-invariant, Lorentz-invariant and crossing-symmetric four dimensional form factor is employed with the cutoff fixed to the data of the  $\Lambda(1520)$  photoproduction [1]. Several unknown parameters are determined by the quark model and phenomenological consideration.

From above considerations, we are able to find the following consequences: The null result of the CLAS experiment [2] for the  $\Theta^+$  photoproduction from the proton target can be understood, if  $\Theta^+$  is assumed to have the quantum numbers  $J^P = 3/2^-$ . Furthermore, the strong suppression for  $\Theta^+(3/2^-)$  is rather stable for the choice of the value of  $g_{K^*N\Theta}$ . The main reason for this strong suppression can be explained by the dominant contribution from the contact term, which is also the case of the  $\Lambda(1520)$  photoproduction. For completeness and comparison, we also present the total and differential cross section for  $\Theta^+(1/2^+)$ . Though we find the strong suppression for the proton target when  $K^*$  is absent, the difference between the two targets, i.e. the neutron and proton ones is not large at all, if we consider the contribution of  $K^*$ -exchange. We summarize our results in Table. I, where we also consider  $K^*$ -exchange for  $\Theta^+(1/2^+)$ .

$J^P$	$3/2^-$		$1/2^+$	
$\Gamma_{\Theta \rightarrow KN}$	0.1 MeV (1.0 MeV)		1.0 MeV	
$g_{K^*N\Theta}$	$\pm 4$		$\pm 1.73$	
Reaction	$\gamma n \rightarrow K^- \Theta^+$	$\gamma p \rightarrow \bar{K}^0 \Theta^+$	$\gamma n \rightarrow K^- \Theta^+$	$\gamma p \rightarrow \bar{K}^0 \Theta^+$
$\sigma$	$\sim 30nb (\sim 250nb)$	$\sim 7nb (\sim 7nb)$	$\sim 1.5nb$	$\sim 1.5nb$
$d\sigma/d(\cos\theta)$	Forward peak	Bump at $\sim 50^\circ$	Bump at $\sim 45^\circ$	Bump at $\sim 45^\circ$

TABLE I: The main results of the  $\Theta^+$  photoproduction

Consequently, if  $K^*$ -exchange plays an important role in describing the  $\Theta^+$  photoproduction as argued in Ref. [3], the  $\Theta^+$  with  $J^P = 3/2^-$  can explain the newest CLAS null results of the existence of the  $\Theta^+$  from the proton target naturally, if  $\Theta^+$  does exist. However, we note that our model calculation still contains some ambiguous physical quantities such as  $\kappa_\Theta$  and  $g_{K^*N\Theta}$ . When these numbers can be determined adequately, the predictive power of our calculation will be enhanced. If the forthcoming CLAS experiment of the  $\Theta^+$  photoproduction from the neutron target [2] observes the evidence of the  $\Theta^+$  baryon, the present investigation on the  $\Theta^+(3/2^-)$  photoproduction will shed light on the physics of the pentaquark baryon  $\Theta^+$ .

If our suggestion  $\Theta^+$  with  $J^P = 3/2^-$  turns out to be true, the analysis of the  $\Theta^+$  decay in the helicity  $t$ -channel frame is quite useful to determine the spin and main contribution to the  $\Theta^+$  production as done for the  $\Lambda(1520)$  electroproduction [4] and photoproduction [5].

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