**I value consequentialism**

**Morality is based on consequences – proves Consequentialism comes first, Johnson ‘85 says,**

**Johnson, 85(Conrad D. Johnson, 'The Authority of the Moral Agent', Journal of Philosophy 82, No 8 (August 1985), pp. 391)**

**If we follow the usual deontological conception, there are also well-known difficulties. If it is simply wrong to kill the innocent, the wrongness must in some wav be connected to the consequences. That an innocent person is killed must be a consequence that has some important bearing on the wrongness of the action; else why be so concerned about the killing of an innocent? Further, if it is wrong in certain cases for the agent to weigh the consequences in deciding whether to kill or to break a promise, it is hard to deny that this has some connection to the consequences. Following one line of thought, it is consequentialist considerations of mistrust that stand behind such restrictions on what the agent may take into account.3 But then again it is hard to deal with that rare case in which the agent can truly claim that his judgement about the consequences is accurate, or, in that**

**Therefore, value criterion is minimizing harm**

**Contention One: US-China War**

**Reduction in IPP allows China to overcome the US in biopharmaceutical development. Lawder ‘21**

[Lawder,Andrea, David. “U.S. Wants COVID Vaccine Patent Waiver to Benefit World, Not Boost China Biotech.” Reuters, Reuters, 8 May 2021, [www.reuters.com/world/china/us-wants-covid-vaccine-patent-waiver-benefit-world-not-boost-china-biotech-2021-05-08/](http://www.reuters.com/world/china/us-wants-covid-vaccine-patent-waiver-benefit-world-not-boost-china-biotech-2021-05-08/).] ZW Accessed 12 July 2021.

May 8 (Reuters) - The Biden administration is examining ways to ensure that a waiver of COVID-19 vaccine patents to aid poor countries will not hand sensitive U.S. biopharmaceutical technology to China and Russia, responding to a chorus of concerns, U.S. and industry officials say. President Joe Biden on Wednesday **backed the U.S. entering negotiations** at the World Trade Organization **for the waiver of intellectual property rights as a means to boost vaccine supplies** by allowing poorer countries to make their own. So far, vaccines have gone overwhelmingly to richer nations, which scooped up contracts for them earlier this year. COVID-19 infection rates in wealthy countries have dropped as vaccination rates increased this year, but [infections are still rising in 36 countries](https://www.reuters.com/world/factbox-worldwide-coronavirus-cases-cross-11038-million-death-toll-2546708-2021-02-02/), with India’s daily cases skyrocketing to nearly 400,000 a day. Western pharmaceutical companies, many of which have received government support to develop vaccines, strongly oppose the transfer of intellectual property to make them. They say poorer countries will be slow to set up manufacturing capacity and compete for scarce supplies, hitting production. Albert Bourla, CEO of Pfizer Inc, [said](https://www.linkedin.com/pulse/today-i-sent-letter-have-candid-conversation-our-drivers-bourla/?trackingId=p8C%2Fu3lALltT9tyeCAaSzA%3D%3D) on Friday that the proposed waiver would [disrupt progress made so far](https://www.reuters.com/business/healthcare-pharmaceuticals/pfizer-biontech-start-full-us-approval-application-covid-19-vaccine-2021-05-07/) in boosting vaccine supplies. “It will unleash a scramble for the critical inputs we require in order to make a safe and effective vaccine. Entities with little or no experience in manufacturing vaccines are likely to chase the very raw materials we require to scale our production, putting the safety and security of all at risk.” Many companies and now some U.S. officials fear the move **would allow China to leapfrog years of research and erode the U.S.** **advantage in biopharma**ceuticals. A senior Biden administration official said that while the priority is saving lives, the United States "would want to examine the effect of a waiver on China and Russia before it went into effect to ensure that it's fit for purpose." A question and answer document produced by the administration and shared with industry r**epresentatives also acknowledges concerns that intellectual property sharing could damage the United State's competitive advantage over China,** an industry source familiar with the discussions told Reuters. The contents of the document read to a Reuters reporter by an industry representative said the Biden administration believes it can address those concerns through the WTO negotiations, but did not specify how. The source added that some agencies in the Biden administration have conflicting views of how to address the concerns in negotiations that are expected to take months. Spokespersons at the White House and U.S. Trade Representative's office had no immediate comment on the matter. Pfizer and Moderna spokespersons did not respond to requests for comment on technology transfer concerns, while a Novavax spokesperson referred Reuters to the company's [statement](https://ir.novavax.com/news-releases/news-release-details/novavax-statement-opposition-wto-trips-waiver) opposing the waiver on Friday, which said proposals to "**weaken intellectual property protections would not achieve equitable vaccine access**." Enforcing limits on use of the technology could be very difficult, once handed over, some analysts say. Messenger RNA, used in COVID-19 vaccines by leaders Pfizer/BioNTech and Moderna, is a newly developed biotechnology that holds promise for treatments far beyond vaccines. **China** and Russia **have** **their own vaccines that do not use this biotech**nology. "It took Pfizer and Moderna years and years of research to develop these vaccines," said Gary Locke a former U.S. ambassador to China and U.S. Commerce Secretary. "China, Russia, India, South Africa and others want to gain access. **Their intention is to** get the underlying know-how so they can use it to **develop further vaccines**," Locke said. China's Fosun Pharma has struck a deal with BioNTech on COVID-19 vaccine product development, which would potentially give it access to some of the technology. China has high ambitions for its pharma industry and already is developing its own mRNA vaccine. Patents themselves are publicly accessible, noted James Pooley, intellectual property attorney and former deputy director general of the United Nations' World Intellectual Property Organization. But trade secrets developed by Pfizer/BioNTech, Moderna and others, "cook books" of manufacturing processes such as temperature and growing conditions, have not been made public.

**US leadership in biomedical development is key to global innovation -Lancu ‘21**

‌Andrei Iancu. “Biden Is Trying to Undermine America’s World-Leading IP Protections.” *The Washington Times*, The Washington Times, 11 Aug. 2021, www.washingtontimes.com/news/2021/aug/11/biden-is-trying-to-undermine-americas-world-leadin/. Accessed 15 Sept. 2021.

‌In May of this year, the Biden administration announced its **support for a proposal at the World Trade Organization that would allow other countries to seize American intellectual property on COVID-19 technologies, including vaccines.** On cue, those countries promptly modified their ask. Whereas the original proposal called for the waiver to last a limited number of years, the new proposal makes **the waiver [is] effectively permanent.** And why not? If America is willing to hand over its crown jewels, it might as well demand to keep them forever. As a former Director of the U.S. Patent and Trademark Office, I know that **America’s** world-leading **IP protections laid the foundation for our economic success** and technological prowess. And as an immigrant from a communist nation, I know all too well how disrespect for private property rights undermines innovation and saps economic vitality. Since the Founding Fathers, Americans have understood that private property extends well beyond land, buildings, factories, and machines. The real source of America’s power and promise are ideas. Walls, locks, or guards can protect physical property, but the implementation of ideas — new songs, artificial intelligence, or medicines — requires special protections and trust in the rule of law. That’s why the Founders included intellectual property rights in the Constitution — in the form of an “exclusive right” for authors and inventors — to “promote the progress of science and useful arts.” Indeed, this is the only time the word “right” appears in the Constitution (amendments aside). The Founders knew that only the rule of law, and our respect for it, can protect and enable the development of these ideas. Yet, President Biden undermined that respect by signaling his support for the appropriation of America’s intangible assets. In doing so, he jeopardized America’s uniquely successful intellectual property system. The history of our nation — indeed, much of the history of the world — since 1789 has been the revolution in knowledge led by American ingenuity in agriculture, industry, medicine, and information technology. Progress like this does not just happen. Indeed, it didn’t, for the millennia of the entire human history until our nation’s founding a couple of hundred years ago! **It’s not a coincidence that the last two centuries of uninterrupted, IP-driven innovation — up to and including the miraculous creation in a record time of the Covid vaccines themselves — began when one nation finally committed itself to protect intangible assets as much as physical property.**  The reason is simple: knowledge is cumulative. Every new discovery becomes the basis for new research. The revolutionary mRNA technology behind Pfizer and Moderna’s vaccines is, in fact, an evolutionary iteration of previous — patented — breakthroughs over the last two decades.Sen. Bernie Sanders, among others, turns up his nose at all this science, history, and progress. Like President Biden, he supports waiving vaccine patents because, he says, “We need a people’s vaccine, not a profit vaccine.” Ignore for a moment that many companies have agreed to sell their vaccines at non-profit prices for the duration of the pandemic, or that the vaccines are completely free for all patients at pharmacies nationwide, or that the federal government pays $19.50 per Pfizer dose, about $15 per Moderna dose, and $10 for the Johnson & Johnson shot — less than the cost of a pizza for medicines that are saving millions of lives and restoring our economy. Instead, focus on the fact that **intellectual property protections enabled the creation of “people’s vaccines” in the first place. The choice isn’t between cheap vaccines and even cheaper vaccines — it’s between shots that are protected by strong IP laws or no shots at all.** The same goes for every industry. If President Biden doesn’t protect the IP behind new vaccines, investors and inventors will ask, what other technologies are next? Will similar takings be imposed on climate change technologies, for example? Food processing? Essential semiconductor technologies? **Companies will scale back investments in medical devices,** microchips, energy, and everything in between **if they think the U.S. Government might waive IP protection after the fact so that others may copy their inventions with impunity.** Of immediate concern is the need for more treatments for Covid-19, especially as the pandemic keeps raging with new variants. Knowing that their IP may be appropriated as soon as it is developed, private industry — especially start-ups and smaller businesses that depend heavily on outside capital — may not invest the resources necessary to develop these new technologies that are desperately needed right now.Here’s the reality: **remove patents and other forms of intellectual property, and private-sector investment in innovation dries up.** The government will then try to step in to fill the gap, inefficiently as always. Like the taking of factories to nationalize industry, this taking of intellectual property is effectively the nationalization of our innovation economy. The result will be the same as in every other socialist regime that nationalized its industries: the kind of poverty, corruption, and misery that my family escaped from decades ago. American innovation has cured diseases, enabled human flight, led to the development of computers, and made our nation the envy of the world. **Waiving intellectual property rights could forfeit it all.**

**US leadership prevents war. The affirmative leads to a weakened US, which triggers war and millions of death.**

Zhang and Shi 2011

[ a researcher at the Carnegie Endowment for International Peace, Washington, D.C. \*\* Columbia University. She also serves as an independent consultant for the Eurasia Group and a consultant for the World Bank in Washington, D.C.  “America’s decline: A harbinger of conflict and rivalry” []http://www.eastasiaforum.org/2011/01/22/americas-decline-a-harbinger-of-conflict-and-rivalry/](http://www.eastasiaforum.org/2011/01/22/americas-decline-a-harbinger-of-conflict-and-rivalry/))

This does not necessarily mean that the US is in systemic decline, but it encompasses a trend that appears to be negative and perhaps alarming. Although the US still possesses incomparable military prowess and its economy remains the world’s largest, the once seemingly indomitable chasm that separated America from anyone else is narrowing. Thus, the global distribution of power is shifting, and the inevitable result will be a world that is less peaceful, liberal and prosperous, burdened by a dearth of effective conflict regulation. Over the past two decades, no other state has had the ability to seriously challenge the US military. Under these circumstances, motivated by both opportunity and fear, many actors have bandwagoned with US hegemony and accepted a subordinate role. Canada, most of Western Europe, India, Japan, South Korea, Australia, Singapore and the Philippines have all joined the US, creating a status quo that has tended to **mute great power conflicts**. However, as the hegemony that drew these powers together withers, so will the pulling power behind the US alliance. The result will be an international order where power is more diffuse, American interests and influence can be more readily challenged, and **conflicts or wars may be harder to avoid.** As history attests, power decline and redistribution result in military confrontation. For example, in the late 19th century America’s emergence as a regional power saw it launch its first overseas war of conquest towards Spain. By the turn of the 20th century, accompanying the increase in US power and waning of British power, the American Navy had begun to challenge the notion that Britain ‘rules the waves.’ Such a notion would eventually see the US attain the status of sole guardians of the Western Hemisphere’s security to become the order-creating Leviathan shaping the international system with democracy and rule of law. Defining this US-centred system are three key characteristics: enforcement of property rights, constraints on the actions of powerful individuals and groups and some degree of equal opportunities for broad segments of society. As a result of such **political stability**, free markets, liberal trade and flexible financial mechanisms have appeared. And, with this, many countries have sought opportunities to enter this system, proliferating **stable and cooperative relations**. However, what will happen to these advances as America’s influence declines? Given that America’s authority, although sullied at times, has benefited people across much of Latin America, Central and Eastern Europe, the Balkans, as well as parts of Africa and, quite extensively, Asia, the answer to this question could affect global society in a profoundly detrimental way. Public imagination and academia have anticipated that a post-hegemonic world would return to the problems of the 1930s: regional blocs, trade conflicts and **strategic rivalry**. Furthermore, multilateral institutions such as the IMF, the World Bank or the WTO might give way to regional organisations. For example, Europe and East Asia would each step forward to fill the vacuum left by Washington’s withering leadership to pursue their own visions of regional political and economic orders. **Free markets** would become more politicised — and, well, less free — and major powers would compete for **supremacy**. Additionally, such power plays have **historically possessed a zero-sum element**. In the late 1960s and 1970s, US economic power declined relative to the rise of the Japanese and Western European economies, with the US dollar also becoming less attractive. And, as American power eroded, so did **international regimes** (such as the **Bretton Woods System** in 1973). A world without American hegemony is one where **great power wars re-emerge**, the liberal international system is supplanted by an authoritarian one, and trade protectionism devolves into restrictive, anti-globalisation barriers. This, at least, is one possibility we can forecast in a future that will inevitably be devoid of unrivalled US primacy.

**Contention  2 - Innovation**

**COVID accelerated biopharma Research and Development Shah ‘20**

Neil Lesser and Sonal Shah 20, Shah is senior manager with the Deloitte Center for Health Solutions

within Deloitte Services LP and leads the center’s life sciences research, “Seeds of change,” https://www2.deloitte.com/us/en/pages/life-sciences-and-health-care/articles/measuring-return-frompharmaceutical-innovation.html

The **COVID-19** pandemic has **had a significant disruptive effect** on clinical trial operations, with biopharma companies, clinical research organizations (CROs), and other research organizations being forced to shut down trials, suspend enrollment, or delay planned study startups or completions (an estimated 1,210 trials have been negatively affected across the industry). **However, the pandemic** has also **accelerated the adoption of new approaches to R&D with the development of** a number of novel COVID-19 **vaccines and therapies** in record time **through extraordinary collaboration and partnerships**, as well as a wider use of transformative approaches such as master protocols and adaptive trial design and the use of real-world data (RWD). The **positive learnings** arising **from** the **COVID**-19 pandemic have **sown the seeds of change for a more productive future for biopharma R&D**. Moreover, the **accelerated development** of COVID-19 therapies and vaccines is expected to **have a positive impact on the internal rate of return** (IRR) over the coming years.

**Intellectual property protections, or IPPs, through Patents promote innovation, tens of thousands of studies prove, Lybecker 14**

**[Kristina Lybecker, prof of economics at Colorado College.] “How to Promote Innovation: The Economics of Incentives” 21 July 2014 (https://www.ipwatchdog.com/2014/07/21/promote-innovation-the-economics-of-incentives/id=50428/)**

The **patents** system serves two primary functions: it **provide**s **an incentive for research** and development **and** promotes the **diffusion of ideas** and information. As described by Clancy and Moschini (2013), the incentive potential of patents stems from their private value which is a function of their length, scope and breadth. “The length of the patent is codified by law (twenty years from filing the application), although the effective economic life of the patent can be considerably shorter, and influences how long competitors can be excluded from a particular market. The scope of a patent is more subtle and concerns the breadth of its applications, which relates to the range of products or processes that can be excluded by a patent’s right (by the so-called doctrine of equivalents, a product might be found to infringe on a patented product even if it is not an exact replica). Unlike length, the breadth of a patent cannot be explicitly codified, and it is left to be determined by the patent’s claims, as approved by the patent examiners and ultimately adjudicated by the courts.”[8]**Empirical evidence** from economic  studies **confirms** that **patents** provide the incentives that **promote innovation** and the impact is particularly pronounced in some sectors.  Incentives matter. **This** claim **is bolstered by tens of thousands of** empirical economic **studies, a**nd not one that convincingly refutes it. In a study of 60 countries over the period 1960-1990, **Park and Ginarte** (1997) **find that** the strength of **i**ntellectual **p**roperty **r**ights **was positively associated with research and development** (R&D) investments.[9],[10] Hall (2007) and Hall and Marhoff (2012) confirm the value of patents as important incentives for R&D in several sectors, including pharmaceuticals, biotechnology and medical instruments.[11],[12] In the context of product innovations, a recent study by Duguet and Lelarge (2Z012) concludes that “**overall**, **patents** do **increase** the private **incentives to innovate**, but through a specific, unbalanced, channel. Indeed, at the firm level, **the direct incentive** effect of patents is restricted to the firms’ R&D effort, which **affects** significatively their product **innovations**.”[13] The importance of patents to incentivizing innovation stems, in part, from their reliance on market forces, arguably **more so than any other incentive mechanism**. Patents leave all technical, developmental, and economic decisions in the hands of innovators and consumers. They work due to the wisdom of Adam Smith’s so-called invisible hand. Steven Landsburg summed it up succinctly, “Most of economics can be summarized in four words: ‘People respond to incentives.’ The rest is commentary.”[14]

rates of certain industries.

**Decline of medical innovation risks millions of lives. The affirmative leads to massive death.**

**Sachs** 8/17/**14**—Professor of Sustainable Development, Health Policy and Management @ Columbia University [Jeffrey D. Sachs (Director of the Earth Institute @ Columbia University and Special adviser to the United Nations Secretary-General on the Millennium Development Goals) “Important lessons from Ebola outbreak,” Business World Online, August 17, 2014, <http://tinyurl.com/kjgvyro>]

Ebola is the latest of many recent epidemics, also including AIDS, SARS, H1N1 flu, H7N9 flu, and others. AIDS is the deadliest of these killers, claiming nearly 36 million lives since 1981. Of course, even **larger and more sudden epidemics are possible, such as the 1918 influenza** during World War I, **which claimed** 50-**100 million lives** (far more than the war itself). And, though the 2003 SARS outbreak was contained, causing fewer than 1,000 deaths, the disease was on the verge of deeply disrupting several East Asian economies including China’s. There are four crucial facts to understand about Ebola and the other epidemics. First, most emerging infectious diseases are zoonoses, meaning that they start in animal populations, sometimes with a genetic mutation that enables the jump to humans. Ebola may have been transmitted from bats; HIV/AIDS emerged from chimpanzees; SARS most likely came from civets traded in animal markets in southern China; and influenza strains such as H1N1 and H7N9 arose from genetic re-combinations of viruses among wild and farm animals. **New zoonotic diseases are inevitable** as humanity pushes into new ecosystems (such as formerly remote forest regions); the food industry creates more conditions for genetic recombination; and climate change scrambles natural habitats and species interactions. Second, **once a new infectious disease appears, its spread** through airlines, ships, megacities, and trade in animal products **is likely to be extremely rapid**. These epidemic diseases are new markers of globalization, revealing through their chain of death how vulnerable the world has become from the pervasive movement of people and goods. Third, **the poor are the first to suffer and the worst affected**. The rural poor live closest to the infected animals that first transmit the disease. They often hunt and eat bushmeat, leaving them vulnerable to infection. Poor, often illiterate, individuals are generally unaware of how infectious diseases -- especially unfamiliar diseases -- are transmitted, making them much more likely to become infected and to infect others. Moreover, **given poor nutrition and lack of access to basic health services, their weakened immune systems are easily overcome by infections** that better nourished and treated individuals can survive. And “de-medicalized” conditions -- with few if any professional health workers to ensure an appropriate public-health response to an epidemic (such as isolation of infected individuals, tracing of contacts, surveillance, and so forth) -- make initial outbreaks more severe. Finally, **the required** medical responses, including diagnostic tools and effective **medications** and vaccines, inevitably lag behind the emerging diseases. In any event, such tools **must be continually replenished. This requires cutting-edge biotechnology, immunology, and** ultimately **bioengineering to create large-scale industrial responses** (such as millions of doses of vaccines or medicines in the case of large epidemics). The AIDS crisis, for example, called forth tens of billions of dollars for research and development -- and similarly substantial commitments by the pharmaceutical industry -- to produce lifesaving antiretroviral drugs at global scale. Yet each breakthrough inevitably leads to the pathogen’s mutation, rendering previous treatments less effective. **There is no ultimate victory, only a constant arms race between humanity and disease-causing agents.**