## 1

#### Interpretation: affirmative debaters must delineate what intellectual property they reduce in the 1AC.

#### Six different types of IP

**WIPO** [World Intellectual Property Organization, Undated, https://www.wipo.int/about-ip/en/] IA JS

What is Intellectual Property?

Intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.

IP is protected in law by, for example, [patents](https://www.wipo.int/patents/en/), [copyright](https://www.wipo.int/copyright/en/) and [trademarks](https://www.wipo.int/trademarks/en/), which enable people to earn recognition or financial benefit from what they invent or create. By striking the right balance between the interests of innovators and the wider public interest, the IP system aims to foster an environment in which creativity and innovation can flourish.

Types of intellectual property.

[Copyright](https://www.wipo.int/copyright/en/): Copyright is a legal term used to describe the rights that creators have over their literary and artistic works. Works covered by copyright range from books, music, paintings, sculpture and films, to computer programs, databases, advertisements, maps and technical drawings. [Patents](https://www.wipo.int/patents/en/): A patent is an exclusive right granted for an invention. Generally speaking, a patent provides the patent owner with the right to decide how - or whether - the invention can be used by others. In exchange for this right, the patent owner makes technical information about the invention publicly available in the published patent document. [Trademarks](https://www.wipo.int/trademarks/en/): A trademark is a sign capable of distinguishing the goods or services of one enterprise from those of other enterprises. Trademarks date back to ancient times when artisans used to put their signature or "mark" on their products. [Industrial designs](https://www.wipo.int/designs/en/): An industrial design constitutes the ornamental or aesthetic aspect of an article. A design may consist of three-dimensional features, such as the shape or surface of an article, or of two-dimensional features, such as patterns, lines or color. [Geographical indications](https://www.wipo.int/geo_indications/en/): Geographical indications and appellations of origin are signs used on goods that have a specific geographical origin and possess qualities, a reputation or characteristics that are essentially attributable to that place of origin. Most commonly, a geographical indication includes the name of the place of origin of the goods. [Trade secrets](https://www.wipo.int/tradesecrets/en/): Trade secrets are IP rights on confidential information which may be sold or licensed.  The unauthorized acquisition, use or disclosure of such secret information in a manner contrary to honest commercial practices by others is regarded as an unfair practice and a violation of the trade secret protection.

#### Violation: they don’t

#### Negate:

#### 1] Shiftiness- they can redefine what intellectual properties the 1ac defends in the 1ar which decks strategy and allows them to shift out of negative positions which strips the neg of specific IP DAs, IP PICs, and case answers. They will always win on specificity weighing.

#### CX can’t resolve this and is bad because A] Not flowed B] Skews 6 min of prep C] They can lie and no way to check

#### 2] No Solvency - since the WTO, absent spec, can circumvent aff’s policy since they can say they didn’t know what was affected.

#### This spec shell isn’t regressive- it literally determines what the affirmative implements and who it affects

#### Fairness and education are voters – its how judges evaluate rounds and why schools fund debate

#### Neg theory is DTD - 1ARs control the direction of the debate because it determines what the 2NR has to go for – DTD allows us some leeway in the round by having some control in the direction

#### Competing interps – Reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation – it also collapses since brightlines operate on an offense-defense paradigm

#### No RVIs – A – Going all in on theory kills substance education which outweighs on timeframe B - Discourages checking real abuse which outweighs on norm-setting C – Encourages theory baiting – outweighs because if the shell is frivolous, they can beat it quickly

## 2

**`Presumption Negates**

**1. We presume things false, this is why people don’t believe things like conspiracy theories.**

**2. There are an infinite number of ways to prove something false and only one way to prove it true.**

**3. The neg burden is to deny the evidence of truth so if there’s no offense as to why the resolution is true the neg has fulfilled their burden.**

**Permissibility Negates**

**1. The aff must prove an obligation because ought indicates a moral obligation. If an action is permissible, definitionally, no obligation is present and you negate.**

**The metaethic is fictionalism. The view that external moral doctrines are arbitrary, and non binding. This means ethics must be internally created by specific individuals depending on their individual circumstances. Prefer:**

**We must internalize and care about external claims, which means external motivation collapses.**

**Joyce 1**, Richard (Professor of Philosophy at Victoria University Wellington, New Zealand). The Myth of Morality. 2001. [Bracketed for grammatical clarity] // ICW NW

Back to the [Suppose] external reason[s]. **Suppose it were claimed,** instead, that **I have a reason to refrain from drinking the coffee because it is tapu** and must not be touched. This reason claim will be urged regardless of what I may say about my indifference to tapu, or my citing of nihilistic desires to tempt the hand of fate. **[r]egardless of my desires (it is claimed) I ought not drink** - l have a reason not to drink. But how could that reason ever explain any action of mine? Could the external reason even explain my [action] from drinking? Clearly, in order to explain it the external reason must have some causally efficacious role [in] among the antecedents of the action (in this case, an omission) — l must have. in some manner. "internalized" it. **The only possibility, it would seem, consistent with its being an external reason, is that I believe the external reason** claim [but] : I believe that the coffee is tapu. There's no doubting that such a belief can play a role in explaining actions - including my refraining from drinking the coffee. The question is whether the belief alone can[not] produce action, to which the correct answer is “No.” A very familiar and eminently sensible view says that **in order to explain an action** the **belief must couple with desires** (such that those same desires had in the absence of the belief would not have resulted in the action). And this seems correct: **if I believe that the coffee is** [bad] **tapu but really just don’t care about that, then I will not refrain from drinking it.** So in order for the belief to explain action it must couple with [desire] elements - but **in that case** the putative **external reason collapses into** an **internal** one.3

**Contracts solve this because people agree to certain constraints to better promote their self interest. People agree to channel their desires and in doing so, establish a set of moral agreements.**

**Gauthier 86** Gauthier, David P. *Morals by Agreement*. Oxford: Clarendon, 1986. Print. // ICW NW

**Moral principles are introduced as the objects of** full **voluntary** ex ante a**greement among** rational **persons.** Such agreement is hypothetical, in supposing a pre-moral context for the adoption of moral rules and practices. But the **parties to agreement are real,** determinate individuals, **distinguished by their capacities, situations, and concerns.** In so far as **[Since] they** would **agree to constraints on their choices, restraining their pursuit of their own interests, they acknowledge a distinction between what they may and may not do.**  As rational persons understanding the structure of their interaction, **they recognize** for mutual constraint, and so for **a moral dimension in their affairs.**

**Thus, the standard is consistency with the contractarian principle of mutual restraint, this is when people agree to constrain their actions for their own self interest. To clarify, obligations arise from restraints we place on ourselves by entering contracts.**

**Prefer:**

**1. Bindingness: Contracts are binding since there are legal repercussions to not following them. This outweighs because if people don’t have any reason to follow ethics they can just not follow it the second they don’t want to and it loses all meaning.**

**2. Them contesting my framework concedes it’s validity since contracts were fundamental to any of their cards. For example, your authors needed publishing licenses, and your empirical studies needed permits.**

**Contention 1) Patents are contracts, between companies and the government in which the government gives companies protections and exclusive rights to a thing and in return companies make that thing. This is an instance of mutual restraint and as a result it’s immoral to violate patents.**

**Contention 2) The TRIPS agreement, which is a binding contract agreed to by members of the world trade organization, grants intellectual property rights to medicines.**

**Supakankunti,** Siripen, **et al.** "Impact of the World Trade Organization TRIPS Agreement on the Pharmaceutical Industry in Thailand." *World Health Organization Bulletin*, 20**01**, www.ncbi.nlm.nih.gov/pmc/articles/PMC2566431/pdf/11417042.pdf. Accessed 14 Sept. 2021. ICW NW

In 1947, a total of 23 countries signed the General Agreement on Tariffs and Trade (GATT). The primary objective was to promote and regulate the liberalization of international trade through rounds of trade negotiations. Between 1986 and 1994 the UruguayRound of Multilateral Trade Negotiations led to the Marrakech Agreements. These established the World Trade Organization (WTO) and extended the rules governing commercial relations between trading partners to a number of new areas, such as agriculture, services, investment measures and the protection of intellectual property rights. All of these areas had previously been excluded from trade liberalization. Since 1994, attention has focused on the WTO Agreement on Trade-Related Aspects of Intellectual PropertyRights **(TRIPS)** as **the most far-reaching international instrument ever negotiated in this field.** It **establishes minimum universal standards in all areas of intellectual property** and the intention is to implement these standards globally through a strong enforcement mechanism established in WTO. **The TRIPS agreement requires universal patent protection for any invention in any field of technology. This affects pharmaceuticals,** which many countries had previously excluded from patent protection in order to produce drugs at reduced prices and thereby contribute to the improvement of public health. **WTO member countries that did not previously recognize pharmaceutical patents must amend their patent legislation within a limited time or transition period. Any Member country failing to bring its patent law into conformity with the TRIPS agreement,** if challenged by another member country, **is subject to the WTO dispute settlement system. Sanctions may be established** in accordance with WTO procedures. The TRIPS patent system can be expected to have a great impact on the health sector and may negatively affect national drug production, drug prices, the availability of essential medicines and pharmaceutical technology, and numerous other factors in developing and least developed countries. In addition, there could be a greater concentration of drug production in industrial countries rather than a transfer of technology to, or foreign direct investment (FDI) in developing countries. No extensive review of the practical implications of the TRIPS agreement has been conducted at the global and national levels, and at the regional level onlyLatin America has been covered. The present paper examines the consequences of the agreement for the pharmaceutical industry in Thailand with a view to learning lessons applicable to all developing countries. Recommendations are given for alleviating the potential negative impact resulting from mandates set forth in the agreement. In order to determine the specific implications and potential consequences accurately and meaningfully, we identified applicable and clearly defined objectives. Relevant research methods were employed, including situation and data analyses, surveys and impact assessments, and literature reviews. The situation and data analyses and the impact assessments dealt with the effect of the 1992 Thai Patent Law on the pharmaceutical industry in Thailand and on direct foreign investment and the transfer of technology in the sector. For the first time this law covered the protection of rights for both pharmaceutical processes and products.