# Speech 1NC Loyola Rd 1 vs Westwood 9-4 9AM

## 1

#### Interp: Debaters must disclose affirmative frameworks, advocacy texts, and advantage areas thirty minutes before round if they haven’t read the aff before.

#### Violation: screenshots

Graphical user interface, text

Description automatically generated

#### Standards:

#### 1] Clash- Not disclosing incentivizes surprise tactics and poorly refined positions that rely on artificial and vague negative engagement to win debates.

#### 2] Shiftiness- Not knowing enough about the affirmative coming into round incentivizes 1ar shiftiness about what the aff is and what their framework/advocacy entails.

## 2

#### Interp – affs must specify which jurisdiction facilitates patent claims. To clarify, a nation like the UK, or a new proposal.

#### Patent claims differ across locations and has too many interps – no international consensus makes the round irresolvable since the judge doesn’t know how to compare between types of offense and OW since it’s a side constraint on decision making.

Atkinson and Jones 09 [Jonathan D M Atkinson (degree in chemistry and doctorate in synthetic organic chemistry from Oxford University, Fellow of the Royal Society of Chemistry and a Chartered Scientist, partner and shareholder of Harrison Goddard Foote Limited and is the Head of the Asia Team at Harrison Goddard Foote) and Rachel Jones (Trainee Patent Attornee at Harrison Goddard Foote). “Intellectual property and its role in the pharmaceutical industry”. Future Med. Chem. (2009) 1(9), Pg 1547-1550. Accessed 7/31/21. <https://www.future-science.com/doi/pdfplus/10.4155/fmc.09.138> //Xu]

The patent claims determine the legal monopoly that is provided by a granted pat-ent. It is important to recognize that patent claims are interpreted differently in different jurisdictions. This is because patents are dealt with under national law during infringement proceedings. In some countries, such as the USA, the courts employ a legal rule known as the Doctrine of Equivalents. The effect of this rule is that a third party can be held liable for patent infringement even though the infringing device does not fall within the literal scope of the wording of a patent claim. In other words, the infringing article may be equivalent to the claimed invention. In other jurisdictions, such as the UK, a more literal approach to patent claim interpretation is used. English courts in particular use an approach that relies on the wording chosen by the patentee when draft-ing the application. This means that careful drafting of the patent specification is required at the outset and that it is a job best reserved for skilled patent attorneys.

#### Violation – you don’t.

#### Prefer –

#### 1] Stable Advocacy – they can redefine in the 1AR to wriggle out of DA’s which kills high-quality engagement and becomes two ships passing in the night – triggers presumption since the aff wasn’t subject to well researched scrutiny. We lose access to nuclear deterrence DA’s, Innovation DA’s, basic case turns, and core process counter plans that have different definitions and 1NC pre-round prep.

#### 2] Ground – not defining hurts my strategy since they can shift out as I ask DA questions, so I err on the side of caution and read generics which get destroyed by AC frontlines.

#### 3] Real World – policy makers will always define the entity that they are prohibiting. It also means zero solvency, absent spec, actors circumvent since there’s no specific object of the plan and means their solvency can’t actualize.

#### IP spec isn’t regressive or arbitrary – its core topic lit for what happens when the aff is implemented and cannot be discounted from prohibition policies that require enforcement to function.

#### Fairness – its constitutive to debate as competitive activity that requires objective evaluation

#### Education – it’s the only portable impact to debate

#### Neg theory is drop the debater – a) Prep skew – aff’s infinite prep means they can frontline every shell marginally enough to be efficient at DA and skew substance enough to deflate theory and win b) 1AR Flex – It’s key to check 1ar flexibility since you can moot all 6 min of my offense and restart the debate on unpredictable layers while kicking the arguments that were abusive.

#### CI – a) brightlines are arbitrary and self-serving which doesn’t set good norms b) it collapses since weighing between brightlines rely on offense defense

#### No rvi

#### [a] Baiting—

#### [b] 1AR all-outs—

#### [c] Chilling effect—

#### [d] Norm-setting—

#### 1NC theory first - 1] Abuse was self-inflicted- They started the chain of abuse and forced me down this strategy 2] Norming- We have more speeches to norm over whether it’s a good idea since the shell was read earlier

#### Neg abuse outweighs Aff abuse – 1] Infinite prep time before round to frontline 2] 2AR judge psychology and 1st and last speech 3] Infinite perms and uplayering in the 1AR.

## 3

#### The ROB is to determine the truth of falsity of the resolution –

#### 1] Textuality – five dictionaries[[1]](#footnote-1) define to negate as to deny the truth of and affirm[[2]](#footnote-2) as to prove true.

#### That OW –

#### a] Jurisdiction – judges are constrained through their constitutive purpose and proves it’s a side constraint on what arguments they can vote on.

#### b] Predictability – people base prep off the pregiven terms in the resolution.

#### 2] Isomorphism – alternative ROBs aren’t binary truth/false because of topic lit biases which increases intervention and takes the debate out of the hands of debaters.

#### 3] Inclusion – any offense functions under it as long as debaters implicate their positions to prove the truth or falsity of the resolution which maximizes substantive clash through ground and is a sequencing question for engaging in debate.

#### 4] Logic – any statement relies on a conception of truth to function – for example, I’m hungry is the same as its true that I’m hungry – logic is a litmus test for any argument and proves your ROB collapse since it relies on truth.

#### Negate –

#### 1] member[[3]](#footnote-3) is “a part or organ of the body, especially a limb” but an organ can’t have obligations

#### 2] of[[4]](#footnote-4) is to “expressing an age” but the rez doesn’t delineate a length of time

#### 3] the[[5]](#footnote-5) is “denoting a disease or affliction” but the WTO isn’t a disease

#### 4] to[[6]](#footnote-6) is to “expressing motion in the direction of (a particular location)” but the rez doesn’t have a location

#### 5] reduce[[7]](#footnote-7) is to “(of a person) lose weight, typically by dieting” but IP doesn’t have a body to lose weight.

#### 6] for[[8]](#footnote-8) is “in place of” but medicines aren’t replacing IP.

#### 7] medicine[[9]](#footnote-9) is “(especially among some North American Indian peoples) a spell, charm, or fetish believed to have healing, protective, or other power” but you can’t have IP for a spell.

#### 8] Every reason is equally as violent in its creation.

**Derrida,** Jacques Derrida, “Force of Law: The Mystical Foundation of Authority” //Massa

But **justice,** however unpresentable it may be, doesn't wait.· It **is that which must not wait.** To be direct, simple and brief, let us say this: **a just decision is always required immediately, "right away." It cannot furnish itself with** infinite information and the **unlimited knowledge of conditions,** rules or hypothetical imperatives **that could justify it.** And **even if it did** have all that at its disposal, even if it did give itself the time, all the time and all the necessary facts about the matter, **the moment of decision,** as such, **always remains a finite moment of urgency** and precipitation, since it must not be the consequence or the effectof this theoretical or historical knowledge, of this reflection or this deliberation, **since it always marks the interruption of the** juridico- or ethico- or politico-**cognitive deliberation that precedes it,** that must precede it. The instant of decision is a madness, says Kierkegaard. This is particularly true of the instant of the just decision that must rend time and defy dialectics. It is a madness. **Even if time** and prudence,the patience of knowledge and the mastery of conditions **were** hypothetically **unlimited, the decision would be structurally finite,** however late it came, decision of urgency and precipitation, **acting in** the night of **non-knowledge and non-rule.**

#### 9] Good Samaritan Paradox – If I want to fix a certain problem, you must say that you want that problem to exist, because it requires the problem exist to solve. This makes any moral attempts inherently immoral.

## 3

#### Presumption and permissibility negates – a) more often false than true since I can prove something false in infinite ways b) real world policies require positive justification before being adopted – there’s alwahys an institutional DA to going through Congress c) ought[[10]](#footnote-10) means “moral obligation” so the lack of that obligation means the aff hasn’t fulfilled their burden

#### The Greatest Conceivable Being exists and determines morality!

#### 1] Logic – entities can exist in mind and/or reality, but reality is definitionally greater, meaning solely imagining the GCB is illogical. Illogical guidelines allows agents to opt out of ethics and outweighs as uncertainty can’t guide action.

#### 2] Movement implies causality between different motions, which regresses to antecedents. Answering causality makes prediction uncertain, so it can’t consistently guide duty. Its inescapable – the GCB as the first mover is the culpable cause of any action.

#### 3] Ethics requires a frame of reference for weighing between impacts as a side-constraint on resolvable debates – absent degrees of wrongness, any action becomes justified for the greater good. Only the GCB as the pinnacle of perfection that unifies ethics solves – a] individuals can opt out of inconsistent empirical circumstances b] agents assert their own viewpoints and infinitely fight over indeterminate moral truths.

#### 4] Teleology – the GCB created every object with an inherent purpose, which is the only binding element to ethics – a] agents can opt out of contingent circumstances that arise through the constant influx of time b] morality can only be derived from constitutive properties that agents are bound to.

#### The standard is consistency with the GCB’s will – its infinitely good since GCB is the only source of goodness.

#### Negate – we defend the squo which the GCB willed, meaning its infinitely good and proves the aff is a departure.

#### GCB Hijacks Util – a] not following the GCB’s will causes infinite pain in the hellish afterlife b] the GCB exists beyond human rationality so it can arbitrarily exacerbate the aff’s impacts without sufficient reason c] even 1% risk of infinite violence as a result of contradicting the GCB’s will hijacks all their extinction first argument

1. <http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate> [↑](#footnote-ref-1)
2. *Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true* [↑](#footnote-ref-2)
3. https://www.google.com/search?q=member+definition&rlz=1C1CHBF\_enUS877US877&oq=member+definition&aqs=chrome.0.69i59j69i60l3.1863j0j7&sourceid=chrome&ie=UTF-8 [↑](#footnote-ref-3)
4. https://www.google.com/search?q=of+definition&rlz=1C1CHBF\_enUS877US877&oq=of+definition&aqs=chrome.0.69i59j69i61l3.1473j0j7&sourceid=chrome&ie=UTF-8 [↑](#footnote-ref-4)
5. https://www.google.com/search?q=the+definition&rlz=1C1CHBF\_enUS877US877&oq=the+definition&aqs=chrome..69i57j69i64j69i61j69i60l2.1976j0j7&sourceid=chrome&ie=UTF-8 [↑](#footnote-ref-5)
6. https://www.google.com/search?q=to+definition&rlz=1C1CHBF\_enUS877US877&oq=to+definition&aqs=chrome..69i57j69i60l3.1415j0j7&sourceid=chrome&ie=UTF-8 [↑](#footnote-ref-6)
7. https://www.google.com/search?q=reduce+definition&rlz=1C1CHBF\_enUS877US877&sxsrf=AOaemvI3lZsbmnXg5WHeL4m6rYGn8Vf6Aw%3A1630610232638&ei=OCMxYbCaJpO0tQb6wpGoCA&oq=reduce+definition&gs\_lcp=Cgdnd3Mtd2l6EAMyCQgjECcQRhD5ATIECAAQQzIECAAQQzIFCAAQgAQyBQgAEIAEMgUIABCABDIFCAAQgAQyBQgAEIAEMgUIABCABDIFCAAQgAQ6BwgAEEcQsAM6BwgAELADEEM6BwgjEOoCECc6BAgjECc6BQgAEJECOhEILhCABBCxAxCDARDHARDRAzoKCAAQsQMQgwEQQzoHCAAQsQMQQzoICAAQgAQQsQM6CAgAELEDEIMBOgoIABCABBCHAhAUSgQIQRgAUMLMBFjS3QRgnt8EaAJwAngDgAG2A4gB-heSAQozLjExLjEuMi4xmAEAoAEBsAEKyAEKwAEB&sclient=gws-wiz&ved=0ahUKEwiwlru9gOHyAhUTWs0KHXphBIUQ4dUDCA8&uact=5 [↑](#footnote-ref-7)
8. https://www.merriam-webster.com/dictionary/for#:~:text=English%20Language%20Learners%20Definition%20of,meant%20to%20be%20used%20with [↑](#footnote-ref-8)
9. https://www.google.com/search?q=medicine+definition&rlz=1C1CHBF\_enUS877US877&oq=medicine+definition&aqs=chrome.0.69i59.2986j0j7&sourceid=chrome&ie=UTF-8 [↑](#footnote-ref-9)
10. https://www.merriam-webster.com/dictionary/ought [↑](#footnote-ref-10)