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#### Climate Patents and Innovation high now and solving Warming but COVID waiver sets a dangerous precedent for appropriations - the mere threat is sufficient is enough to kill investment.

Brand 5-26, Melissa. “Trips Ip Waiver Could Establish Dangerous Precedent for Climate Change and Other Biotech Sectors.” IPWatchdog.com | Patents & Patent Law, 26 May 2021, www.ipwatchdog.com/2021/05/26/trips-ip-waiver-establish-dangerous-precedent-climate-change-biotech-sectors/id=133964/. //sid

The biotech industry is making remarkable advancestowards climate change solutions, and it is precisely for this reason that it can expect to be in the crosshairs of potential IP waiver discussions. President Biden is correct to refer to climate change as an existential crisis. Yet it does not take too much effort to connect the dots between President Biden’s focus on climate change and his Administration’s recent commitment to waive global IP rights for Covid vaccines (TRIPS IP Waiver). “This is a global health crisis, and the extraordinary circumstances of the COVID-19 pandemic call for extraordinary measures.” If an IP waiver is purportedly necessary to solve the COVID-19 global health crisis (and of course [we dispute this notion](https://www.ipwatchdog.com/2021/04/19/waiving-ip-rights-during-times-of-covid-a-false-good-idea/id=132399/)), can we really feel confident that this or some future Administration will not apply the same logic to the climate crisis? And, without the confidence in the underlying IP for such solutions, what does this mean for U.S. innovation and economic growth? United States Trade Representative (USTR) [Katherine Tai](https://www.ipwatchdog.com/2021/05/05/tai-says-united-states-will-back-india-southafrica-proposal-waive-ip-rights-trips/id=133224/) was subject to questioning along this very line during a recent Senate Finance Committee hearing. And while Ambassador Tai did not affirmatively state that an IP waiver would be in the future for climate change technology, she surely did not assuage the concerns of interested parties. The United States has historically supported robust IP protection. This support is one reason the United States is the center of biotechnology innovation and leading the fight against COVID-19. However, a brief review of the domestic legislation arguably most relevant to this discussion shows just how far the international campaign against IP rights has eroded our normative position. The Clean Air Act, for example, contains a provision allowing for the mandatory licensing of patents covering certain devices for reducing air pollution. Importantly, however, the patent owner is accorded due process and the statute lays out a detailed process regulating the manner in which any such license can be issued, including findings of necessity and that no reasonable alternative method to accomplish the legislated goal exists. Also of critical importance is that the statute requires compensation to the patent holder. Similarly, the Atomic Energy Act contemplates mandatory licensing of patents covering inventions of primary importance in producing or utilizing atomic energy. This statute, too, requires due process, findings of importance to the statutory goals and compensation to the rights holder. A TRIPS IP waiver would operate outside of these types of frameworks. There would be no due process, no particularized findings, no compensationand no recourse. Indeed, the fact that the World Trade Organization (WTO) already has a process under the TRIPS agreement to address public health crises, including the compulsory licensing provisions, with necessary guardrails and compensation, makes quite clear that the waiver would operate as a free for all. Forced Tech Transfer Could Be on The Table When being questioned about the scope of a potential TRIPS IP waiver, Ambassador Tai invoked the proverb “Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime.” While this answer suggests primarily that, in times of famine, the Administration would rather give away other people’s fishing rods than share its own plentiful supply of fish (here: actual COVID-19 vaccine stocks), it is apparent that in Ambassador Tai’s view waiving patent rights alone would not help lower- and middle-income countries produce their own vaccines. Rather, they would need to be taught how to make the vaccines and given the biotech industry’s manufacturing know-how, sensitive cell lines, and proprietary cell culture media in order to do so. In other words, Ambassador Tai acknowledged that the scope of the current TRIPS IP waiver discussions includes the concept of forced tech transfer. In the context of climate change, the idea would be that companies who develop successful methods for producing new seed technologies and sustainable biomass**,** reducing greenhouse gases in manufacturing and transportation, capturing and sequestering carbon in soil and products, and more, would be required to turn over their proprietaryknow-how to global competitors. While it is unclear how this concept would work in practice and under the constitutions of certain countries, the suggestion alone could be devastating to voluntary internationalcollaborations. Even if one could assume that the United States could not implement forced tech transfer on its own soil, what about the governments of our international development partners? It is not hard to understand that a U.S.-based company developing climate change technologies would be unenthusiastic about partnering with a company abroad knowing that the foreign country’s government is on track – with the assent of the U.S. government – to change its laws and seize proprietary materials and know-how that had been voluntarily transferred to the local company. Necessary Investment Could Diminish Developing climate change solutions is not an easy endeavor and bad policy positions threaten the likelihood that they will materialize. These products have long lead times from research and development to market introduction, owing not only to a high rate of failure but also rigorous regulatory oversight. Significant investment is required to sustain and drive these challenging and long-enduring endeavors. For example, synthetic biology companies critical to this area of innovation [raised over $1 billion in investment in the second quarter of 2019 alone](https://www.bio.org/sites/default/files/2021-04/Climate%20Report_FINAL.pdf). If investors cannot be confident that IP will be in place to protect important climate change technologies after their long road from bench to market, it is unlikely they will continue to investat the current and required levels**.**

#### Climate Patents are critical to solving Warming – only way to stimulate Renewable Energy Technology Investment.

Aberdeen 20 Arielle Aberdeen October 2020 "Patents to climate rescue: how intellectual property rights are fundamental to the development of renewable energy" <https://www.4ipcouncil.com/application/files/4516/0399/1622/Intellectual_Property_and_Renewable_Energy.pdf> (Caribbean Attorney-at-Law with extensive experience in legal research and writing.)//Elmer

**Climate change is** the **most pressing** global **challenge** and with the international commitment to reduce greenhouse gas emissions under the Paris Agreement,1 there **needs to be a global energy revolution** and transition.2 This is where **innovative technology can help** meet the challenge of reducing our dependency on finite natural capital resources. The development and deployment of innovative technology play a pivotal role in enabling us to replace fossil fuel use with more sustainable energy solutions. **Patents** have **facilitated** the **development of such innovative technologies** thus far **and** will **continue to be the catalyst for this transition**. Patents are among a group of intellectual property rights (‘IPRs’). 3 These are private and exclusive rights given for the protection of different types of intellectual creations. IPRs are the cornerstone of developed and knowledge-based economies, as they encourage innovation, drive the investment into new areas and allow for the successful commercialisation of intellectual creations. IPRs are the cornerstone of developed and knowledge-based economies. Empirical evidence has shown that a **strong IPRs** system **influences** both the **development and diffusion of technology**. Alternatively, **weak IPRs** protection has been shown to **reduce** **innovation**, **reduce investment** and prevent firms from entering certain markets.4 Once patent protection has been sought and granted, it gives a time-limited and exclusive rights to the creator of an invention. This allows the inventor or patentor the ability to restrict others from using, selling, or making the new invented product or process. Thereby allowing a timelimited monopoly on the exploitation of the invention in the geographical area where it is protected. During the patent application procedure, the patentor must make sufficient public disclosure of the invention. This will allow others to see, understand and improve upon it, thereby spurring continuous innovation. Therefore, the patent system through providing this economic incentive is a successful tool which has encouraged the development and the dissemination of technology. Patents like all IPRs are key instruments in the global innovation ecosystem.5 When developing innovative technology, patents play a role throughout the “technological life cycle”,6 as shown in Figure 1. This lifecycle involves the invention, research and development (‘R&D’), market development and commercial diffusion. Patents are most effective when sought at the R&D stage. Once a patent has been granted, it becomes an asset which can then be used to7: Gain Market Access: Patents can create market advantages; to develop and secure market position; to gain more freedom to operate within a sector and reduce risks of infringing on other patents; protect inventions from being copied, and removes delaying by innovative firms to release new or improved technology and encourage the expansion of their markets. Negotiation leverage: Patents can build a strong brand or company reputation which can enhance the company’s negotiation power and allow for the creation of equal partnerships. Funding: Patents can generate funding and revenue streams for companies. Having a strong patent portfolio especially in small businesses or start-ups can be used to leverage investor funding; while also be a source of revenue for companies through licensing fees, sales, tax incentives, collateral for loans and access to grants and subsidies. Strategic value: Patents can be used to build “synergistic partnerships”8 through which collaboration on R&D and other partnerships; be used to improve in-house R&D and build and/ or develop more products. As such, obtaining and managing patent as part of a patent and broader IPRs strategy are key tools for business success, especially within highly innovative and technology-driven industries.9 Renewable Energy: The Basics Renewable energy is derived from natural unlimited sources which produce little to no harmful greenhouse gases and other pollutants. 10 Innovative renewable energy technologies (‘RETs’) have created the ability to tap into these sources and convert them to energy which can then be stored, distributed, and consumed at a competitive cost. RETs have developed into a technology ecosystem which consists of alternative energy production, energy conservation and green transportation.11 For energy production, RETs have been developed to generate energy from six main sources. These are: Wind energy: Technology, via off-shore and/or on-shore wind turbines, harnesses the energy produced by the wind. Solar energy: Technology either through concentrated solar power (‘CSP’)and solar photovoltaic (‘PV’) harnesses the energy produced by the sun. Hydropower: Technology either through large-scale or small-scale hydropower plants, captures energy from flowing water. Bioenergy: Technology is used to convert organic material into energy either through burning to produce heat or power or through converting it to a liquid biofuel. Geothermal: Technology is used to capture the energy from the heat produced in the earth’s core. Ocean/Tidal energy: Technology is used to capture the energy produced from waves, tides, salinity gradient energy and ocean thermal energy conversion. Out of these six sources, the wind, solar and hydropower energy sectors are the biggest, the most developed and the most widely used. While geothermal and ocean energy sources are used in a more limited capacity. In particular, the RETs in ocean energy is still at its infancy and thus presents an opportunity for future innovation and commercialisation. Renewable energy is the fastest-growing energy source, with the electricity sector showing the fastest energy transition. 12 In 2016, renewable energy accounted for 12% of final global energy consumption and in 2018, a milestone was reached with renewables being used to generate 26% of global electricity. The source of this energy has been driven by renewable hydropower, as shown in Figure 2, with wind and solar energy trailing behind in energy production. However, the International Energy Agency (‘IRENA’) forecasts that Solar PV will lead RETs to increase capacity in the upcoming years. 13 This rise in renewable energy is due to the increased investment into the sector and the development, diffusion and deployment of innovative RETs. For the period between 2010 and 2019, there were 2.6 trillion US dollars invested in renewable energy. 14 The majority of which being focused on solar energy. 15 This investment has surpassed the investment made into the traditional fossil fuel energy 16 and has been heavily driven by the private sector. 17 The International Energy Agency recent report showed that its members increased the public budgets for energy technology R&D, with the biggest increase in the low-carbon sectors.18 The geographic sources of this investment shown in Figure 3, reveals that the European Union, the United States and Japan are part of the largest investors. This reflects the historic involvement these countries have had in the renewable energy arena and the development of RETs. However, there is now the emergence of China, India and Brazil as large investors in this field. This trend in investment has also coincided with the increase in patenting technology in renewable energy compared to fossil fuels.19 Reports from the World Intellectual Property Office (WIPO), have shown that there has been a **steady increase in patent filing rates in RETs since the mid-1990s**.20 This increase has occurred in the four major renewable sectors, 21 where RETs patents applications were growing steadily from 2005 until reaching a peak in 2013.22 Post-2013, there has been a slight decline in patent filings, which can indicate a maturing of sectors and deployment of technologies.23 Each renewable energy sector is at a different stage of maturity and thus there is a variation of patent ownership. The wind sector is the most mature and consequently has the highest intellectual property ownership and patent grants compared to that of the biofuel sector. 24 IRENA also provides a comprehensive and interactive database for RETs patents. As seen in Figure 4 below, they have collected patent data from the major patent filing jurisdiction25 which shows the breakdown of the patents per type. This information reveals that there is a dominance of patent filings focused on solar technology. This data corresponds to the focus of the investment in renewable energy into solar energy. Upon closer look at the data, the geographic source of these patents shows that RETs patents have been concentrated in a few developed OECD countries and China. This also corresponds to the source of investment shown in Figure 3 and reflects the historical concentration of RETs innovation within these countries. 26 The latest WIPO report for 2019, which looks at the data for PCT patent applications, shows that 76 % of all PCT patent application came from the United States, Germany, Japan, the Republic of Korea and China.27 China is the newest entry into the top ten list and has made one of the largest jumps to become one of the biggest RETs patent filers at the PCT. This geographic data is also mirrored by IRENA’s statistics, as shown in Figure 5 below. This data also reflects China’s emerging renewable dominance. China is heavily **investing in solar energy** **technology** and has filed numerous patents in this area and the underlying technologies.28 The successful flow of investment in this sector can only **occur in** the **presence of a strong IPRs system** and protection. Government policies and initiatives to improve the **patent system** can be used to promote the development of RETs and drive private capital and investment into this area.29 This direct **effect on RETs** through policies was **shown in** the United States with the ‘**Green Tech Pilot Program’**.30 This was a special accelerated patent application procedure developed by the United States Patent and Trademark Office for inventions falling under the green technology category. This program ran from 2009-2011 and led to a boost in RETs patent applications, with the office issuing 1062 RETs patents from the programme. Other jurisdictions, such as the European Union and China have used policy and incentives to promote the development of RETs and the advancement of their renewable energy sector. In particular, the European Union and China began the renewable energy path at different starting points but are now both dominant players in this area.

#### Warming causes Extinction

Kareiva 18, Peter, and Valerie Carranza. "Existential risk due to ecosystem collapse: Nature strikes back." Futures 102 (2018): 39-50. (Ph.D. in ecology and applied mathematics from Cornell University, director of the Institute of the Environment and Sustainability at UCLA, Pritzker Distinguished Professor in Environment & Sustainability at UCLA)//Re-cut by Elmer

In summary, six of the nine proposed planetary boundaries (phosphorous, nitrogen, biodiversity, land use, atmospheric aerosol loading, and chemical pollution) are unlikely to be associated with existential risks. They all correspond to a degraded environment, but in our assessment do not represent existential risks. However, the three remaining boundaries (**climate change**, global **freshwater** cycle, **and** ocean **acidification**) do **pose existential risks**. This is **because of** intrinsic **positive feedback loops**, substantial lag times between system change and experiencing the consequences of that change, and the fact these different boundaries interact with one another in ways that yield surprises. In addition, climate, freshwater, and ocean acidification are all **directly connected to** the provision of **food and water**, and **shortages** of food and water can **create conflict** and social unrest. Climate change has a long history of disrupting civilizations and sometimes precipitating the collapse of cultures or mass emigrations (McMichael, 2017). For example, the 12th century drought in the North American Southwest is held responsible for the collapse of the Anasazi pueblo culture. More recently, the infamous potato famine of 1846–1849 and the large migration of Irish to the U.S. can be traced to a combination of factors, one of which was climate. Specifically, 1846 was an unusually warm and moist year in Ireland, providing the climatic conditions favorable to the fungus that caused the potato blight. As is so often the case, poor government had a role as well—as the British government forbade the import of grains from outside Britain (imports that could have helped to redress the ravaged potato yields). Climate change intersects with freshwater resources because it is expected to exacerbate drought and water scarcity, as well as flooding. Climate change can even impair water quality because it is associated with heavy rains that overwhelm sewage treatment facilities, or because it results in higher concentrations of pollutants in groundwater as a result of enhanced evaporation and reduced groundwater recharge. **Ample clean water** is not a luxury—it **is essential for human survival**. Consequently, cities, regions and nations that lack clean freshwater are vulnerable to social disruption and disease. Finally, ocean acidification is linked to climate change because it is driven by CO2 emissions just as global warming is. With close to 20% of the world’s protein coming from oceans (FAO, 2016), the potential for severe impacts due to acidification is obvious. Less obvious, but perhaps more insidious, is the interaction between climate change and the loss of oyster and coral reefs due to acidification. Acidification is known to interfere with oyster reef building and coral reefs. Climate change also increases storm frequency and severity. Coral reefs and oyster reefs provide protection from storm surge because they reduce wave energy (Spalding et al., 2014). If these reefs are lost due to acidification at the same time as storms become more severe and sea level rises, coastal communities will be exposed to unprecedented storm surge—and may be ravaged by recurrent storms. A key feature of the risk associated with climate change is that mean annual temperature and mean annual rainfall are not the variables of interest. Rather it is extreme episodic events that place nations and entire regions of the world at risk. These extreme events are by definition “rare” (once every hundred years), and changes in their likelihood are challenging to detect because of their rarity, but are exactly the manifestations of climate change that we must get better at anticipating (Diffenbaugh et al., 2017). Society will have a hard time responding to shorter intervals between rare extreme events because in the lifespan of an individual human, a person might experience as few as two or three extreme events. How likely is it that you would notice a change in the interval between events that are separated by decades, especially given that the interval is not regular but varies stochastically? A concrete example of this dilemma can be found in the past and expected future changes in storm-related flooding of New York City. The highly disruptive flooding of New York City associated with Hurricane Sandy represented a flood height that occurred once every 500 years in the 18th century, and that occurs now once every 25 years, but is expected to occur once every 5 years by 2050 (Garner et al., 2017). This change in frequency of extreme floods has profound implications for the measures New York City should take to protect its infrastructure and its population, yet because of the stochastic nature of such events, this shift in flood frequency is an elevated risk that will go unnoticed by most people. 4. The combination of positive feedback loops and societal inertia is fertile ground for global environmental catastrophes **Humans** are remarkably ingenious, and **have adapted** to crises **throughout** their **history**. Our doom has been repeatedly predicted, only to be averted by innovation (Ridley, 2011). **However**, the many **stories** **of** human ingenuity **successfully** **addressing** **existential risks** such as global famine or extreme air pollution **represent** environmental c**hallenges that are** largely **linear**, have immediate consequences, **and operate without positive feedbacks**. For example, the fact that food is in short supply does not increase the rate at which humans consume food—thereby increasing the shortage. Similarly, massive air pollution episodes such as the London fog of 1952 that killed 12,000 people did not make future air pollution events more likely. In fact it was just the opposite—the London fog sent such a clear message that Britain quickly enacted pollution control measures (Stradling, 2016). Food shortages, air pollution, water pollution, etc. send immediate signals to society of harm, which then trigger a negative feedback of society seeking to reduce the harm. In contrast, today’s great environmental crisis of climate change may cause some harm but there are generally long time delays between rising CO2 concentrations and damage to humans. The consequence of these delays are an absence of urgency; thus although 70% of Americans believe global warming is happening, only 40% think it will harm them (http://climatecommunication.yale.edu/visualizations-data/ycom-us-2016/). Secondly, unlike past environmental challenges, **the Earth’s climate system is rife with positive feedback loops**. In particular, as CO2 increases and the climate warms, that **very warming can cause more CO2 release** which further increases global warming, and then more CO2, and so on. Table 2 summarizes the best documented positive feedback loops for the Earth’s climate system. These feedbacks can be neatly categorized into carbon cycle, biogeochemical, biogeophysical, cloud, ice-albedo, and water vapor feedbacks. As important as it is to understand these feedbacks individually, it is even more essential to study the interactive nature of these feedbacks. Modeling studies show that when interactions among feedback loops are included, uncertainty increases dramatically and there is a heightened potential for perturbations to be magnified (e.g., Cox, Betts, Jones, Spall, & Totterdell, 2000; Hajima, Tachiiri, Ito, & Kawamiya, 2014; Knutti & Rugenstein, 2015; Rosenfeld, Sherwood, Wood, & Donner, 2014). This produces a wide range of future scenarios. Positive feedbacks in the carbon cycle involves the enhancement of future carbon contributions to the atmosphere due to some initial increase in atmospheric CO2. This happens because as CO2 accumulates, it reduces the efficiency in which oceans and terrestrial ecosystems sequester carbon, which in return feeds back to exacerbate climate change (Friedlingstein et al., 2001). Warming can also increase the rate at which organic matter decays and carbon is released into the atmosphere, thereby causing more warming (Melillo et al., 2017). Increases in food shortages and lack of water is also of major concern when biogeophysical feedback mechanisms perpetuate drought conditions. The underlying mechanism here is that losses in vegetation increases the surface albedo, which suppresses rainfall, and thus enhances future vegetation loss and more suppression of rainfall—thereby initiating or prolonging a drought (Chamey, Stone, & Quirk, 1975). To top it off, overgrazing depletes the soil, leading to augmented vegetation loss (Anderies, Janssen, & Walker, 2002). Climate change often also increases the risk of forest fires, as a result of higher temperatures and persistent drought conditions. The expectation is that **forest fires will become more frequent** and severe with climate warming and drought (Scholze, Knorr, Arnell, & Prentice, 2006), a trend for which we have already seen evidence (Allen et al., 2010). Tragically, the increased severity and risk of Southern California wildfires recently predicted by climate scientists (Jin et al., 2015), was realized in December 2017, with the largest fire in the history of California (the “Thomas fire” that burned 282,000 acres, https://www.vox.com/2017/12/27/16822180/thomas-fire-california-largest-wildfire). This **catastrophic fire** embodies the sorts of positive feedbacks and interacting factors that **could catch humanity off-guard and produce a** true **apocalyptic event.** Record-breaking rains produced an extraordinary flush of new vegetation, that then dried out as record heat waves and dry conditions took hold, coupled with stronger than normal winds, and ignition. Of course the record-fire released CO2 into the atmosphere, thereby contributing to future warming. Out of all types of feedbacks, water vapor and the ice-albedo feedbacks are the most clearly understood mechanisms. Losses in reflective snow and ice cover drive up surface temperatures, leading to even more melting of snow and ice cover—this is known as the ice-albedo feedback (Curry, Schramm, & Ebert, 1995). As snow and ice continue to melt at a more rapid pace, millions of people may be displaced by flooding risks as a consequence of sea level rise near coastal communities (Biermann & Boas, 2010; Myers, 2002; Nicholls et al., 2011). The water vapor feedback operates when warmer atmospheric conditions strengthen the saturation vapor pressure, which creates a warming effect given water vapor’s strong greenhouse gas properties (Manabe & Wetherald, 1967). Global warming tends to increase cloud formation because warmer temperatures lead to more evaporation of water into the atmosphere, and warmer temperature also allows the atmosphere to hold more water. The key question is whether this increase in clouds associated with global warming will result in a positive feedback loop (more warming) or a negative feedback loop (less warming). For decades, scientists have sought to answer this question and understand the net role clouds play in future climate projections (Schneider et al., 2017). Clouds are complex because they both have a cooling (reflecting incoming solar radiation) and warming (absorbing incoming solar radiation) effect (Lashof, DeAngelo, Saleska, & Harte, 1997). The type of cloud, altitude, and optical properties combine to determine how these countervailing effects balance out. Although still under debate, it appears that in most circumstances the cloud feedback is likely positive (Boucher et al., 2013). For example, models and observations show that increasing greenhouse gas concentrations reduces the low-level cloud fraction in the Northeast Pacific at decadal time scales. This then has a positive feedback effect and enhances climate warming since less solar radiation is reflected by the atmosphere (Clement, Burgman, & Norris, 2009). The key lesson from the long list of potentially positive feedbacks and their interactions is that **runaway climate change,** and runaway perturbations have to be taken as a serious possibility. Table 2 is just a snapshot of the type of feedbacks that have been identified (see Supplementary material for a more thorough explanation of positive feedback loops). However, this list is not exhaustive and the possibility of undiscovered positive feedbacks **portends** even greater **existential risks**. The many environmental crises humankind has previously averted (famine, ozone depletion, London fog, water pollution, etc.) were averted because of political will based on solid scientific understanding. We cannot count on complete scientific understanding when it comes to positive feedback loops and climate change.

## 2

#### China’s using absence of Vaccine alternates to assert influence.

Zhao 4-29 Suisheng Zhao 4-29-2021 "Why China’s vaccine diplomacy is winning" <https://www.eastasiaforum.org/2021/04/29/why-chinas-vaccine-diplomacy-is-winning/> (Professor and Director of the Center for China–US Cooperation at the Josef Korbel School of International Studies, University of Denver)//Elmer

Chinese COVID-19 vaccines have been shipped to more than **80 countries** for market or emergency use. Among them, 53 countries received vaccines for free (including developing countries in Africa and some strategically important Asian countries such as the Philippines and Pakistan) and 27 middle-income countries paid for doses. Rolling out of vaccines to developing countries, Beijing has framed itself as **a solution to the pandemic** rather than the origin of the coronavirus. China’s advanced vaccine diplomacy stands in contrast **to the ‘me first policies’** of the **United States and the European Union**. With a shortfall in supplies, US and EU leaders have faced high infection rates and death tolls at home and feel the need to inoculate their domestic populations first. This has left the world’s poorest and most vulnerable people without vaccine supply and at risk. China has not faced these problems and can afford to send vaccines abroad. Just by showing up and helping plug gaps in the global supply of vaccines, China has g**ained ground** in vaccine diplomacy. President Xi Jinping pledged that Chinese vaccines would be provided as a global public good. But a large portion of Chinese vaccines are not free — some countries have paid Chinese vaccine makers. Still the absence of the United States and European Union from vaccine diplomacy **is not lost** on countries struggling to put shots in people’s arms. Many countries would prefer US or EU-made Pfizer and Moderna vaccines over China’s vaccines if given the choice, **yet they cannot access them**. These countries are desperate and have jumped at the opportunity to receive Chinese vaccines. Chinese companies are also more willing than their western counterparts **to strike licensing deals** to produce vaccines in foreign countries. For example, Indonesia has become a regional hub for Sinovac’s CoronaVac through its state pharmaceuticals company Bio Farma. The United Arab Emirates (UAE) chose Sinopharm because it was willing to conduct phase three clinical trials in the UAE and build native vaccine production capabilities. Sinopharm also arranged to manufacture its vaccine in the UAE for regional distribution. Beijing’s vaccine diplomacy involves propaganda to boost **perceptions of China as a generous and responsible power**. Chinese media has covered every delivery of vaccine shipment. The scene is set by a standard script. When a cargo plane lands, it is greeted by senior local leaders accompanied by Chinese ambassadors fawning over the vaccine cargo. Vaccine diplomacy has helped **increase China’s influence** and enabled it to capitalise **on new opportunities**. China has rolled vaccines out to participants of its Belt and Road Initiative (**BRI**) **and enhanced preferential access to jabs alongside investments in infrastructure and connectivity projects**. According to an April Think Global Health report, of the 56 countries to which China pledged doses, all but one were participants in its BRI. Naming it the Health Silk Road, vaccine diplomacy has provided a foothold for China’s pharmaceutical industry that has been plagued by scandals and low levels of trust at home and abroad. Making Sinovac and Sinopharm household names in foreign countries, China may change these perceptions. Although Chinese vaccine makers were among the earliest in the world to begin clinical trials and self-reported some key results, many have not published complete data in peer-reviewed journals. This has fuelled scepticism about their safety and effectiveness. Gao Fu, director of China’s Centre for Disease Control and Prevention, noted in April that Chinese vaccines were not as effective as hoped and mixing them was among the strategies being considered to boost their effectiveness. Some countries have been reluctant to greenlight Chinese vaccines. Singapore received its first shipment of Sinovac vaccines in February, but Singaporean regulators have not approved its use, moving ahead with using Pfizer and Moderna vaccines. Polish President Andrzej Duda spoke with President Xi about buying Chinese jabs in March. Yet Poland’s health authorities have recommended against using Chinese vaccines because of a lack of data. Concerns have also arisen about whether China’s production capacity is able to keep pace with an ever-expanding list of overseas customers and its domestic vaccination campaign. The Turkish government ordered 20 million doses of China’s Sinovac vaccine. But delayed shipments forced the government to repeatedly revise its vaccination timetable. Egypt purchased a total of 40 million doses of the vaccine from Sinopharm in January but had received only a tiny percentage of its vaccine order from China by the middle of April. This tension will intensify as China’s domestic demand for vaccines increases. China has continued with vaccine diplomacy in the absence of the United States and other Western countries. These countries should compete and cooperate with China to overcome bottlenecks in the global distribution of vaccines and ensure that all nations, particularly developing countries, receive the vaccines they need to finally beat COVID-19.

#### Waivers are a critical issue in the perceptual ineptness of America and the West.

Pratt and Levin 4-29 Simon Frankel Pratt and Jamie Levin 4-29-2021 "Vaccines Will Shape the New Geopolitical Order" <https://archive.is/OgDcA#selection-847.23-857.11> (Simon Frankel Pratt is a lecturer in the School of Sociology, Politics, and International Studies at the University of Bristol. Jamie Levin is an assistant professor of political science at St. Francis Xavier University in Canada.)//Elmer

While home to vaccines produced by the likes of Pfizer, Moderna, AstraZeneca, and Johnson & Johnson—all now household names and whose vaccines are considered more efficacious—governments of these states have demonstrated a **reluctance to supply doses** to much of the rest of the world at the expense of domestic vaccination rates. The United States and the U.K. have exported almost none, and the EU is clamping down. They have similarly been **unwilling to waive patents**, allowing for production of these vaccines where they are most needed. This suggests that the United States and the EU are **slow to fully exploit the geopolitical opportunities** of vaccine diplomacy or at least are not willing to do so with the same alacrity and **enthusiasm as other states**. That may change as time goes on, however, and the result will be worsened inequities within already inequitable trade relationships between these countries and the global south.

#### Chinese leadership solves existential threats.

Yamei 18 Shen Yamei 18, Deputy Director and Associate Research Fellow of Department for American Studies, China Institute of International Studies, 1-9-2018, "Probing into the “Chinese Solution” for the Transformation of Global Governance," CAIFC, <http://www.caifc.org.cn/en/content.aspx?id=4491>

As the world is in a period of great development, transformation and adjustment, the international power comparison is undergoing profound changes, global governance is reshuffling and traditional governance concepts and models are confronted with challenges. The international community is expecting China to play a bigger role in global governance, which has given birth to the Chinese solution. A. To Lead the Transformation of the Global Governance System. The “shortcomings” of the existing global governance system are prominent, which can hardly ensure global development. First, the traditional dominant forces are seriously imbalanced*.* The US and Europe that used to dominate the global governance system have been beset with structural problems, with their economic development stalling, social contradictions intensifying, populism and secessionism rising, and states trapped in internal strife and differentiation. These countries have not fully reformed and adjusted themselves well, but rather pointed their fingers at globalization and resorted to retreat for self-insurance or were busy with their own affairs without any wish or ability to participate in global governance, which has encouraged the growth of “anti-globalization” trend into an interference factor to global governance. Second, the global governance mechanism is relatively lagging behind. Over the years of development, the strength of emerging economies has increased dramatically, which has substantially upset the international power structure, as the developing countries as a whole have made 80 percent of the contributions to global economic growth. These countries have expressed their appeal for new governance and begun policy coordination among themselves, which has initiated the transition of global governance form “Western governance” to “East-West joint governance”, but the traditional governance mechanisms such as the World Bank, IMF and G7 failed to reflect the demand of the new pattern, in addition to their lack of representation and inclusiveness. Third, the global governance rules are developing in a fragmented way, with governance deficits existing in some key areas. With the diversification and in-depth integration of international interests, the domain of global governance has continued to expand, with actors multiplying by folds and action intentions becoming complicated. As relevant efforts are usually temporary and limited to specific partners or issues, global governance driven by requests of “diversified governance” lacks systematic and comprehensive solutions. Since the beginning of this year, there have been risks of running into an acephalous statein such key areas as global economic governance and climate change*.* Such emerging issues as nuclear security and international terrorism have suffered injustice because of power politics*.* The governance areas in deficit, such as cyber security, polar region and oceans, have “reversely forced” certain countries and organizations to respond hastily*.* All of these have made the global governance system trapped in a dilemma and call urgently for a clear direction of advancement. B. To Innovate and Perfect the International Order. Currently, whether the developing countries or the Western countries of Europe and the US are greatly discontent with the existing international order as well as their appeals and motivation for changing the order are unprecedentedly strong. The US is the major creator and beneficiary of the existing hegemonic order, but it is now doubtful that it has gained much less than lost from the existing order, faced with the difficulties of global economic transformation and obsessed with economic despair and political dejection. Although the developing countries as represented by China acknowledge the positive role played by the post-war international order in safeguarding peace, boosting prosperity and promoting globalization, they criticize the existing order for lack of inclusiveness in politics and equality in economy, as well as double standard in security, believing it has failed to reflect the multi-polarization trend of the world and is an exclusive “circle club”. Therefore, there is much room for improvement. For China, to lead the transformation of the global governance system and international order not only supports the efforts of the developing countries to uphold multilateralism rather than unilateralism, advocate the rule of law rather than the law of the jungle and practice democracy rather than power politics in international relations, but also is an important subject concerning whether China could gain the discourse power and development space corresponding to its own strength and interests in the process of innovating and perfecting the framework of international order. C. To Promote Integration of the Eastern and Western Civilizations. Dialog among civilizations, which is the popular foundation for any country’s diplomatic proposals, runs like a trickle moistening things silently. Nevertheless, in the existing international system guided by the “Western-Centrism”, the Western civilization has always had the self-righteous superiority, conflicting with the interests and mentality of other countries and having failed to find the path to co-existing peacefully and harmoniously with other *civilizations.* So to speak, many problems of today, including the growing gap in economic development between the developed and developing countries against the background of globalization, the Middle East trapped in chaos and disorder, the failure of Russia and Turkey to “integrate into the West”, etc., can be directly attributed to lack of exchanges, communication and integration among civilizations. Since the 18th National Congress of CPC, Xi Jinping has raised the concept of “Chinese Dream” that reflects both Chinese values and China’s pursuit, re-introducing to the world the idea of “all living creatures grow together without harming one another and ways run parallel without interfering with one another”, which is the highest ideal in Chinese traditional culture, and striving to shape China into a force that counter-balance the Western civilization. He has also made solemn commitment that “we respect the diversity of civilizations …… cannot be puffed up with pride and depreciate other civilizations and nations”; “facing the people deeply trapped in misery and wars, we should have not only compassion and sympathy, but also responsibility and action …… do whatever we can to extend assistance to those people caught in predicament”, etc. China will rebalance the international pattern from a more inclusive civilization perspective and with more far-sighted strategic mindset, or at least correct the bisected or predominated world order so as to promote the parallel development of the Eastern and Western civilizations through mutual learning, integration and encouragement. D. To Pass on China’s Confidence. Only a short while ago, some Western countries had called for “China’s responsibility” and made it an inhibition to “regulate” China’s development orientation. Today, China has become a source of stability in an international situation full of uncertainties. Over the past 5 years, China has made outstanding contributions to the recovery of world economy under relatively great pressure of its own economic downturn. Encouraged by the “four confidences”, the whole of the Chinese society has burst out innovation vitality and produced innovation achievements, making people have more sense of gain and more optimistic about the national development prospect. It is the heroism of the ordinary Chinese to overcome difficulties and realize the ideal destiny that best explains China’s confidence. When this confidence is passed on in the field of diplomacy, it is expressed as: first, China’s posture is seen as more forging ahead and courageous to undertake responsibilities ---- proactively shaping the international agendas rather than passively accepting them; having clear-cut attitudes on international disputes rather than being equivocal; and extending international cooperation to comprehensive and dimensional development rather than based on the theory of “economy only”. In sum, China will actively seek understanding and support from other countries rather than imposing its will on others with clear-cut Chinese characteristics, Chinese style and Chinese manner. Second, China’s discourse is featured as a combination of inflexibility and yielding as well as magnanimous ---- combining the internationally recognized diplomatic principles with the excellent Chinese cultural traditions through digesting the Chinese and foreign humanistic classics assisted with philosophical speculations to make “China Brand, Chinese Voice and China’s Image get more and more recognized”. Third, the Chinese solution is more practical and intimate to people as well as emphasizes inclusive cooperation, as China is full of confidence to break the monopoly of the Western model on global development, “offering mankind a Chinese solution to explore a better social system”, and “providing a brand new option for the nations and peoples who are hoping both to speed up development and maintain independence”. II.Path Searching of the “Chinese Solution” for Global Governance Over the past years’ efforts, China has the ability to transform itself from “grasping the opportunity” for development to “creating opportunity” and “sharing opportunity” for common development, hoping to pass on the longing of the Chinese people for a better life to the people of other countries and promoting the development of the global governance system toward a more just and rational end. It has become the major power’s conscious commitment of China to lead the transformation of the global governance system in a profound way. A. To Construct the Theoretical System for Global Governance. The theoretical system of global governance has been the focus of the party central committee’s diplomatic theory innovation since the 18th National Congress of CPC as well as an important component of the theory of socialism with Chinese characteristics for a new era, which is not only the sublimation of China’s interaction with the world from “absorbing and learning” to “cooperation and mutual learning”, but also the cause why so many developing countries have turned from “learning from the West” to “exploring for treasures in the East”. In the past 5 years, the party central committee, based on precise interpretation of the world pattern today and serious reflection on the future development of mankind, has made a sincere call to the world for promoting the development of global governance system toward a more just and rational end, and proposed a series of new concepts and new strategies including engaging in major power diplomacy with Chinese characteristics, creating the human community with common destiny, promoting the construction of new international relationship rooted in the principle of cooperation and win-win, enriching the strategic thinking of peaceful development, sticking to the correct benefit view, formulating the partnership network the world over, advancing the global economic governance in a way of mutual consultation, joint construction and co-sharing, advocating the joint, comprehensive, cooperative and sustainable security concept, and launching the grand “Belt and Road” initiative. The Chinese solution composed of these contents, not only fundamentally different from the old roads of industrial revolution and colonial expansion in history, but also different from the market-driven neo-liberalism model currently advocated by Western countries and international organizations, stands at the height of the world and even mankind, seeking for global common development and having widened the road for the developing countries to modernization, which is widely welcomed by the international community. B. To Supplement and Perfect the Global Governance System. Currently, the international political practice in global governance is mostly problem-driven without creating a set of relatively independent, centralized and integral power structures, resulting in the existing global governance systemcharacterized as both extensive and unbalanced**.** China has been engaged in reform and innovation, while maintaining and constructing the existing systems, producing some thinking and method with Chinese characteristics. First, China sees the UN as a mirror that reflects the status quo of global governance, which should act as the leader of global governance, and actively safeguards the global governance system with the UN at the core. Second, China is actively promoting the transforming process of such recently emerged international mechanisms as G20, BRICS and SCO, perfecting them through practice, and boosting Asia-Pacific regional cooperation and the development of economic globalization. China is also promoting the construction of regional security mechanism through the Six-Party Talks on Korean Peninsula nuclear issue, Boao Forum for Asia, CICA and multilateral security dialog mechanisms led by ASEAN so as to lay the foundation for the future regional security framework. Third, China has initiated the establishment of AIIB and the New Development Bank of BRICS, creating a precedent for developing countries to set up multilateral financial institutions. The core of the new relationship between China and them lies in “boosting rather than controlling” and “public rather than private”, which is much different from the management and operation model of the World Bank, manifesting the increasing global governance ability of China and the developing countries as well as exerting pressure on the international economic and financial institution to speed up reforms. Thus, in leading the transformation of the global governance system, China has not overthrown the existing systems and started all over again, but been engaged in innovating and perfecting; China has proactively undertaken international responsibilities, but has to do everything in its power and act according to its ability. C. To Reform the Global Governance Rules. Many of the problems facing global governance today are deeply rooted in such a cause that the dominant power of the existing governance system has taken it as the tool to realize its own national interests first and a platform to pursue its political goals. Since the beginning of this year, the US has for several times requested the World Bank, IMF and G20 to make efforts to mitigate the so-called global imbalance, abandoned its commitment to support trade openness, cut down investment projects to the middle-income countries, and deleted commitment to support the efforts to deal with climate change financially, which has made the international systems accessories of the US domestic economic agendas, dealing a heavy blow to the global governance system. On the contrary, the interests and agendas of China, as a major power of the world, are open to the whole world, and China in the future “will provide the world with broader market, more sufficient capital, more abundant goods and more precious opportunities for cooperation”, while having the ability to make the world listen to its voice more attentively. With regard to the subject of global governance, China has advocated that what global governance system is better cannot be decided upon by any single country, as the destiny of the world should be in the hands of the people of all countries. In principle, all the parties should stick to the principle of mutual consultation, joint construction and co-sharing, resolve disputes through dialog and differences through consultation. Regarding the critical areas, opening to the outer world does not mean building one’s own backyard, but building the spring garden for co-sharing; the “Belt and Road” initiative is not China’s solo, but a chorus participated in by all countries concerned. China has also proposed international public security views on nuclear security, maritime cooperation and cyber space order, calling for efforts to make the global village into a “grand stage for seeking common development” rather than a “wrestling arena”; we cannot “set up a stage here, while pulling away a prop there”, but “complement each other to put on a grand show”. From the orientation of reforms, efforts should be made to better safeguard and expand the legitimate interests of the developing countries and increase the influence of the emerging economies on global governance. Over the past 5 years, China has attached importance to full court diplomacy, gradually coming to the center stage of international politics and proactively establishing principles for global governance. By hosting such important events as IAELM, CICA Summit, G20 Summit, the Belt and Road International Cooperation Forum and BRICS Summit, China has used theseplatforms to elaborate the Asia-Pacific Dream for the first time to the world, expressing China’s views on Asian security and global economic governance, discussing with the countries concerned with the Belt and Road about the synergy of their future development strategies and setting off the “BRICS plus” capacity expansion mechanism, in which China not only contributes its solution and shows its style, but also participates in the shaping of international principles through practice. On promoting the resolution of hot international issues, China abides by the norms governing international relations based on the purposes and principles of the UN Charter, and insists on justice, playing a constructive role as a responsible major power in actively promoting the political accommodation in Afghanistan, mediating the Djibouti-Eritrea dispute, promoting peace talks in the Middle East, devoting itself to the peaceful resolution of the South China Sea dispute through negotiations. In addition, China’s responsibility and quick response to international crises have gained widespread praises, as seen in such cases as assisting Africa in its fight against the Ebola epidemic, sending emergency fresh water to the capital of Maldives and buying rice from Cambodia to help relieve its financial squeeze, which has shown the simple feelings of the Chinese people to share the same breath and fate with the people of other countries. D. To Support the Increase of the Developing Countries’ Voice. The developing countries, especially the emerging powers, are not only the important participants of the globalization process, but also the important direction to which the international power system is transferring. With the accelerating shift of global economic center to emerging markets and developing economies, the will and ability of the developing countries to participate in global governance have been correspondingly strengthened. As the biggest developing country and fast growing major power, China has the same appeal and proposal for governance as other developing countries and already began policy coordination with them, as China should comply with historical tide and continue to support the increase of the developing countries’ voice in the global governance system. To this end, China has pursued the policy of “dialog but not confrontation, partnership but not alliance”, attaching importance to the construction of new type of major power relationship and global partnership network, while making a series proposals in the practice of global governance that could represent the legitimate interests of the developing countries and be conducive to safeguarding global justice, including supporting an open, inclusive, universal, balanced and win-win economic globalization; promoting the reforms on share and voting mechanism of IMF to increase the voting rights and representation of the emerging market economies; financing the infrastructure construction and industrial upgrading of other developing countries through various bilateral or regional funds; and helping other developing countries to respond to such challenges as famine, refugees, climate change and public hygiene by debt forgiveness and assistance.

#### That solves the Case – China has the vaccine production capacity to vaccinate the world.

Mallapaty 6-9 Smriti Mallapaty 6-9-2021 "China is vaccinating a staggering 20 million people a day" <https://www.nature.com/articles/d41586-021-01545-3> (She has a master of science degree in environmental technology from Imperial College London.)//Elmer

For more than a week, an average of about **20 million people** have been vaccinated against COVID-19 **every day in China**. At this rate, the nation would have fully vaccinated the entire UK population in **little more than six days**. China now accounts for more than half of the 35 million or so people around the world receiving a COVID-19 shot each day. Zoltán Kis, a chemical engineer in the Future Vaccine Manufacturing Research Hub at Imperial College London, doesn’t know of “anything **even close to those production scales**” for a vaccine. “The manufacturing efforts required in China to reach this high production throughput are tremendous,” he says. The majority of doses are of one of two vaccines, both of which have been approved for emergency use worldwide by the World Health Organization (WHO). CoronaVac — produced by Beijing-based company Sinovac — showed an efficacy of 51% against symptoms of COVID-19 in clinical trials, and much higher protection against severe disease and death. The second jab was developed in Beijing by state-owned firm Sinopharm and has demonstrated an efficacy of 79% against symptomatic disease and hospitalization. Supplying vaccines to the world China’s current vaccine production rate could potentially **make a significant dent in global demand**, says Kis; that would be “**a huge step in reducing the health-care and economic burden of the COVID-19 pandemic**”. China has already supplied 350 million doses of the two vaccines to more than 75 nations, and WHO approval should now trigger the further distribution of both vaccines to low-income countries. “China’s vaccination campaign got off to a slow start, but has rapidly picked up pace,” says Rongjun Chen, a biomaterials scientist also at the Future Vaccine Manufacturing Research Hub. As recently as mid-April, China was administering only about five million doses a day. According to an official at China’s National Health Commission, the nation aims to produce some three billion doses of COVID-19 vaccines in 2021 — and up to **five billion per year after that**. To achieve such high production rates, many things need to go according to plan across the entire production and distribution chain, from sourcing raw materials to manufacturing active ingredients, filling vials and distributing doses to vaccination centres, says Kis. “It is crucial that everything arrives at the right location at the right time.”

## 3

#### Interpretation - Reduce means permanent reduction – it’s distinct from “waive” or “suspend.”

**Reynolds 59** (Judge (In the Matter of Doris A. Montesani, Petitioner, v. Arthur Levitt, as Comptroller of the State of New York, et al., Respondents [NO NUMBER IN ORIGINAL] Supreme Court of New York, Appellate Division, Third Department 9 A.D.2d 51; 189 N.Y.S.2d 695; 1959 N.Y. App. Div. LEXIS 7391 August 13, 1959, lexis)

Section 83's counterpart with regard to nondisability pensioners, section 84, prescribes a reduction only if the pensioner should again take a public job. The disability pensioner is penalized if he takes any type of employment. The reason for the difference, of course, is that in one case the only reason pension benefits are available is because the pensioner is considered incapable of gainful employment, while in the other he has fully completed his "tour" and is considered as having earned his reward with almost no strings attached. It would be manifestly unfair to the ordinary retiree to accord the disability retiree the benefits of the System to which they both belong when the latter is otherwise capable of earning a living and had not fulfilled his service obligation. If it were to be held that withholdings under section 83 were payable whenever the pensioner died or stopped his other employment the whole purpose of the provision would be defeated, i.e., the System might just as well have continued payments during the other employment since it must later pay it anyway.  [\*\*\*13] The section says "reduced", does not say that monthly payments shall be temporarily suspended; it says that the pension itself shall be reduced. The plain dictionary meaning of the word is to diminish, lower or degrade. The word "reduce" seems adequately to indicate permanency.

#### Waiver is temporary.

Green 5/6 [Andrew Green (Devex Contributing Reporter based in Berlin, his coverage focuses primarily on health and human rights and he has previously worked as Voice of America's South Sudan bureau chief and the Center for Public Integrity's web editor). “US backs waiver for intellectual property rights for COVID-19 vaccines”. Devex. 06 May 2021. Accessed 7/31/2021. <https://www.devex.com/news/us-backs-waiver-for-intellectual-property-rights-for-covid-19-vaccines-99847> //Xu]

In a stunning reversal, U.S. President Joe Biden’s administration came out in favor of waiving intellectual property protections for COVID-19 vaccines Wednesday. The move follows months of U.S. opposition that began under former President Donald Trump to a proposal from South Africa and India to temporarily set aside intellectual property rights around products that would protect, contain, and treat COVID-19. Its supporters have argued that the proposal, first tabled at the World Trade Organization in October and now backed by more than 100 countries, is necessary to expand vaccine production and overcome global shortages.

#### 2] Violation – the plan waives intellectual property protections temporarily, which is an indefinite suspension. That’s 1AC [Meredith and Erfani].

#### Plan Text in a Vacuum is a useless guideline since words are contextually defined based on function – the only basis for determining Topicality should be if the implementation of the Plan as per their 1AC solvency evidence follows the directional meaning of the Topic’s intent – anything else allows the 1AR to re-contextualize what the Plan says forcing the 1NC to predict infinite 1AR spin since they’re not tied to their evidence.

#### 3] Vote neg for limits and neg ground – re-instatement under any infinite number of conditions doubles aff ground – every plan becomes either temporary or permanent – you cherry-pick the best criteria while neg teams prep every aff and aff teams avoid core topic discussions like reduction-based DAs which decks generics like Pharma Innovation and Bio-Tech.

#### 5] TVA solves – permanently reduce COVID patents.

#### 6] Paradigm Issues –

#### Education is a voter since it is the only portable and durable skill that influences our subject formation. Fairness is a voter since a] debate is a game, competition equity matters proven by desire for wins, b] is worthless without rules and equal access.

#### a] Topicality is Drop the Debater – it’s a fundamental baseline for debate-ability and its critically reflexive since you won’t read your aff in the future

#### b] Use Competing Interps – 1] Topicality is a yes/no question, you can’t be reasonably topical and 2] Reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation.

#### c] No RVI’s - 1] Forces the 1NC to go all-in on Theory which kills substance education, 2] Encourages Baiting since the 1AC will purposely be abusive, and 3] Illogical – you shouldn’t win for not being abusive.

## 4

#### Reject 1AR Theory arguments – 1) double bind – either you can put minor ink next to answer of my responses and extend your arguments to auto-win or the judge has to intervene to see if the 2ar answers to the 2n are good enough. Intervention o/w since it takes the round out of debater’s hands 2) they have 2 speeches on theory while I have 1 which means they can structurally preempt my answers and respond to them and I can’t do either 3) infinite abuse in the context of aff abuse doesn’t make sense since you can read 1ac theory and uplayer with other 1ar offs like Ks 4) they have 1 more minute on the theory debate due to a 7-6 skew which o/w since theory is mainly about substance 5) evaluate 2n paradigm issues and framing since they have 2 speeches to answer and weigh against 1 argument and I need another speech to compensate 6) they can blow up dropped arguments in the next speech and I don’t have the chance to frame them out but they can which means only dropped arguments for them are game over. Resolvability OW infinite abuse

#### 1] Jurisdiction- If the judge can’t resolve an argument they don’t have the jurisdiction to vote on it because there is a risk of an incorrect decision

#### 2] Magnitude- resolvability means judge intervention which is worse than a shell with reasonability on it

#### 3] Probability- Judge intervention is 100% likely because no matter what 2NR responses don’t get answered to but you can resolve the theory debate with DTA

#### If they get 1AR theory its drop the argument the 1NC was 2 DAs and T to test the aff it was NOT abusive– they can initiate theory in the aff and the 1ar which means they have 2 speeches to devastate the 1n with no risk auto-loss issues.