## 1

#### The standard is consistency with a Kantian system of equal and outer freedom:

#### Agency is constitutive and inescapable since to engage in anything one must engage in agency. Even when agents attempt to assess whether they should participate as agents, they are closed under the operation of reflective rational assessment. Thus, agents must be able to pursue their ends independent of the choices of others or else their reasoning wouldn’t produce an action and wouldn’t be practical.

#### That justifies universalizable ends

#### absent universal ethics morality becomes arbitrary and fails to guide action, making ethics useless

#### a priori principles like reason apply to everyone since they are independent of human experience and

#### any non-universalizable norm justifies someone’s ability to impede on your ends i.e. if I want to eat ice cream, I must recognize that others may affect my pursuit of that end and demand the value of my end be recognized by others. This also makes universalizability a side-constraint on ends-based frameworks.

#### It’s impossible to will a violation of freedom since deciding to do would will incompatible ends since it logically entails willing a violation of your own freedom. Constraints are necessary to retain the value of freedom which implies that one cannot hinder the freedom of others.

#### To clarify:

#### [1] The standard evaluates actions based upon their intrinsic nature, not foreseen consequences:

#### [A] To account for all foreseen impacts would prevent action because individuals would become morally culpable for all actions and states of affairs not just those that factor into the will

#### [B] Induction is circular because it relies on the assumption that nature will hold uniform and we could only reach that conclusion through inductive reasoning based on observation of past events and

#### [C] Prediction is impossible. Any action can lead to a domino effect that can have disastrous impacts in the end. For example, if I drop a pen, it could land on a Faultline triggering an earthquake.

#### Prefer the standard:

#### [1] Performativity—freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place. Thus, it is logically incoherent to justify a standard without first willing that we can pursue ends free from others.

### Negate

#### [1] Intellectual property allows for individual autonomy and maximum respect of freedom for all.

#### Kanning 12

[Kanning, Michael A., "A Philosophical Analysis of Intellectual Property: In Defense of Instrumentalism" (2012). Graduate Theses and Dissertations. http://scholarcommons.usf.edu/etd/4094]//RaZ

The Kantian property theory is in many ways similar to Hegel’s. Both theories hold up individual autonomy and personal freedom as a feature of 14 human existence that can only be fully realized through the recognition of individual property rights. Both of these theories foreground the relationship between an individual and an object (Merges 71). Individuals have an interest in property in the Kantian scheme because property supports a maximal “range of freedom”. Freedom is enabled by property because it allows individuals “to carry out projects in the world”. Projects, particularly those of the creative classes, require some degree of physical control over things in order to be realized. Property rights are the best way to help individuals achieve the full degree of freedom possible to them (72).

#### [2] All subjects have the right to protect their property; it’s universal because anyone can patent something that hasn’t been patented before.

#### Dyke 18

[Raymond Van Dyke, July 17, 2018 ,“The Categorical Imperative for Innovation and Patenting” [Raymond Van Dyke](https://www.ipwatchdog.com/author/raymond-van-dyke/) has been an intellectual and technology attorney and consultant for over 25 years, specializing in IP procurement, prosecution, IP portfolio building and management, licensing, legislative advocacy and expert witnessing. He is licensed to practice law in Washington, DC, Maryland, New Jersey, New York, Texas, and the Patent & Trademark Office of the United States. He is also admitted to practice before the Supreme Court of the United States, the Court of Appeals for the Federal, Second, Third, Fourth and Fifth Circuits, as well as the Federal Court of Claims and the Court of International Trade. ]//RaZ

As we shall see, applying Kantian logic entails first acknowledging some basic principles; that the people have a right to express themselves, that that expression (the fruits of their labor) has value and is theirs (unless consent is given otherwise), and that government is obligated to protect people and their property. Thus, an inventor or creator has a right in their own creation, which cannot be taken from them without their consent. So, employing this canon, a proposed Categorical Imperative (CI) is the following Statement: creators should be protected against the unlawful taking of their creation by others. Applying this Statement to everyone, i.e., does the Statement hold water if everyone does this, leads to a yes determination. Whether a child, a book or a prototype, creations of all sorts should be protected, and this CI stands. This result also dovetails with the purpose of government: to protect the people and their possessions by providing laws to that effect, whether for the protection of tangible or intangible things.

#### [3] No patent causes freeriding which isn’t universal -- if everyone was a freerider then no inventions would exist to begin with.

#### Dyke 18

[Raymond Van Dyke, July 17, 2018 ,“The Categorical Imperative for Innovation and Patenting” [Raymond Van Dyke](https://www.ipwatchdog.com/author/raymond-van-dyke/) has been an intellectual and technology attorney and consultant for over 25 years, specializing in IP procurement, prosecution, IP portfolio building and management, licensing, legislative advocacy and expert witnessing. He is licensed to practice law in Washington, DC, Maryland, New Jersey, New York, Texas, and the Patent & Trademark Office of the United States. He is also admitted to practice before the Supreme Court of the United States, the Court of Appeals for the Federal, Second, Third, Fourth and Fifth Circuits, as well as the Federal Court of Claims and the Court of International Trade. ]//RaZ

However, a contrary proposal can be postulated: everyone should be able to use the creations of another without charge. Can this Statement rise to the level of a CI? This proposal, upon analysis would also lead to chaos. Hollywood, for example, unable to protect their films, television shows or any content, would either be out of business or have robust encryption and other trade secret protections, which would seriously undermine content distribution and consumer enjoyment. Likewise, inventors, unable to license or sell their innovations or make any money to cover R&D, would not bother to invent or also resort to strong trade secret. Why even create? This approach thus undermines and greatly hinders the distribution of ideas in a free society, which is contrary to the paradigm of the U.S. patent and copyright systems, which promotes dissemination. By allowing freeriding, innovation and creativity would be thwarted (or at least not encouraged) and trade secret protection would become the mainstay for society with the heightened distrust.

## 2

#### Interpretation - Medicine solely refers to drugs.

American Heritage Dictionary of Medicine 18 The American Heritage Dictionary of Medicine 2018 by Houghton Mifflin Harcourt Publishing Company <https://www.yourdictionary.com/medicine> //Elmer

"A **substance**, **especially a drug**, **used to treat** the signs and symptoms of a **disease**, condition, or injury."

#### Violation – Genomic Medicine is not - They say Genomic medicines – a term which doesn’t exist in the topic literature. There are no “genomic medicines”, genomic medicine is a discipline not types of medicines.

#### Read your own solvency advocate – they talk about CRISPR and gene editing practices not discreet forms of medicines or substances or drugs. The words “Genomic medicines” doesn’t appear in their solvency advocate at all.

**NHGRI 20’**   
At the national human genome research institute, we are focused on advances in genomics research. Building on our leadership role in the initial sequencing of the human genome, we collaborate with the world's scientific and medical communities to enhance genomic technologies that accelerate breakthroughs and improve lives. By empowering and expanding the field of genomics, we can benefit all of humankind.   
<https://www.genome.gov/health/Genomics-and-Medicine> (December 2, 2020)

**Genomic medicine is an emerging medical discipline** **that** **involves** **using genomic information** about an individual **as part of** their **clinical care** (e.g. for diagnostic or therapeutic decision-making) and the health outcomes and policy implications of that clinical use.

#### The Standard is Limits – They explode the topic to include therapies, research areas, treatments, etc. that eviscerate a stable locus of predictability. Limits is a sequencing question to Clash and in-depth Education since we’re only able to prepare if there’s stable core controversies.

#### Paradigm Issues – a] Topicality is Drop the Debater – it’s a fundamental baseline for debate-ability. 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.