#### Case

#### 1. Intervention – States & companies have their own individual rights to pursue IPP, as they have the right to take their own course of action – intervening on states’ abilities to pursue their own ends is a violation of their freedom. That negates – the aff is a form of coercion that forces states to limit their own freedom, which is non-universalizable.

#### 2. Self Defense – States must protect the people from outside conditions – having IPP is just an extension of the state’s right to pursue their own ends for protection. Banning IPP interferes with the ability for states to enforce their own laws.

#### [Bapanapalli] Forced charity hurts society & violates the right to pursue one’s own ends

**Bapanapalli 2020** (Why Forced ‘Charity’ Is Bad Economics, May 13 2020, Satish Bapanapalli, Foundation for Economic Education, <https://fee.org/articles/why-forced-charity-is-bad-economics/>) //neth

Fulfillment from Charity I couldn’t agree more. Just like freedom is a fundamental desire of every human being, so is the desire to help fellow humans. Individuals express charity in many other forms such as support towards animal welfare, nature conservancy, promotion of arts, incentivizing fundamental research, and environmental causes. Not to be a cynic, but the fulfillment that charity brings to people is just like any other service. We pay a price to watch a movie or have a great time at an amusement park like Universal Studios. In return, we get the satisfaction of great memories. In the case of charity, the price we pay brings us fulfillment. So, why is it important to view fulfillment derived from charity just like any other commodity? Because then economists can apply their theories and have fun! (\*huge economist grin\*) Let’s consider two thought experiments. First, how would you feel if your desire is to buy a Lexus sedan with your money, but you are forced to buy a Hyundai sedan instead for the same price, even though the Hyundai sedan is priced much lower in the market? Second, let’s say you get great satisfaction by donating your money to the Wounded Warrior Project. However, you are instead forced to donate that money to help with protection of Indian Rhinoceros’ habitat. How does that make you feel? Both thought experiments are similar. Buying a Lexus sedan and donating to Wounded Warrior Project are your personal choices. That is why charity is personal! If you are instead coerced to donate to charities that you do not relate to, then you do not derive equivalent fulfilment out of that donation.

#### Waiving IPP brings multiple problems – counterfeits, production issues, and lack of innovation, to name a few

**PRI 2021** (Pacific Research Institute, June 21 2021, “Waiving Covid-19 Vaccine Patents Is a Bad Idea and Sets a Dangerous Precedent,” WAYNE WINEGARDEN, ROBERT POPOVIAN, PETER PITTS, TOWNHALL.COM, <https://medecon.org/waiving-covid-19-vaccine-patents-is-a-bad-idea-and-sets-a-dangerous-precedent/>) //neth

The production of these breakthrough Covid-19 vaccines requires sophisticated processes, procedures, staff training, material, and manufacturing. Under typical patent-protected arrangements for new global production facilities, patent-holders voluntarily license their product information to qualified third party-manufacturers. The patent-owners work closely with the licensees to stand up facilities that meet rigorous technological specifications and standards for safety. Even under ideal conditions, it can take a year or longer to build out this infrastructure the right way. The WTO waiver blows up this careful process by allowing pretty much anyone to go into the business of producing Covid-19 vaccines. Suddenly, it’s the wild west out there, with legitimate producers trying to compete with aggressive cost and corner-cutters, to say nothing of the outright fraud that has long driven the lucrative counterfeit drug trade. All the research demonstrating the safety and efficacy of the Covid-19 vaccines goes out the window under such conditions. Nor is such a process going to produce faster results. Historically, under compulsory rather than voluntary licensing arrangements, it has taken even legitimate generic manufacturers years to receive the formulas, work out logistical challenges, and scale up production. In one case of compulsory licensing, it took over four years to bring a generic AIDS drug to Rwanda. The World Health Organization regularly publishes a list of “essential” medications, the vast majority of which patent protections have long expired. Any generic manufacturer can therefore set itself up producing them. Yet the WHO reports that availability of these medicines in many parts of the developing world remains spotty, at best. The quality of many of these essential medicines is also questionable. Yet none of the drugs on the WHO list are in the same universe of complexity as the Covid-19 vaccines. The patent system is not the problem here. But, some ask, why should private companies enjoy the property rights to innovation driven by government funding? This question likewise misses the mark. In a study of 478 drugs less than 10 percent had a public-sector patent associated with it. While providing no gain, compulsory licensing promises lots of pain. Shunting aside patent and intellectual property rights sends a dangerous signal to innovative biopharmaceutical companies and their investors. Biopharmaceutical research is risky. It costs almost $3 billion, on average, to bring a single medicine to pharmacy shelves. Biotech investors take these risks because of strong patent protection like those in the United States. Scientists in America now develop over half of all new drugs worldwide. It’s important to understand the current advocacy for a “temporary” IP waiver. A small but vocal and influential public health policy cohort believes that IP protections are the most significant cause of global healthcare disparities. Their philosophies repeat and reinforce many misconceptions about the problem of improving global access to medicines. The reality is that, in order to save the world, we must all work together as partners. A free-market healthcare paradigm for drug development, although far from perfect, works. A well-appointed armamentarium of Covid-19 diagnostic tools, therapeutics, and vaccines – all invented in under one year, speaks to the power of today’s innovation ecosystem. That ecosystem is built on IP protections. Right now, under voluntary licensing, global production capacity for Covid vaccines and treatments is expanding and accelerating. A move to nullify IP will not result in a single resident of the developing world getting vaccinated one minute sooner.

#### 5] Violates freedom – libertarianism requires property rights. D'Amato 14

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The work of individualist anarchist Lysander Spooner presents a stark and noteworthy contrast to that of Benjamin Tucker. Eulogized by Tucker as “Our Nestor,” Spooner was a key influence on early American anarchism and continues to have an impact on the contemporary libertarian movement. Uncompromising in his methodical attacks on slavery and repressive legislation more generally, the polemics of this libertarian lawyer were always feisty and creative. He founded his American Letter Mail Company in 1844 as a rival to the monopolistic U.S. Post Office and attacked slavery on constitutional grounds only to turn around and attack the Constitution itself using generally accepted principles of contract law. Given his rare genius and durable stature as an important ancestor of modern libertarians, Spooner’s views on intellectual property rights have continued to inform the conversation surrounding the relationship between those rights and natural law. In his essay “The Law of Intellectual Property,” published in 1855, Spooner sets out to “understand the law of nature in regard to intellectual property,” a project he says must begin with “understand[ing] how and when wealth becomes property.” For Spooner, this distinction between wealth and property is important, with the former encompassing a broad array of things even “intangible and imperceptible,” and the latter reserved for wealth that an owner has converted into something “that is possessed” (emphasis in original). Property, Spooner writes, “is a right against the whole world,” and may embrace any “conceivable thing … which can be possessed, held, used, controlled, and enjoyed, by one person.” Spooner thus affirmatively answers the question of whether things like enjoyments, ideas, happiness, and feelings fall within the category as he has delineated it, concluding that all of these are susceptible to property. Since Spooner finds the foundation of property in each individual’s natural right to provide for her own subsistence and happiness, it is perhaps unsurprising that he regards “the right of property in intellectual wealth” as necessary and legitimate. After all, ideas are no less important to the ends served by property than are labor and natural resources, which would remain idle and useless without the application of intellect and ingenuity. Confronting the argument that a thing must have “corporeal substance” to be the subject of a property right, Spooner protests that tangible, physical substances “are not the only things that have value”—that denying a property right in ideas is akin to arguing that an individual does not own her [their] labor, also intangible. If labor is properly the subject of property, belonging to the individual and deserving of payment, then so too are ideas, which he compares to the “new forms and new beauties” that human labor gives to physical objects. Engaging ideas from tort law, Spooner goes on to observe that health, strength, and the physical senses too are incorporeal, susceptible to loss “without the loss of any corporeal substance,” but are nevertheless “valuable possessions, and subjects of property.” A tortfeasor who impairs or harms these non‐​physical qualities must make his victim whole, paying damages as compensation. For Spooner, then, it is clear that property rights can (indeed, must) extend their reach beyond physical objects, that the acquisition of property itself depends fundamentally upon something that cannot be seen or touched, human effort. Among the several other objections Spooner addresses is the common worry that “ideas have no ear‐​marks,” that it is impossible, as a practical matter, to attribute ownership of an idea to an individual accurately or justly. To this, Spooner points to the fact that, as things are now, individuals regularly register ownership of their ideas, and “with a great variety of other evidence” demonstrate that ownership to tribunals with sufficient certainty and definiteness. Spooner thus denies that the density and plurality of inventions’ causes means that the ideas behind them cannot be owned by distinct individuals, arguing that this objection, if sound, would also apply to property in tangible objects. Spooner urges his reader to consider the gold miner in California, who is no less propelled and aided by the “general progress of science, knowledge, and art,” the gold he discovers no less owing to others who came before him. Spooner takes on perhaps the most common objection to intellectual property rights among libertarians today, that private property in corporeal commodities is justified only by the fact that these are rivalrous, that they “cannot be completely and fully possessed and used by two persons at once.” Carried to its logical end, Spooner says, this argument is nothing but communism, allowing any individual the right to take for himself and use freely anything he wants, regardless of whether he has produced it by his own labor. Spooner arrives at this conclusion by arguing that private property has its proper foundation not on the rivalrousness of tangible objects, but on the fact that the property in question is “produced by one [hu]man’s labor.” The opponents of intellectual property therefore undermine the entire basis for private property, establishing a principle that, Spooner argues, in fact applies equally well to corporeal commodities under certain circumstances. For example, railways, roads and canals may be used simultaneously by several people, and yet are proper subjects of private property. Having set out his own case for private property in ideas and carefully attended to many of the objections to such property, Spooner’s “The Law of Intellectual Property” remains a pivotal moment in the case for pro‐​intellectual property libertarianism.