**1NC**

**T**

**1NC – Medicine**

**Interpretation – Cannabis is a plant, not a medicine.**

**Mosley 20**, Mark. "Medical Marijuana Is a Dangerous Lie." Emergency Medicine News 42.8 (2020): 2-3. (Dr. Mark Mosley is an emergency medicine physician in Wichita, Kansas and is affiliated with Wesley Healthcare Center. He received his medical degree from University of Oklahoma College of Medicine and has been in practice for more than 20 years.)//Elmer

**Marijuana is not a medical drug.** It is a **slang term for** a **plant of the Cannabis family that contains more than 60 different cannabinoid substances and more than 80 biologically active compounds**. Using the term marijuana in place of THC would be like using willow tree in place of acetylsalicylic acid, the active ingredient in aspirin.

**FDA and CDC definitions prove.**

**CDC 18** (CDC; Centers for Disease Control and Prevention; 3-7-2018; “**Is marijuana medicine**?”; CDC; <https://www.cdc.gov/marijuana/faqs/is-marijuana-medicine.html>; Accessed: 9-4-2021; AU)

The marijuana plant has chemicals that may help symptoms for some health problems. More and more states are making it legal to use the plant as medicine for certain conditions. But there isn’t **enough research** to show that the whole plant works to treat or cure these conditions. Also, the U.S. Food and Drug Administration (FDA) **has not recognized** or **approved** the marijuana plant **as medicine**. Because marijuana is often smoked, it can damage your lungs and cardiovascular system (e.g., heart and blood vessels). These and other damaging effects on the brain and body could make marijuana more harmful than helpful as a medicine. Another problem with marijuana as a medicine is that the ingredients aren’t exactly the same from plant to plant. There’s no way to know what kind and how much of a chemical you’re getting.

**Violation: the plantext**

**Standards:**

**Limits and ground. Expanding the definition of “medicine” to anything that could be used in a medical setting floods the neg with cases to prep for – everything from new methods of chemo to upgrading stethoscopes becomes topical.**

**Paradigm:**

**Fairness – Debate is a competitive activity governed by rules. You can’t evaluate who did better debating if the round is structurally skewed, so fairness is a gateway to substantive debate.**

**DTD – Time spent on theory cant be compensated for, the 1nc was already skewed, and its key to deterring abuse.**

**Prefer Competing interps -**

**1. reasonability is arbitrary and invites judge intervention.**

**2. it Causes a race to the bottom where debaters push the limit as to how reasonably abusive, they can be.**

**No RVI’s -**

**1. Chills some debaters from reading theory against abusive postions.**

**2. incentivizes theory baiting where you can just bait theory to win.**

**T**

**1NC – Must Exist**

**Interpretation: the affirmative must defend a reduction of an existing IP protection**

**Reduce means “diminish in size”—you can’t “reduce” protections that don't yet exist**

**Guy 91** (Circuit Judge). Ralph B. Guy. 1991. Tim Boettger, Becky Boettger, Individually and as Next Friend for Their Minor Daughter, Amanda Boettger v. Otis R. Bowen, Secretary of Health and Human Services (89-1832) and C. Patrick Babcock, Director, Michigan Department of Social Services (89-1831), 923 F.2d 1183 (6th Cir. 1991). https://www.courtlistener.com/opinion/554919/tim-boettger-becky-boettger-individually-and-as-next-friend-for-their/

The district court concluded that the plain meaning of the statutory language does not apply to the termination of employment one obtains on his own. A termination, the court held, is not a refusal to accept employment. In this case, the plain meaning of the various words suggests that **"refuse to accept"** is not the equivalent of **"terminate" and "reduce."** As a matter of **logic** [\*\*18] and **common understanding**, one cannot terminate or **reduce something** that one has **not accepted**. Acceptance is [\*1189] a **pre-condition to termination or reduction**. Thus, a **refusal to accept** is a precursor to, **not** the equivalent of, a termination or a **reduction**. n3 n.3 This distinction is also reflected in the dictionary definitions of the words. "Accept" is defined in anticipatory terms that suggest a precondition ("to undertake the responsibility of"), whereas "terminate" and "**reduce**" are defined in conclusory terms ("to bring to end, . . . to discontinue"; "**to diminish in size**, amount, extent, or number."). See Webster's New Collegiate Dictionary (9th ed. 1985).

**Violation: protections don't exist yet in many WTO countries because weed is not legalized**

**At best – they’re extra-T since Cannabis isn’t intrinsically medicinal, it just has medicinal uses so they would reduce Recreational Marijuana patents too which isn’t topical and explodes limits.**

**Johnson 20** Ian Johnson 1-20-2020 "Cannabis Patents 2000 – 2019: Trends Following Legalization" <https://plantlaw.com/2020/01/20/cannabis-trends-medical-recreational/> (Registered Patent Agent, Plant & Planet Law Firm)//Elmer

These findings correspond to the overall increase in **cannabis-related patents** and demonstrate that the recreational patent sector is growing at an even greater rate than cannabis patents generally. This supports the theory that recreational markets and expansion of legal personal use of cannabis have resulted in an increase in patent activity in the industry. Again, publication totals are not necessarily the most accurate reflection of patent behavior by cannabis businesses. Therefore, it is useful to examine filing and provisional trends for recreational patents. These results are subject to the same 18-month delay problems noted above, and therefore actual and projected values are provided. Using actual filing data for 2017, there has been a 181% increase in filing activity since 2012. Using projected filing data for 2019, there has been a 257% increase in recreational filing activity since 2012. Using actual priority claims for 2017, there has been a 196% increase in provisional filing activity since 2012. Using projected priority claims for 2019, there has been a 289% increase in recreational provisional filing activity since 2012. The following charts demonstrate recreational filing trends from 2012 to 2019. Patents **that could be classified as recreational** **made up approximately 53% of all filings** between 2000 and 2011. However, **following legalization** the percent of patents and applications considered recreational has **increased to** approximately **77% of filings in 2018**. The chart below demonstrates the growth of the recreational sector’s share of cannabis patent activity.

**Standards:**

**Limits – their model would allow getting rid of nonexistent patents and ip protections which decks core neg ground like distribution and innovation – pushes debate to the fringes of the lit which destroys topic edu and clash**

**c/a paradigm issues**

solvency

**CP**

**CP: WTO member nations, except the US, should delay patent enforcement for cannabis.**

**DA**

**Infrastructure passes now with limited corporation support, but increased big Pharma backlash causes it to fail**

**Waldman 8/31** [Paul, opinion writer for the Plum Line blog. Before joining The Post, he worked at an advocacy group, edited an online magazine, taught at university and worked on political campaigns. He has authored or co-authored four books on media and politics, and his work has appeared in dozens of newspapers and magazines. He is also a senior writer at the American Prospect, “Opinion: Democrats, don’t knuckle under to corporations on the reconciliation bill”, 08-31-2021, Washington Post, https://www.washingtonpost.com/opinions/2021/08/31/democrats-dont-knuckle-under-corporations-reconciliation-bill/]//pranav

The **infrastructure bill that passed the Senate and awaits action in the House was in some ways a model of bipartisanship**, **supported by some Republicans as well as all the chamber’s Democrats, and given a boost from traditionally Republican business groups**. That wasn’t a surprise; big corporations need infrastructure to do business. If the government pays for better roads, a more resilient electrical grid and wider availability of broadband, it’ll probably help the bottom line. **But what happens when the government suggests addressing Americans’ needs and asks those corporations to help pay for it**? This is what happens: A **torrent of political groups representing some of the country’s most influential corporations** — including ExxonMobil, Pfizer, and the Walt Disney Company — is **laying the groundwork for a massive lobbying blitz to stop Congress from enacting significant swaths of President Biden’s $3.5 trillion economic agenda.** The **emerging opposition appears to be vast, spanning drug manufacturers**, big banks, tech titans, major retailers and oil-and-gas giants. In recent weeks, top Washington organizations representing these and other industries have started strategizing behind the scenes, **seeking to battle back** key elements in **Democrats proposed overhaul** to federal health care, education and safety net programs. This campaign will have lots of behind-the-scenes pressure: Together, **these companies employ a group of lobbyists that are approximately equal in number to China’s People’s Liberation Army — as well as online and TV ads coming to a screen near you.** So Democrats should now ask themselves: What are we doing here? As in, why did we decide to run for Congress? Because there are some moments that test your resolve, in which you have to ask what the purpose of public service is, and whether it’s more than just staying in your job for as long as possible. There are disagreements among Democrats about what should be in the final bill, and it’s almost certain that these corporations will have some success in stripping away some provisions they find threatening. There’s an increase in the corporate tax rate (though under every proposal, it would still be less than before the 2017 Republican tax cut). There’s money to boost Internal Revenue Service enforcement of existing tax laws, which the people who run corporations don’t like; an overstretched, overworked IRS that can’t manage to audit the super-rich is just how CEOs like things. Perhaps **most threatening is the proposal to allow Medicare to negotiate prices for prescription drugs, as they are currently barred by law from doing**. Democrats insist that change would pay for much of the trillions of dollars in new and beefed-up social programs this bill creates.

**Big Pharma will lash out against infra and use COVID clout to kill it – they have public support, and a win now postpones reform indefinitely which turns case**

**Fuchs et al. 09/02** [Hailey Fuchsattended Yale University and was an inaugural Bradlee Fellow for The Washington Post, where she reported on national politics**,** Alice Ollstein is a health care reporter for POLITICO Pro, covering the Capitol Hill beat. Prior to joining POLITICO, she covered federal policy and politics for Talking Points Memo, Megan Wilson is a health care and influence reporter at POLITICO, “Drug industry banks on its Covid clout to halt Dems’ push on prices”, 09-02-2021, https://www.politico.com/news/2021/09/02/drug-prices-democrats-lobbying-508127]//pranav

**As Democrats prepare a massive overhaul of prescription drug policy, major pharmaceutical companies are mounting a lobbying campaign against it, arguing that the effort could undermine a Covid fight likely to last far longer than originally expected.** In meetings with lawmakers, **lobbyists for the pharmaceutical industry have issued warnings about the reconciliation package now moving through both chambers of Congress that is set to include language allowing Medicare to negotiate the price of some drugs, which could generate billions of dollars in savings**. In those conversations, K Street insiders say, **lobbyists have explicitly mentioned that the fight against the coronavirus will almost certainly extend beyond the current surge of the Delta variant**. And they’re arguing that **now isn’t the time to hit the industry with new regulations or taxes, particularly in light of its successful efforts to swiftly develop vaccines for the virus**. “For years, politicians have been saying that the federal government can interfere in the price of medicines and patients won’t suffer any harm,” said Brian Newell, a spokesperson for the Pharmaceutical Research and Manufacturers of America, or PhRMA, in a statement. “**But in countries where this already happens, people experience fewer choices and less access to prescription medicines**. Patients know if something sounds too good to be true, then it usually is.” **The escalating warnings from the pharmaceutical industry are part of what is expected to be one of the more dramatic and expensive lobbying fights in recent memory**, and a heightened repeat of the industry’s pushback to actions by former President Donald Trump to target drug prices. The proposal now under consideration in Democrats’ reconciliation package could save the federal government hundreds of billions of dollars by leveraging its ability to purchase prescription drugs, according to a report from the Congressional Budget Office. Without those funds, Democrats won’t be able to pay for the rest of the health care agenda they’ve promised to voters, including expansions of Medicare, Medicaid and Obamacare. But the plan has political power as more than a revenue raiser. Party leaders — from President Joe Biden to Senate Budget Chair Bernie Sanders (I-Vt.) — are touting it as one of the most important components of the $3.5 trillion package, with the potential to lower out-of-pocket health spending for tens if not hundreds of millions of people. Outside advocates have also zeroed in on it as the most consequential policy fight on the horizon. “**This is the best chance that we have seen in a couple of decades to enact meaningful reforms to drug pricing policy in the United States that will lower the prices of prescription drugs, and it’s very clear that the drug companies are going all out to stop it**,” said David Mitchell, founder of Patients for Affordable Drugs. “This is Armageddon for pharma.” **Progressive Democrats and their outside allies believe they’re closer than they’ve been in decades to imposing some price controls, and worry that failure to do so this year will delay progress indefinitely given the possibility of the party losing one or more chambers of Congress in the 2022 midterms**. In April, the House passed a fairly aggressive version — H.R. 3 (117) — though a handful of moderate Democrats friendly to the industry have threatened to block it when it comes back to the floor for a vote later this fall. Leadership has largely shrugged off this threat, banking on the fact that the most vulnerable frontline Democrats are vocally in favor of the policy, while most of the dissenters sit in safe blue districts. The Senate is designing its own version, outlined by Sen. Ron Wyden (D-Ore.) in June, as a middle ground between HR3 and the more narrow, bipartisan bill he and Sen. Chuck Grassley (R-Iowa) put forward last Congress. A senior Senate Democratic aide confirmed to POLITICO that the bill is nearly complete and that they’re in the process of shopping it around to undecided senators to make sure it has enough support to move forward in the 50-50 upper chamber. “It makes sense to get buy-in before releasing it rather than releasing it with fingers crossed and then tweaking it once members complain,” the aide said. **But the reform push is coming at a time when the pharmaceutical industry is working hand-in-hand with government officials to combat the pandemic and enjoying a boost in public opinion as a result, even as drug costs continue to rise**. The companies claim that fundamental changes to their bottom line — in addition to the Medicare provision, the reconciliation bill will likely raise corporate tax rate significantly, as high as 28 percent (a jump of 7 percentage points) — will threaten its current investments in research and development at a historically critical juncture. With the final draft of the bill expected in the coming weeks, the Pharmaceutical Research and Manufacturers of America, the lobbying arm of the pharmaceutical industry, is taking its case public. The group has recently spent at least seven figures on ads pressuring Congress not to change Medicare drug policy.

**Infra’s k2 stopping existential climate change – warming is incremental and every change in temperature is vital**

**Higgins 8/16** [Trevor, Senior Director, Domestic Climate and Energy, “Budget Reconciliation Is the Key to Stopping Climate Change”, 08-16-2021, https://www.americanprogress.org/issues/green/news/2021/08/16/502681/budget-reconciliation-key-stopping-climate-change/]//pranav

The United States is **suffering** acutely from the chaotic changes in climate that scientists now directly attribute to the burning of fossil fuels and other human activity. **The drought, fires, extreme heat, and floods that have already killed hundreds this summer across the continent and around the world are a tragedy—and a warning of worsening instability yet to come**. However, this week, the **Senate initiated an extraordinary legislative response that would set the world on a different path**. **Enacting the full scope of President Joe Biden’s Build Back Better agenda would put the American economy to work leading a global transition to clean energy and stabilizing the climate.** A look at what’s coming next through the budget reconciliation process reveals a ray of hope that is easy to miss amid the fitful negotiations of recent months: **At long last, Congress is on the verge of major legislation that would build a more equitable, just, and inclusive clean energy economy. This is our shot to stop climate change. Building a clean energy future must start now Until the global economy stops polluting the air and instead starts to draw down the emissions of years past, the world will continue to heat up, blundering past perilous tipping points that threaten irreversible and catastrophic consequences. Stemming the extent of warming at 1.5 degrees Celsius rather 2 degrees or worse will reduce the risk of crossing such tipping points or otherwise exceeding the adaptive capacity of human society. Every degree matters.** Stabilizing global warming at 1.5 degrees Celsius starts with cutting annual greenhouse gas emissions in the United States to half of peak levels by 2030. This isn’t about temporary offsets or incremental gains in efficiency—it’s about the rapid adoption of scalable solutions that will work throughout the world to eliminate global net emissions by 2050 and sustain net-negative emissions thereafter. Building this better future will tackle climate change, deliver on environmental justice, and create good jobs. It will give us a shot to stop the planet from continuously warming. It will alleviate the concentrated burdens of fossil fuel pollution, which are concentrated in systemically disadvantaged, often majority Black and brown communities. It will empower American workers to compete in the global clean energy economy of the 21st century. There is no time to lose in the work of building a clean energy future.

**Case**

**TL**

**Patents aren't used in court but are key to investor security; without patents the profits of weed companies suffer – that turns case**

**Roberts 20** Chris is an award-winning investigative reporter and has covered the legalization movement and the cannabis industry with a political economy lens for more than a decade. He has launched northern California’s first cannabis-centric print vertical and founded San Francisco’s first dedicated drug-policy column. May 28 2020, https://www.forbes.com/sites/chrisroberts/2020/05/28/why-patent-cannabis-for-markets-mostly/?sh=abcf6fa14c3c0

On May 20, Charlotte’s Web, the Colorado-based CBD giant and arguably one of the biggest names in legal cannabis, announced that the company was awarded its **second federal patent** on a cannabis plant.

Unlike the company’s 2018 plant patent on a Farm Bill-compliant high-CBD hemp cultivar—which was the first hemp strain to receive federal intellectual property protection—US Patent No. 10,653,085 is a utility patent.

This means, after satisfying a more rigorous process, including dropping off thousands of seeds at an official United States depository, Charlotte’s Web now claims as its intellectual property both the cultivar of hemp the company calls CW1AS1 as well as “methods” of plant production and cannabinoid extraction.

Okay! But so what? Why patent a hemp strain—why patent two? What does it all mean? Does Charlotte’s Web now have legal claim to the entire CBD game? To the last question, no. And as for what this means, for normal people and cannabis consumers, very little. For patent attorneys or competitors of Charlotte’s Web in the CBD industry, it portends a little more, but just a little.

At least for now, cannabis patents like this one aren’t really intended to defend intellectual property in court—which is where a patent has its most practical value.

No, this patent is probably meant for the market. **Patents like this exist mostly for companies to satisfy and woo investors**, for whom a company’s ability to say “Look! I have a patent” might be the difference between signing a check, or not. And like all publicly traded cannabis companies, Charlotte’s Web has a lot of spooked and angry investors who need pleasing.

Patents “generate interest in the company, and are something investors would look at,” said Jonathan Hyman, an attorney and partner at the Los Angeles office of Knobbe Martens.

Whether Charlotte’s Web would enforce the patent, and how, “remains to be seen,” he added.

Company officials were not available to discuss the matter. In a statement provided by Sylvia Tawse, the company’s director of communications, CEO Deanie Elsner said Charlotte’ Web “will continue to pursue patent protection for unique and novel hemp genetics developed by our horticulture division.” Whether that meant there are any pretenders the company plans to sue, she did not say.

Though cannabis-related patent applications have been a thing since well before legalization and have tripled since 2015, as IP Watchdog noted, the mere phrase “cannabis patent” can still be triggering in cannabis circles. Patent talk can often lead to galaxy-brain thinking like the “Monsanto is supporting legalization in order to steal cannabis” or the “Philip Morris is buying up land in Humboldt County” conspiracy theories.

In the case of Charlotte’s Web, the company’s already locked up what’s probably its most valuable asset: its name. Charlotte’s Web is named for Charlotte Figi, the sufferer of childhood epilepsy who enjoyed relief from her symptoms after taking an extract of high-CBD cannabis grown by the Stanley brothers (and who died earlier this month after contracting COVID-19).

The world came to know Charlotte Figi and the Stanley brothers, seven photogenic Coloradans whose first names all begin with J, after they were prominently featured in a 2014 CNN special hosted by Sanjay Gupta. A very famous children’s book and a very famous and recognizable name, the company was sure lock down the name “Charlotte’s Web” with a trademark—one the company is currently defending in federal court, after a rival company dared market CBD products called Charlotte’s Web.

That’s what patents are for in terms of the law. But markets are another matter—and it’s worth observing that the company went public after securing its first patent.

Like almost all publicly traded companies in the cannabis sector, Charlotte’s Web is stuck in **high-loss doldrums** after hitting early peaks.

For the past week, shares in Charlotte’s Web have been trading in the $7 to $9 range in the Toronto Stock Exchange. That’s a big gain from the $4.24 seen at the company’s mid-March nadir, but still far below last summer’s high-water mark of $28.21, set in August.

Despite being sold in more than 11,000 stores, the company still lost $1.7 million in 2020—a hit smaller than other companies in the cannabis sector, but still in the red.

Patenting hemp genetics and the processes to achieve them won’t be enough to rescue the rest of the company’s lost value. But if Charlotte’s Web wants to be a global CBD brand, with product in supermarkets and convenience stores all over the globe—and why wouldn’t it?—**this means something.**

"Having this patent, that they can wave around and say, 'Hey, we've got coverage on it, and it's the best variety [of CBD rich hemp] that you're going to get,’ ” said Andrew Merickel, who holds a Phd in neuroscience and is also an attorney and partner at the San Francisco office of Knobbe Martens. “That’s pretty valuable.”

How valuable? That’s all up to the logic of the market.

**Laundry list of alt causes – other more potent drugs, still importing cannabis even though it’s legalized which turns case, and controlling and killing public officials which independently causes Mexican instability.**

**CFR ’21** [The Council on Foreign Relations, founded in 1921, is a United States nonprofit think tank specializing in U.S. foreign policy and international affairs, “Mexico’s Long War: Drugs, Crime, and the Cartels”, 02-26-2021, https://www.cfr.org/backgrounder/mexicos-long-war-drugs-crime-and-cartels]//pranav

**Mexican drug trafficking groups—sometimes referred to as transnational criminal organizations—dominate the import and distribution of cocaine, fentanyl, heroin, marijuana, and methamphetamine in the United States**. **Mexican suppliers are responsible for most heroin and methamphetamine production, while cocaine is largely produced in Colombia and then transported to the United States by Mexican criminal organizations.** **Mexico**, along with China, **is also a leading source of fentanyl, a synthetic opioid many times more potent than heroin.** The amount of fentanyl seized by Mexican authorities nearly quintupled between 2019 and 2020. At the same time, **the cartels smuggle vast quantities of marijuana into the United States, even though some U.S. jurisdictions have legalized it**. **Mexico’s drug cartels are in a constant state of flux.** Over the decades, **they have grown, splintered, forged new alliances, and battled one another for territory**. The cartels that pose the most significant drug trafficking threats [PDF] to the United States, according to the U.S. Drug Enforcement Agency (DEA), are: Sinaloa Cartel. Formerly led by Joaquin “El Chapo” Guzman, Sinaloa is one of Mexico’s oldest and most influential drug trafficking groups. With strongholds in the northwest and along Mexico’s Pacific coast, it has a larger international footprint than any of its Mexican rivals. In 2017, Mexican authorities extradited Guzman to the United States, where he is serving a life sentence for multiple drug-related charges. Jalisco New Generation Cartel. Also known as CJNG, Jalisco splintered from Sinaloa in 2010 and is among Mexico’s swiftest-growing cartels, with operations in more than two-thirds of Mexico’s states. According to the DEA, the “rapid expansion of its drug trafficking activities is characterized by the organization’s willingness to engage in violent confrontations” with authorities and other cartels. U.S. officials link the cartel to more than one-third of the drugs in the United States. Juarez Cartel. A long-standing rival of Sinaloa, Juarez has its stronghold in the north-central state of Chihuahua, across the border from New Mexico and Texas. Gulf Cartel. Its base of power is in the northeast, especially the state of Tamaulipas. In the past decade, Gulf has splintered into various factions, diluting its strength as it battles for territory with Los Zetas. Los Zetas. Originally a paramilitary enforcement arm for the Gulf Cartel, Los Zetas was singled out by the DEA in 2007 as the country’s most “technologically advanced, sophisticated, and violent” group of its kind. It splintered from Gulf in 2010 and held sway over swaths of eastern, central, and southern Mexico. However, it has lost power in recent years and fractured into rival wings. Beltran-Leyva Organization. The group formed when the Beltran-Leyva brothers split from Sinaloa in 2008. Since then, all four brothers have been arrested or killed, but their loyalists operate throughout Mexico. The organization’s splinter groups have become more autonomous and powerful, maintaining ties to Jalisco, Juarez, and Los Zetas. Experts point to both domestic and international forces. **In Mexico, the cartels use a portion of their vast profits to pay off judges, police, and politicians. They also coerce officials into cooperating; assassinations of public servants are relatively common.** The cartels flourished during the decades that Mexico was ruled by a single party, the Institutional Revolutionary Party (PRI). Within this centralized political structure, drug trafficking groups cultivated a wide network of corrupt officials through which they were able to gain distribution rights, market access, and protection. The PRI’s unbroken reign finally ended in 2000 with the election of President Vicente Fox of the National Action Party (PAN). **With new politicians in power, cartels ramped up violence against the government in an effort to reestablish their hold [PDF] on the state.** At the international level, Mexican cartels began to take on a much larger role in the late 1980s, after U.S. government agencies broke up Caribbean networks used by Colombian cartels to smuggle cocaine. Mexican gangs eventually shifted from being couriers for Colombian criminal organizations to being wholesalers. **The U.S. government, despite waging a “war on drugs” and conducting other counternarcotics efforts abroad, has made little progress in reducing the demand for illegal drugs.** In 2016, Americans spent almost $150 billion on cocaine, heroin, marijuana, and methamphetamine, 50 percent more than in 2010. Meanwhile, growing use of synthetic opioids, including fentanyl, has contributed to a public health crisis.

**Thailand legalizes marijuana now & revoked foreign patents on it, but the aff changes that by giving access to the drug to traffickers which the government hates.**

**Reuters ’19** [Reuters, “Thailand to revoke foreign patent requests on marijuana”, 01-28-2019, https://www.reuters.com/article/us-thailand-cannabis/thailand-to-revoke-foreign-patent-requests-on-marijuana-idUSKCN1PM1FU]//pranav

BANGKOK (Reuters) - **Thailand on Monday effectively revoked all foreign patent requests for the use of marijuana, after fears foreign firms would dominate a market thrown open last month when the government approved the drug for medical use and research.** The junta-appointed parliament in Thailand, a country which until the 1930s had a tradition of using marijuana to relieve pain and fatigue, voted to amend the Narcotic Act of 1979 in December in what it described as “a New Year’s gift to the Thai people”. While **countries from Colombia to Canada have legalized marijuana for medical or even recreational use,** **the drug remains illegal and taboo across much of Southeast Asia.** But in Thailand, the main controversy with the legalization involved patent requests by two foreign firms, British giant GW Pharmaceuticals and Japan’s Otsuka Pharmaceutical, filed before the change to the law. **Thai civil society groups and researchers feared domination by foreign firms could make it harder for Thai patients to get access to medicines and for Thai researchers to get marijuana extracts.** The **military government issued a special executive order on Monday enabling the Department of Intellectual Property to revoke all pending patents that involve cannabis, or remove marijuana from those patents**, within 90 days. “**The pending patent requests are illegal**,” Somchai Sawangkarn, a member of parliament responsible for amending the Narcotic Act told Reuters. “This NCPO order is beneficial for Thai people across the country because it prevents a monopolistic contract,” he said referring to the junta by its official name, the National Council for Peace and Order. Reuters did not have contact details for spokesmen for either of the two foreign firms and the companies did not immediately respond to emailed requests for comment. Companies with a request pending can appeal to the Department of Intellectual Property, the government said in an order, published on an official website. **Marijuana remains illegal and taboo across much of Southeast Asia, and traffickers can be subject to the death penalty in Singapore, Malaysia, and Indonesia.** The new legislation on marijuana has yet to come into effect. All Thai laws must receive royal approval.

IP protection prevents and quickly stops spread counterfeit medicines – multiple warrants

**FIFARMA 21**, [FIFARMA is the Latin American Federation of the Pharmaceutical Industry created in 1962. We represent 16 research-based biopharmaceutical companies and 11 local associations dedicated to discovering and developing innovative, quality and safe health products and services that improve the lives of patients in Latin America and the Caribbean and advocate for patient-centric, sustainable health systems characterized by high regulatory standards and ethical principles. (Apr 22, 2021), "This is how we fight counterfeit medicines with Intellectual Property," https://fifarma.org/en/this-is-how-we-fight-counterfeit-medicines-with-intellectual-property/]//anop

**In addition to functioning as a tool to maintain constant innovation in the industry, IP helps reducing counterfeit medicines because medicines have better technologies and ingredients are more difficult to copy. This means that, through market incentives, the industry manages to have high quality infrastructure, new technology and trained personnel, to create specialized and specific medicines and therapies, which is why they are difficult to replicate**. On the other hand, political will functions as another important axis, as it must prosecute those who are making counterfeit medicines. This is achieved through a constant conversation between industry and governments. Therefore, it will be absolutely clear how to identify the authenticity of medicines. In short, **IP allows quality standards to be clearer and stricter, and regulators to have greater knowledge and traceability of each product that enters the market. Through IP, you can establish a record of all products globally, which makes it easier to find possible counterfeit medicines.** Consequently, the best way to fight counterfeit medicines is through accessing the best quality medicines and for this to happen, an ecosystem between countries, regulators and industry is needed. This ecosystem shall take into account the structural deficiencies of each country and addresses them in a holistic manner, to provide the best quality medicines. **In the end, with the Intellectual Property associated with the creation of the product, there are also associated standards of transparency and detailed information that every regulatory agency can access. Moreover, the value chains will receive all this information in order to be aware of the appearance of products that are not registered with the standards of a product protected by IP. Also, IP helps to combat counterfeit medicines internationally, since there are laws that cover all member countries of the United Nations and punish more severely those who commit this crime.** Likewise, these laws provide countries with the necessary mechanisms to take concrete action once a counterfeit medicine is discovered. This, of course, must go hand in hand with the political will of each country, because only with collaboration between different actors will it be possible to prosecute the entire chain of counterfeit medicines. **Plus, IP owners can receive electronic notifications worldwide more quickly and can take direct communication actions. In a nutshell, IP allows the industry to show the public almost immediately that there is a counterfeit medicine in a country or that a website is selling counterfeit medicines**. This is because legally infringing a product protected by IP allows action to be taken to prosecute the counterfeit products. This is especially important for those consumers or small organizations that do not have access to information like a hospital or public health center has. However, it is necessary to involve other actors of the health system so that information about counterfeit medicines reaches remote regions or places, which do not have an internet connection. On the other hand, **thanks to IP, the industry is creating specialized safety technology in order for each country to easily identify a drug that comes with a brand but does not belong to that brand**. The industry has also used mobile laboratories to test samples of suspected medicines and report them quickly to the value chain. Thus, technology is becoming an important element in fighting this problem. Counterfeit medicines have a wide range of negative effects for different actors and especially for the people who fall victim of them. However, more and more governments and industries are creating concrete actions to pursue the entire chain of counterfeiters, as this is the only way to eradicate the problem all together. **The tools to combat counterfeiting exist, the important thing is that actors know how to use them for the benefit of the greatest number of people in the world.**

**Pharmaceutical counterfeiting is increasingly used to support terrorism – used for funding and mediums of attacks**

**née Lybecker 18**, Kristina M.L. Acri [Kristina M. L. Acri née Lybecker is an Associate Professor of Economics in the Department of Economics and Business at Colorado College in Colorado Springs, CO. (February 2018), "Pharmaceutical Counterfeiting: Endangering Public Health, Society and the Economy" Fraser Institute, https://www.fraserinstitute.org/sites/default/files/pharmaceutical-counterfeiting-endangering-public-health-society-and-the-economy.pdf]//anop

**Pharmaceutical counterfeiting is linked to numerous forms of organized crime: drug trafficking, money laundering, and terrorism** (Lybecker, 2016; Pfizer, 2007; Redpath, 2012; Criminal Intelligence Service Canada, 2006; UNODC, 2017). As reported by Redpath (2012: 7), “not only have groups such as the Russian mafia, Colombian drug cartels, Chinese triads and Mexican drug gangs all become heavily involved in producing and trafficking counterfeit drugs over the past decade, **but mounting evidence also points to the direct involvement of Hezbollah and al Qaeda.” *Given the profitability of the endeavor, it is not surprising that pharmaceutical counterfeiting is increasingly a source of funding for terrorist groups* (Lybecker, 2016; Pfizer, 2007; Redpath, 2012). Moreover, by their very nature, organized criminal operations are well suited to the intricacies of pharmaceutical counterfeiting. “Criminal organisations have the advantage of huge resources, international networks and skilled labour. They can move with a speed that often confounds the authorities. Counterfeit versions of the antiviral drug Tamiflu were available on fake internet pharmacy sites, like the one posing as the ‘Canadian Pharmacy,’ within weeks of the [World Health Organization] declaration of H1N1 as a pandemic” (Redpath 2012: 8).** While anecdotal evidence of the link is quite plentiful, the clandestine nature of the business as well as the secrecy maintained by law enforcement make it virtually impossible to either completely understand or measure the extent of the trade. A 2014 INTERPOL study provides perspective on pharmaceutical crime and organized criminal groups. INTERPOL’s Medical Product Counterfeiting and Pharmaceutical Crime Sub-Directorate has prepared an analysis of available data, dating from 2008 to 2014, to establish the extent of organized criminal groups (OCGs) activity in the realm of pharmaceutical crime (INTERPOL, 2014).5 **According to the report, a recent Europol threat assessment concludes that there are “a wide variety of actors, operating within the pharmaceutical crime arena, encompassing both OCGs and individual criminals, both of which are involved at any point in the supply chain.”** The report points to the involvement of both traditionally structured hierarchical crime groups in addition to highly organized, yet generally informal, networks of illicit online pharmacies and finally, small groups of three to ten members. The INTERPOL study, as well as those from other agencies, provides some perspective on the involvement of organized criminal groups in Canada. **Numerous investigations in the US, Canada, and Sweden have linked the Hell’s Angels to the production and distribution of counterfeit medicines, in particular ED medications and steroids (INTERPOL, 2014).** • **Fake oxycontin pills containing fentanyl were responsible for more than 50 deaths in Alberta in 2015. The counterfeit pills are also responsible for three deaths in Saskatchewan (Partnership for Safe Medicines, 2015b).** **• In November 2013, Canadian authorities began an organized crime investigation named “Project Forseti,” targeting the Hells Angels and the Fallen Saints (Customs Today Report, 2015). In January of 2015, police in Saskatchewan and Alberta, Canada seized guns and drugs, including significant amounts of counterfeit oxycontin. A United Nations Interregional Crime and Justice Research Institute (UNICRI) study suggests that criminal networks use routes and methods to transport counterfeit medicines that are similar to those used to traffic in drugs, firearms, and people (UNICRI, 2012). Evidence suggests that organized criminal gangs involved in the production of synthetic drugs are able to easily access the materials and expertise needed to also produce counterfeit medicines.** In both Europe and Southeast Asia, authorities cite evidence of “criminal manufacturers of amphetamine-type substances [that] have been involved in the production and distribution of counterfeit medicines” (INTERPOL, 2014).

**A2 Monopolies**

**1] Turn – The plan’s terrible. Increased weed innovation and reduced weed prices don’t shut down cartels, but make them transform to worse markets – meth, coke, heroin**

Ioan **Grillo 15**, 2-9-2015, [Based in Mexico City, Ioan Grillo was GlobalPost senior correspondent covering Mexico and Latin America. "As US marijuana legalization spreads, Mexican 'mota' takes a dive," World from PRX, https://www.pri.org/stories/2015-02-09/us-marijuana-legalization-spreads-mexican-mota-takes-dive]//anop

MEXICO CITY — As President Barack Obama trumpets that the United States economy is back on track, industry groups are shouting over who’s growing faster. The accounting sector boasted 2014 growth of 11 percent; computer systems of 14 percent; and real estate of a whopping 23 percent, says financial information group Sageworks. However, one industry may have beaten those hands down: **legal marijuana. 2/4 According to a new report by The ArcView Group, a cannabis industry investment and research firm based in California, legal marijuana sales rocketed 74 percent in 2014 to a new high of $2.7 billion. And with more states legalizing weed — Alaska, Oregon and Washington, DC, voted to join the legal stoners in November — it predicts this growth pace could continue for several more years straight.** However, winners in some places often mean losers in others. **And the losers appear to be south of the Rio Grande: Mexican marijuana growers, who’ve provided the lion’s share of cannabis for American smokers for decades**. In 2014, the US Border Patrol saw a plunge in seizures of pot heading northward. Its agents nabbed 1.9 million pounds of ganja, a 24 percent reduction compared with the 2.5 million seized in 2011 — before Colorado and Washington State first voted to legalize recreational marijuana. Capturing less drugs doesn’t necessarily mean less drugs are coming over. Agents could be working less or focusing more on other problems. **Yet one sign they are as vigilant as ever is that they made increased seizures of some other drugs, especially crystal meth, which was busted in record quantities.** More from GlobalPost: Here’s a meth cook who’s helping boost Mexico’s drug traffic to the US Mexican security forces have also noted a dive in marijuana production. In the most recent figures released in September, the Mexican government said that it had seized 971 metric tons (1,070 US tons) of cannabis inside Mexico in 2013, the lowest amount since 2000. “It looks like the US market for illegal Mexican marijuana will keep shrinking.” “**In the long run, it looks like the US market for illegal Mexican marijuana will keep shrinking,”** says Alejandro Hope, a drug expert in Mexico. “**The logic of the legal marijuana market is that it will force prices down. This would take out the big profits from the illegal market. A good way to make some money could be to short the prices of marijuana.” As well as price problems, Mexican producers also have to compete with quality**. **The legal US suppliers focus on high-grade weed, selling brands with glamorous names like “Skunk Red Hair,” “Sky Dog” and “Super Haze” in the S section of the shelves, to “Hypno,” “Hindu Kush” and “Himalayan Gold” if you look under H. They are often labeled with their exact amount of THC, the ingredient that gets you intoxicated. They are also graded for their mix of indica, the strain that makes users stoned in a more knockout way, and sativa, which hits people in a more psychedelic way. 3/4 On the other hand, Mexican marijuana, known here as “mota,” is a mass-produced lowergrade crop, grown mostly outdoors in the mountains. It doesn’t have a fancy brand name, or tell you how spaced out or sleepy you will feel; it will just get you wasted.** Hitting the cartels Drug smugglers, some wearing life vests, carry loads of marijuana, according to US federal agents, as seen from a helicopter flown by the US Office of Air and Marine in September near Rio Grande City, Texas. When advocates campaigned to legalize weed in Colorado and Washington states in 2012, they argued it was better to take the cash away from Mexican cartels and put it into taxes. Former President Vicente Fox also made this case after leaving office when he visited a university in Boulder, Colo., in 2011. “The drug consumer in the US yields billions of dollars, money that goes back to Mexico to bribe police and money that buys guns,” Fox said. “So when you question yourselves [sic] about what is going on in Mexico, it depends very much on what happens in this nation.” If Mexican marijuana is now sinking, it could indeed be reducing cartels’ budgets to commit mass murder. Mexico’s total homicides have gone down during the time that some US states legalized grass. Killings reached a peak in 2011 of 22,852, and then dropped to 15,649 last year, according to the Mexican government’s numbers. However, other aspects could have played a role, too. Among them are the capture or killing of some of the most brutal drug lords, including Heriberto “The Executioner” Lazcano, the head of the Zetas cartel whom Mexican marines gunned down in 2012. **Mexican gangs also have a range of other businesses. Not only do they traffic crystal meth, heroin and cocaine, they have also diversified into crimes from sex trafficking to illegal iron mining.** More from GlobalPost: How Mexico’s cartel crackdown smashed its iron industry **Mexican meth and heroin appear to have gone up as marijuana has dropped — at least, if narcotics seizures are the gauge. Last year, the US seized a record 34,840 pounds of methamphetamine at the Mexican border. Still, longtime experts in illegal markets say there may not be any correlation between the hikes in some drugs and dives in others.** “There are lots of variables at play here, complicated factors of both demand and supply that create the markets in these drugs,” says Sanho Tree, director of the Drug Policy Project at Washington’s Institute of Policy Studies. 4/4 “**One reason for the rise in heroin use is that many doctors have over-prescribed opiate drugs to patients,” he adds, referring to legal pain treatments. “The patients have got hooked and have later turned to the illegal heroin.”** But there’s another factor that could seriously affect marijuana market trends: Mexico could itself legalize it. In 2009, the country decriminalized the possession of small amounts of drugs, including marijuana. And citizens here as elsewhere were amazed when Uruguay became the first entire country to legalize weed in 2013. Mexican President Enrique Peña Nieto has spoken against legalization but says he’s open to debate. Former President Fox is an advocate and even said he would like to team up with an American entrepreneur to import it to the United States. If Mexico did legalize the plant, its cheaper labor costs could give it an edge over US producers. And while some consumers could want the higher-grade California strains, others could still choose the cheapest price. “Cannabis is not unlike wine,” Tree says. “I can buy a $200 bottle of wine, if that is what I am after. But many people will prefer the cheaper, mass-market product. And if all the prohibition factors are taken out, then marijuana is really just an herb that can be produced very cheaply.” Want a seat at the table? Every morning, the editorial team at public radio’s international news show The World meets to plan what they'll cover that day. Want to see what's on deck? Sign up for our daily newsletter TOP OF THE WORLD and get the big stories we’re tracking delivered to your inbox every weekday morning.

**2] Big Pharma patent monopolies have failed – their Thailand example proves – the patents were indefinitely banned.**

**Reuters 19** Staff. “Thailand to Revoke Foreign Patent Requests on Marijuana.” Reuters, Thomson Reuters, 28 Jan. 2019, www.reuters.com/article/us-thailand-cannabis/thailand-to-revoke-foreign-patent-requests-on-marijuana-idUSKCN1PM1FU. //sid

Thailand on Monday effectively revoked all foreign patent requests for the use of marijuana, after fears foreign firms would dominate a market thrown open last month when the government approved the drug for medical use and research. The junta-appointed parliament in Thailand, a country which until the 1930s had a tradition of using marijuana to relieve pain and fatigue, voted to amend the Narcotic Act of 1979 in December in what it described as “a New Year’s gift to the Thai people”. While countries from Colombia to Canada have legalized marijuana for medical or even recreational use, the drug remains illegal and taboo across much of Southeast Asia. But in Thailand, the main controversy with the legalization involved patent requests by two foreign firms, British giant GW Pharmaceuticals and Japan’s Otsuka Pharmaceutical, filed before the change to the law. Thai civil society groups and researchers feared domination by foreign firms could make it harder for Thai patients to get access to medicines and for Thai researchers to get marijuana extracts. ADVERTISEMENT The military government issued a special executive order on Monday enabling the Department of Intellectual Property to revoke all pending patents that involve cannabis, or remove marijuana from those patents, within 90 days. “The pending patent requests are illegal,” Somchai Sawangkarn, a member of parliament responsible for amending the Narcotic Act told Reuters. “This NCPO order is beneficial for Thai people across the country because it prevents a monopolistic contract,” he said referring to the junta by its official name, the National Council for Peace and Order. Reuters did not have contact details for spokesmen for either of the two foreign firms and the companies did not immediately respond to emailed requests for comment.

**3] Barnett has no internal to innovation in medical marijuana – it’s specific to farmers not being able to grow weed to sell, not medical research.**

**4] No impact to marijuana innovation – we don’t need new types of weed. This doesn’t turn our innovation arguments because our link is that reduction in IP chills innovation for all medicine due to fear of spillover**

**5] No Uniqueness – Biden wont’ legalize Marijuana at a federal level.**

**Kane 21** Kris Kane 3-26-2021 "Enjoy Marijuana? Joe Biden Doesn’t Care About You" <https://www.forbes.com/sites/kriskrane/2021/03/26/enjoy-marijuana-joe-biden-doesnt-care-about-you/?sh=4dec240e651d> (Senior Contributor at Forbes on the Weed Industry)//Elmer

This pattern of legalization supporters backpedaling to appease Joe Biden dates back to the campaign itself, where **Biden’s** **campaign** seemingly **sought to roll back years of progress** made by the Democratic Party since President Obama left office. In 2016 the Democratic Party platform included language calling for a “pathway” to legalization. Yet in 2020 **Biden’s campaign rejected** such language, removing any mentions of **meaningful cannabis policy reform** from the platform. When supporters tried to add a legalization plank back into the platform, even co-chair of the Congressional Cannabis Caucus Rep. Barbara Lee (D-CA) voted against it, presumably not to run afoul of the wishes of her party’s standard bearer despite her own strong support for legalization. Of course, none of this should be especially surprising. Joe **Biden’s record on marijuana**, drugs and crime **is** arguably **the worst** and most punitive of any Democratic politician of the past 50 years not named Diane Feinstein. He was an author and **champion** of the 1994 Crime Bill that is largely responsible **for** the current **mass incarceration** crisis in this country, and was the lead sponsor of the RAVE Act, one of the last pieces of draconian drug policy legislation passed by Congress that punished concert venue owners and promoters if drugs were used or sold at their events, even if they had no knowledge or involvement in the drug related activity. This is a politician who in 1974 said, “I don’t think marijuana should be legalized,” repeating that sentiment **as recently as 2010** when he **stated** “**I think legalization is a mistake**.” As Vice President in 2012 Biden had ““serious doubts that decriminalization would have a major impact on the earnings of violent criminal organizations,” and that “on examination you realize there are more problems with legalization than with non-legalization.”

**AT Terror**

**1] the nuke terror scenario is literally from an ISIS paper, unbiased ev at its finest**

**3] Threat of nuclear terrorism is highly unlikely and tons of alt-causes**

Noah **Kerwin 18** [Noah Ian Kerwin is a political analyst and writer for the Michigan Journal of International Affairs. “Atomic Exaggeration: The Infeasibility of IND Construction by Terrorist Organizations”, University of Michigan, 2018] Valiaveedu

While a significant amount of literature exists on why terrorist nuclear attacks would be easy to accomplish and devastating, very little explanation is given as to how terrorists would actually build and acquire weapons themselves. In this section, the process of how a nuclear bomb would be obtained is explained from the starting point of motivation all the way to the actual completion of a bomb. From analysis of this process**, it can be concluded that the threat of terrorists building their own nuclear bomb is seriously overblown, and is unlikely to occur any time soon.**

Motivation:

Nuclear weapons are viewed in a category of their own: a technology so powerful that it can make even the strongest nations bend to any demands imposed on them. Given their status as a geopolitical trump card, it is logical to assume a universal interest to harness this power. Of all possible proliferators, terrorists are the group posited as being the most-determined to develop these capabilities. And this portrayal makes sense: being composed of the political voiceless, what could possibly provide them with more political leverage than the threat of nuclear annihilation against their oppressors? Two different lines of thought may drive terrorists to create weapons: the first is that terrorists would develop a nuclear bomb in order to use it in a one-off effort to achieve their aims through perpetuating mass fear. The second, more frightening, scenario has terrorists develop and keep the bomb, milking its utility as a way to coerce governments to appease them. While logic may be sound for why terrorist organizations would be compelled to obtain nuclear weapons capabilities, a closer look shows that there is very little motivation to create nuclear weapons among terrorists.

1. Conducting a nuclear attack would almost inevitably be conducted as a suicide bombing, given the power of the weapon and the terrorist group’s lack of access to cruise missiles. Although painted by the media as common practice, suicide tactics are reserved as a last resort measure, only to be used against hard targets that cannot be successfully attacked through conventional means (Berman 22-23; and Berman and Laitin 1-7). The reasoning behind this is simple: recruitment and radicalization is difficult; losing a member dedicated enough to give their life is a valuable asset to the group. With this in mind, what sort of hard targets would be attacked? While a populated city seems attractive, terrorists can easily create a similar amount of public fear through acts such as mass shootings or car bombs. Military bases are an example of a hard target, yet they would provide little benefit to terrorists if attacked, as casualties and fear would be minimal. So, the question still stands: where would terrorists even want to use a nuclear device?

2. Investigation of Al-Qaeda, the only large-scale terrorist group to publicly state intentions of getting nuclear weapons, shows that **minimal efforts were made to acquire them** at their peak in the late 1990s and early 2000s. Aside from Osama Bin Laden’s bold statements in 1998, discussion of nuclear weapons by the group was fairly limited. In a computer seized from an Al-Qaeda base in 2001, documents **showed a WMD budget of $2000, most of which being focused on chemical weapons** (“The Truth About Al Qaeda”). In fact, it seems like their attention was **directed towards heads other than warheads, as about 80% of the data on Al-Qaeda computers recovered in the early 2000s was allocated to pornography** (Ferren et al).

3. Terrorist groups **tend to be conservative and stick with methods that are tried and true.** In the case of nuclear weapons, not only do the attacks themselves present a myriad of uncertainties, but the actual process of obtaining the weapons in the first place create untenable pressures on the organization. In most cases, the **technical difficulty** required to construct a bomb prove to be prohibitive (Moore). I believe that Kenneth Waltz says this point best: “Terrorists live precarious lives. Nobody trusts them, not even those who finance, train, and hide them. If apprehended, they cannot count on the help of others. They have learned how to use conventional weapons to some effect; but **nuclear weapons would thrust them into a world fraught with new dangers**. Secrecy is safety, yet to obtain and maintain nuclear weapons would require enlarging the terrorist band to include suppliers, transporters, technicians, and guardians. Inspiring devotion, instilling discipline, and ensuring secrecy become harder tasks to accomplish as numbers grow” (Waltz 83-87).

Acquisition of Materials:

Black Market:

The dominant narrative around nuclear security paints a reality filled with shady figures dealing truckloads of plutonium to the most sinister terrorist organizations. What actually happens could not be more different. The fact of the matter is that the scale and utility of the black market for fissile materials is lackluster at best.

Established in 1995 by the International Atomic Energy Agency, the Incident and Trafficking Database tracks the movement of fissile materials around the world. While there were 662 attempts to trade radioactive materials between 1995 and 2004, only 18 involved weapons-grade materials (Moore). **In all 18 of these instances combined, only 8.5 kg of uranium was traded**. For reference, even the smallest and simplest IND requires around 50 kg of weapons-grade uranium, meaning that **the total amount of material in the entire nuclear black market can only create a fraction of a bomb** (Moore). In addition, low supply creates prices that are **prohibitively expensive** for most terrorist groups. It is also worth noting that there are no completed nuclear weapons on the market, **and there is little evidence that terrorists, rogue states, or transnational criminal organizations are participating in the nuclear black market** (Lee 1).

Compounding the issue of scale is the market’s tenuous credibility and reliability. **The black market is filled with undercover police, making deals incredibly risky for terrorists to initiate**. Additionally, the market is populated with many fraudulent sellers. For example, in the 1990s, **Mamdouh Mahmud Salim, al-Qaeda’s lead agent in acquiring nuclear materials, was scammed multiple times, being sold materials unfit for building weapons** (Moore). If legitimate materials are actually obtained, terrorists must resolve a whole slew of other problems **such as transporting the materials and actually using them to construct a bomb.**

Theft:

Seeing as nuclear supplies are extremely limited in the black market, the even more difficult task of stealing them must be taken on if a nuclear weapon is desired. Most radioactive materials that can easily be stolen are of a type incompatible with making nuclear weapons, **typically being useful only for medical or scientific purposes**. Those places that do have weapons-grade HEU are often **heavily guarded**. **Military nuclear weapons facilities are nearly impenetrable, so stealing an entire weapon is infinitely unlikely**. Reactors would be the place most-susceptible to theft; however, recent efforts by the DOE and FBI on the global scale, combined with standard reactor safety procedures make reactors almost as secure as weapons facilities (Council on Foreign Relations; Al). While many cases of fissile materials theft have been reported, none have been or the quantity or quality necessary to make a weapon, and **no evidence exists that a nuclear device has ever been made from these materials**. **To illustrate the absurdity of a large-scale nuclear heist, I have provided the sequence of events that would have to be followed to successfully steal a significant amount of fissile materials**. In this example, a pressurized water reactor (PWR) will be used, as they are the most common type of reactor. The steps are as follows:

**4] No Mexican state collapse---crime and violence are effects of failed states, not causes**

**Couch 12** [Neil Couch, Brigadier in the British Army, July 2012, “’Mexico in Danger of Rapid Collapse’: Reality or Exaggeration?” http://www.da.mod.uk/colleges/rcds/publications/seaford-house-papers/2012-seaford-house-papers/SHP-2012-Couch.pdf/view]

A ‘collapsed’ state, however, as postulated in the Pentagon JOE paper, suggests ‘a **total vacuum of authority’**, the state having become a ‘mere geographical expression’.16 Such an extreme hypothesis of Mexico disappearing like those earlier European states seems implausible for a country that currently has the world’s 14th largest economy and higher predicted growth than either the UK, Germany or the USA; that has no external threat from aggressive neighbours, which was the ‘one constant’ in the European experience according to Tilly; and does not suffer the ‘disharmony between communities’ that Rotberg says is a feature common amongst failed states.17,18¶ A review of the literature does not reveal why the JOE paper might have suggested criminal gangs and drug cartels as direct causes leading to state collapse. Crime and corruption tend to be described not as causes but as **symptoms demonstrating failure**. For example, a study for Defense Research and Development Canada attempting to build a predictive model for proximates of state failure barely mentions either.19 One of the principal scholars on the subject, Rotberg, says that in failed states, ‘corruption flourishes’ and ‘gangs and criminal syndicates assume control of the streets’, but again as effect rather than trigger.20 The Fund for Peace Failed States Index, does not use either of them as a ‘headline’ indicator, though both are used as contributory factors.¶ This absence may reflect an assessment that numerous states suffer high levels of organised crime and corruption and nevertheless do not fail. Mandel describes the corruption and extreme violence of the Chinese **Triads**, Italian **Mafia**, Japanese **Yakuza and** the Russian **Mob** that, in some cases, has continued for centuries.21 Yet none of these countries were singled out as potential collapsed or failed states in the Pentagon’s paper. Indeed, thousands of Americans were killed in gang warfare during Prohibition and many people ‘knew or at least suspected that politicians, judges, lawyers, bankers and business concerns collected many millions of dollars from frauds, bribes and various forms of extortion’.22 Organised crime and corruption were the norm in the political, business, and judicial systems and police forces ran their own ‘rackets’ rather than enforcing the law.23 Neither the violence nor the corruption led to state failure.

**5] No Latin-America war**

**Sanchez 19** [Wilder Alejandro Sanchez, Defense IQ researcher who focuses on geopolitical, military and cyber security issues. Are main battle tanks obsolete? The view from Latin America. Feb 7, 2019. https://www.defenceiq.com/armoured-vehicles/articles/is-heavy-armour-obsolete-the-view-from-latin-america]

While there are ongoing border disputes (e.g. Bolivia and Chile or Guyana and Venezuela) and tensions (mostly coming out of Venezuela these days), security threats in the region are generally **insurgent** in nature. For example, terrorist movements like Colombia’s ELN and EPL, Peru’s Shining Path, or Paraguay’s EPP; narco-cartels in Mexico; or organised gangs such as the Maras in Central America or the Primero Comando da Capital in Brazil. These entities are highly mobile and operate in isolated regions or in urban areas. Latin American governments continue to acquire new (or used) platforms for their armed forces, but heavy armour is not purchased particularly often. Some recent deals worth noting are: In December 2018, the Brazilian Army completed the transfer of 25 M41C light tanks to the Uruguayan army. “Of the 25 vehicles, 15 were completely refurbished by Brazil while the remaining 10 will be used for parts. Those that will remain intact will be assigned to armoured infantry units, which currently use M24 light tanks,” Jane’s explains. In 2016, Russia delivered 50 T-72B1 tanks to Nicaragua. The platforms are “an upgrade of the 1970s-era main battle tank and feature explosive reactive armour and thermal weapon sights, among other improvements.” Venezuela has received a plethora of Russian weaponry over the past couple of decades, though these deals have been quite scarce in recent years due to Caracas’ financial crisis. Amongst the acquisitions are T-72 tanks, as well as infantry fighting vehicles like the BMP-3M, and an array of transport vehicles. "Latin American governments continue to acquire new (or used) platforms for their armed forces, but heavy armour is not purchased particularly often" As for other nations, while no other major sales have occurred, there are ongoing reports about armoured vehicles in need of modernization or replacement. For example, Chile possesses Leopard 2A4 tanks, and it will be interesting if they will be upgraded anytime soon, given that the Chilean government is replacing the famous Copper Law, which helps fund the Ministry of Defence. Meanwhile, Peru has yet to find a replacement for its old T-55 tanks, while Ecuador recently upgraded several AML and M113 A2 Plus armoured vehicles, as the country does not possess heavy armour. As for Mexico, its fleet consists of light and medium armoured vehicles. Finally, Colombia also possesses light armoured vehicles; for example, media reports published in late January show vehicles that appear to be the EE-09 Cascavel, a 6x6 light tank, on patrol in urban areas close to the border with Venezuela. Latin American Armoured Vehicle Requirements The intrastate conflict that has plagued many Latin American countries is one of the strongest drivers for defence spending. Many countries continue to acquire new (or refurbished) platforms, such as Brazil’s new carrier Atlantico, Chile’s new Sikorsky S-70i Blackhawk helicopters, Argentina’s used AB-206 helicopters, or Mexico’s new patrol vessel Reformador. As for Peru, the Andean state has commenced the construction of a second landing platform vessel, BAP Paita. However, when it comes to heavy armour (or even medium armour) new contracts have been quite scarce in recent years. One argument in favour of procuring heavy armour is so that nations can maintain minimal deterrence capabilities. While interstate warfare is **very unlikely**, it does not mean that the scenario is impossible. The Venezuelan government’s behaviour, particularly during the 2008 crisis in the Andes is an example of this ever-present possibility. Nevertheless, given the region’s current peaceful status, limited defence budgets and other security threats, it is understandable that regional governments have **other priorities**. Moreover, the focus for Latin American governments is the acquisition of multipurpose platforms, which can be utilized not solely for war.

**6] No nuclear retaliation or draw-in – afghanistan means people dont want war**

**A2 Plan/Solvency**

**1] 1AC Kellner undermines aff solvency – it concedes that shortening patent windows will be compensated by increasing profitability, but the aff scenario is reliant on increasing access by lowering prices**

**2] The card is not saying that delaying enforcement causes innovation – it just incentivizes finding legal loopholes or shutting down the businesses.**

**1AC Kellner 21** “Mitigating the Effects of Intellectual Property Colonialism on Budding Cannabis Markets”

Third, if actors are utilizing technology under such currently unenforceable but soon-to-be enforceable patents, they will have clear notice when they must cease such infringing action, and either close their doors or develop a compliant way of doing business. Thus, actors in the market can establish themselves and then innovate their own means of carrying out business or license it from those who do. This is the exact action patents are meant to incentivize

**3] Marijuana patents are unenforceable**

**Cohen IP Law Group no Date** https://patentlawip.com/basics-marijuana-patent-law/

Interestingly, since the legalization of marijuana and cannabis is a relatively recent occurrence, there is no legal precedent for the legal enforcement of a cannabis patent. Legalization, so far, has been a purely state-by-state process and patents are a federal creature. Therefore, it is not clear at this time, given the status of marijuana and cannabis as schedule 1 controlled substances in the eyes of the federal judiciary, how such a court case would proceed. Furthermore, seeking to protect your patent in court is a potentially costly measure. It’s often a drug out fight with years of litigation with discovery, document production, the hiring of experts on both sides and lengthy trials and court costs. And while the possibility of protecting your patent is a great reason to go to court, the other side will do everything in their power to potentially invalidate the patent, effectively destroying it and your right to protect your invention. These costs must be considered before pursuing a lawsuit against a patent infringer. However, if you do not enforce a patent, it could potentially lose its effectiveness, to begin with.