

- Intellectual property protections, from [Georgetown University Law](#), include Copyright, Trademarks, patents, and Trade Secrets.
- Prefer because the resolution includes all intellectual property protections and not just patents.

Framework:

V: Justice- balance of powers

VC: Consistency with the will to power

[Beery 20](#)

Under this interpretation the universe and all beings in it manifests a Will to Power. This is understood as nature's inherent drive to perpetually spread out its power over the whole. That is, all living things are in a constant power struggle amongst each other, in order to spread out and strengthen their power.

Nietzsche conceives of justice as a balance, a settlement concerning the claims powers have on each other. For Nietzsche, the origin of justice rests on the prerequisite of approximately equal strength Between powers (HH 92, 93). Such strength is to be measured according to the particular "power position [Machtstellung]" someone holds, that is the value or worth his power has for others.⁶ Nietzsche thinks that the "equilibrium of powers" is the basis of justice.

Prefer because [Bowdon 21](#): Good and evil are a creation of humankind: "There is no such thing as moral phenomena, but only a moral interpretation of phenomena." It is our natural wish to be more, have more, do more. It is the people who are altruistically pursuing some pure and objective absolute (whether in religion or philosophy) that are the deluded ones. There is no universal morality; the ancient Romans called gladiators, violent killers, glorious and the Buddha forbade the taking of any life, there is no single superior morality my opponent can defend. Prefer the universal will to power whose only requirements are balance with other wills to achieve justice.

C1: Need for protections

A. Necessity for development

[Servier International Research Foundation 20](#): The innovation process is complex, lengthy and expensive. Only 1 in 10,000 molecules becomes a drug and enters the market. The average cost of developing a drug candidate is nearly one billion euros. Because of these significant investments, patent protection is vital to ensure a return on investment for companies and researchers and enable creation of new drugs. If a drug patent is granted for 20 years, it protects exclusivity for only 8 years because drugs require an average of 12 years of research before market entry.

[Tubert 08](#): The will to power is to be understood as "a desire for the overcoming of resistance in the pursuit of some first-order desire" ■ As such, the will to power desires both the resistance and the overcoming of it.

Resistance to a desire is a condition of its being a desire. The will to power, insofar as it is a will to the overcoming of resistance, must necessarily also will the resistance to overcome. ■ As such, the will to power desires both the resistance and the overcoming of it.

Patents provide a means to overcome resistance in innovating, in accordance with the will to power. By taking away means to overcome resistance in pharmaceuticals, the

AFF would have you destroy the fulfillment of scientists' and business peoples' will to power, violating justice.

Strong IP laws benefit developing countries by inducing foreign investment

Ezell and Cory 19

Stephen Ezell (vice president of global innovation policy at the Information Technology and Innovation Foundation; founder of Peer Insight, an innovation research and consulting firm) and Nigel Cory (associate director covering trade policy at the Information Technology and Innovation Foundation; formerly a researcher in the South-east Asia Program at the Center for Strategic and International Studies and worked for eight years in Australia's Department of Foreign Affairs and Trade). "The Way Forward for Intellectual Property Internationally." Information Technology & Innovation Foundation. 25 April 2010. JON. <https://itif.org/publications/2010/04/25/way-forward-intellectual-property-internationally> studies have also shown how the benefits of intellectual property extend to developing countries. Clean and Fluckiger demonstrated that stronger patent rights in developing countries give enterprises from developed countries a greater incentive to research and introduce technologies appropriate to developing countries.⁴² Similarly, Taylor showed that in developing countries, lead enterprises from developed countries to introduce poor technologies to developing countries.⁴³ Inter-estingly, the relationship goes in both directions. Branstetter and Saggi showed that strengthened IPR protection not only improves the investment climate in the single-inventing countries, but also leads to increased FDI in the country producing the original innovation.⁴⁴ They concluded that IPR reform in the "global South" (in e.g., developing countries) may be associated with increases FDI from the "global North" (in e.g., developed countries). As northern firms shift their production to the south, this FDI accelerates southern industrial development, creating a cyclical feedback mechanism that also benefits the North. Another study by Liao and Wong, which focused on firm-level analysis, highlights the inter-relationship of IPR reform in developed and developing countries. Their study concluded that developing countries can entice technology transfer from the North by providing IPR protection for incoming products (although they note there is a need for redoubled R&D efforts in developed countries to spur needed innovations).⁴⁵

Increasing developing nation's industrial power balances the strength of these global regions' wills to power, creating long term justice.

B. Certain protections good:

Use patents: [Rai 14](#)

If a new use {for an old molecule} proves to be therapeutically successful, FDA will approve the molecule only for that use in a "use patent" Use patents offer robust financial incentives. Moreover, because skinny labeling by a generic competitor is possible only in the context of an FDA-approved use that is no longer under patent protection, a use patent precludes skinny labeling and protects the developer of the original patent from generic entry. In fact, **a competitor that wishes to use the same molecule will have to conduct clinical trials to show novel effectiveness.** Thus, a use patent for a rescued drug functions like a product patent. Indeed, even if use patents do not prove as valuable as product patents, they are likely to be sufficient to drive development of rescued drugs, which have already been (certified safe) in trials.

The impact is increased innovation, because when people want more profit they have to find new uses for existing compounds or create new ones in order to have IP protections, so new treatments are constantly being created.

The will to power is the will to grow, improve, and dominate- by encouraging competition, the NEG justly fuels companies' will to power; moreover, new treatments increase civilian quality of life, allowing them to better assert their personal wills to power, giving the formerly infirm means to overcome their resisting circumstances and become better.

Trade secrets - [Nealey 15](#)

A trade secret is information not known publicly and is maintained as a secret, and provides a competitive advantage or economic benefit to holders. They can be worth hundreds of millions of dollars. Examples are manufacturing or commercial secrets; supplier or client lists; sales and distribution methods; consumer profiles and lists; marketing and advertising strategies; and (perhaps most significantly for pharmaceutical and other biotech companies) manufacturing processes, formulas, and research, including preclinical data. Moreover, a trade secret may {be} plans, designs, lists, computer software, data, etc. A trade secret does not have a term like a patent, but lasts indefinitely unless or until the information is made public. As such, trade secret protection and patent protection are mutually exclusive—identical subject matter cannot be protected as a trade secret and by a patent. Nevertheless, a successful intellectual property strategy uses trade secret protection and patents to protect a particular program.

Mims 21

Pharmaceutical companies are poised to suffer unique risks as targets of trade-secret misappropriation. Methods, clinical data, and other materials generated by companies reflect months, if not years, of inquiry from many scientists. Once a trade secret is lost, the economic harm cannot be rectified. By allowing competitors to benefit from their hard work, theft of information undermines incentives for companies to invest in innovation. Although a company can pursue civil or criminal sanctions against thieves and hackers, restoring the confidentiality of stolen material is difficult, if not impossible. As a practical matter, a company loses the ability to track or control stolen information. That's a particular concern when, as in the Spokane hacking case, such information is disseminated to foreign agents. Even if a company obtains a court order requiring the return of stolen information or prohibiting its use by the misappropriators, such victories would be pyrrhic if the secrets already have become widely known.

Theft of trade secrets goes against the will to power by decreasing the Nietzschean ideal of just power balances. By allowing certain entities to bypass resistance without fair work of their own and decreasing the ability for other entities to assert their own wills to power, a power imbalance is created; trade secret misappropriation violates justice.

Because the negative is the only world where people are fully allowed to exercise their Will To Power and create Justice through balance, I negate.