

LD September/October 2021

Neg Case

Resolved: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.

Marriam Webster -

Reduce - means to get rid of; CONQUER, VANQUISH, DEFEAT, SUBDUE, REDUCE, OVERCOME, OVERTHROW mean to get the better of by force or strategy

Default to this definition since

- 1] my opponent did not provide a definition to this word so the neg has the burden to define the words for the remainder for the round
- 2] commonality - this is one of the first definitions that pops up online so defaulting to a common definition allows for limited sketchy definitions from the depths of the internet
- 3] Going forth, the aff may not provide any definitions as they had an opportunity to in the 1AC and so for the rest of this round we must default to the negs definitions which says reduce means to get rid of. If the aff says getting rid of property rights is bad but then says that they reduce IP rights, it still means under the definitions that they are getting rid of IP rights

Framework:

- The **value** of this round is **Morality**, since the word “ought” in the resolution implies a moral obligation.
- Thus, the only reasonable value-criterion is maximizing societal well being/util.

Woller 97 shows [Gary Woller, BYU Prof., “An Overview by Gary Woller”, A Forum on the Role of Environmental Ethics, June 1997, pg. 10]

Moreover, virtually all **public policies entail some redistribution of** economic or political **resource, such that one group's gains** must **come at another group's expense**. Consequently, public policies in a democracy *must be justified* to the public, and especially to those who pay the costs of those policies. Such justification cannot simply be assumed a priori by invoking some higher-order moral principle. Appeals to a priori moral principles, such as environmental preservation, also often fail to acknowledge that public policies inevitably entail trade-offs among competing values. **Thus since policymakers cannot justify inherent value conflicts to the public** in any philosophical sense, **and since public policies inherently imply winners and losers, the policymakers' duty** to the public interest requires them to demonstrate that the redistributive *effects* and value trade-offs implied by their policies **are** somehow **to the overall advantage of society**. At the same time, *deontologically based ethical systems have severe practical limitations as a basis for public policy*. At best, a priori moral principles provide only general guidance to ethical dilemmas in public affairs and *do not themselves suggest appropriate public policies, and at worst, they create a regimen of regulatory unreasonableness while failing to adequately address the problem or actually making it worse*. For approval, either in this world or the world to come. Even within religion, therefore, consequences and conscious states remain the foundation of all values.

Judges, since all basis of knowledge is based on what's moral or not, we should always try to maximize the well-being of others through this lens. The winner of this debate should explain why their side creates less harm to society and maximizes well being through moral action.

Contention One: New Variants

New Variants can escape current vaccine protection.

Rubin 21 “COVID-19 Vaccines vs Variants—Determining How Much Immunity Is Enough”

<https://jamanetwork.com/journals/jama/fullarticle/2777785>

The virus is telling us it's **going to throw out a lot of mutations**.¹ Infectious disease specialist Jesse Goodman, MD, MPH, who, as the chief scientist at the US Food and Drug Administration (FDA), led the agency's response to the H1N1 influenza A pandemic, said in an interview. **Even if we don't have a critical situation** right **at the moment**...there's a realistic possibility that **variants will continue to evolve that have potential to avoid vaccine immunity**.² That's to be expected, Anthony Fauci, MD, director of the National Institute of Allergy and Infectious Diseases (NIAID), told JAMA Editor in Chief Howard Bauchner, MD, in a February 3 podcast. **Regardless of the platform on which the vaccine is based**, Fauci said, **you still have a fixed immunogen and a virus that's changing. Sooner or later, you're going to get a mutant that evades that.**³ One reason SARS-CoV-2 is throwing out variants and will continue to do so is because relatively few people globally have been vaccinated, Norman Baylor, PhD, a former director of the FDA's Office of Vaccines Research and Review, noted in an interview. “This virus is like, ‘Yep, I've got plenty of people I can infect, and the more I replicate, the more I can mutate,’” Baylor said. Some scientists have used the term *vaccine resistance* to describe the reduced efficacy of COVID-19 vaccines against some variants. But that confuses matters by suggesting vaccines are analogous to antibiotics, University of Washington biologist Carl Bergstrom, PhD, who studies evolution and medicine, said in an interview. “The key point for me is that in antibiotic resistance, the changes happen in people who are on antibiotics,” he said, while antigenic escape by SARS-CoV-2 occurs in people who *haven't* been vaccinated. When viruses replicate, Penn State biologist David Kennedy, PhD, explained in an interview, the cycle is like a classic childhood game. “Viruses copying themselves, it's almost like a game of telephone,” said Kennedy, who studies pathogen evolution. “They repeat what they thought they heard, so they make mistakes all the time.” Despite those many mistakes, Kennedy noted, he's unaware of any vaccines against viral diseases other than seasonal flu that have had to be updated because of changes in the virus. Hepatitis B virus developed “vaccine escape mutations,” but they posed no health risks, he said. Good Enough? Current COVID-19 vaccines are based on the SARS-CoV-2 spike protein, which the virus uses to bind to and infect host cells of the original Wuhan-hu-1. But the **emerging “variants** of concern”—deemed so because they **appear to be more transmissible or deadlier than the wild-type SARS-CoV-2**—contain mutations in the spike protein, spurring vaccine efficacy concerns. **Trials of** the Novavax, Janssen/Johnson & Johnson, and AstraZeneca **vaccines in South Africa**, where the B.1.351 variant of concern represents virtually all of the circulating SARS-CoV-2, seemed to justify those concerns. The South Africa trials **found lower vaccine efficacy compared with trials in other countries where B.1.351 wasn't dominant**.⁴ The pivotal trials of the Pfizer-BioNTech and Moderna vaccines, the first 2 authorized by the FDA, were conducted mainly in the US before any cases of infection by B.1.351 or other variants of concern had been detected in the country.

IP Protections are critical for developing new vaccines.

Blenkinsop 21 “What does waiving intellectual property rights for COVID-19 vaccines mean?”

<https://www.weforum.org/agenda/2021/05/could-the-world-be-about-to-waive-covid-19-vaccines/>

Big drug companies oppose patent waivers, as do Britain and Switzerland. **The main Western producers are Moderna** (MRNA.O), **Johnson & Johnson** (JNJ.N), **AstraZeneca** (AZN.L) and jointly Pfizer (PFE.N) and BioNTech (22UAY.DE). They say vaccine development is unpredictable and costly and that **strong IP protection** helped **provide the incentive for the development of vaccines in record time and will do so again in** work on **tackling new variants or in a future pandemic**.

New Variants can only be tackled with innovative vaccines, which are protected by Intellectual Property Rights.

Steele 21 “The Biden administration supports waiving patents on coronavirus vaccines. Big Pharma won't be happy.”

<https://www.washingtonpost.com/politics/2021/05/05/biden-administration-supports-waiving-patents-coronavirus-vaccines-big-pharma-wont-be-happy/>

Patent rights are a form of IP, and have become increasingly standardized over the past few decades, thanks to international agreements, most importantly including the Doha Declaration on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and Public Health at the World Trade Organization (WTO). At the insistence of rich countries, these rules set out minimal standards for the protection of IP rights in different sectors, including patent rights on drugs. However, governments have the power under TRIPS to issue “compulsory licenses” for pharmaceuticals, authorizing a domestic company to produce a generic version of a drug to be used domestically in response to a national health emergency, or turning to pharmaceutical companies elsewhere if they aren't able to make it at home. Developing countries have used compulsory licenses to produce drugs or bargain down pharmaceutical manufacturers. For example, in a highly publicized case, the Brazilian government used compulsory licenses to bargain down the cost of HIV/AIDS drugs to 90 percent less than the market price. This is why the current conflict has emerged. A handful of vaccines are now available to protect against the coronavirus, but they are in short supply worldwide, because of limited production capacities and preorders from countries such as the United States. Many countries want to use compulsory licensing to get vaccines sooner. **A proposal by India and South Africa** to waive some trade rules **would prioritize sharing information and enable WTO members**

to temporarily produce and export vaccines without requiring individual compulsory licenses, as well as protecting members from WTO legal actions against compulsory licenses. Up to now, the United States, European Union and pharmaceutical companies have strongly resisted the proposed waiver. Waiver skeptics argue that looser IP rules won't help much because it is technically extremely difficult to produce mRNA vaccines in particular, and that a waiver would make pharmaceutical firms less likely to want to develop new vaccines in the future.

Variants can be more deadly.

Bollinger and Ray 21 “New Variants of Coronavirus: What You Should Know”

<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/a-new-strain-of-coronavirus-what-you-should-know>

Variants of viruses occur when there is a change — or mutation — to the virus's genes Ray says it is the nature of RNA viruses such as the coronavirus to evolve and change gradually. “Geographic separation tends to result in genetically distinct variants,” he says. Mutations in viruses — including the coronavirus causing the COVID-19 pandemic — are neither new nor unexpected. Bollinger explains: “All RNA viruses mutate over time, some more than others. For example, flu viruses change often, which is why doctors recommend that you get a new flu vaccine every year.”

We are seeing multiple variants of the SARS-CoV-2 coronavirus that are different from the version first detected in China. Ray says. He notes that one mutated version of the coronavirus was detected in southeastern England in September 2020. That variant, now known as alpha, quickly became the most common version of the

coronavirus in the United Kingdom, accounting for about 60% of new COVID-19 cases by December. **Different variants have emerged in Brazil, California** and other areas. More infectious variants such as beta, which first appeared in **South Africa[and],** may **have increased ability to re-infect people who have**

recovered from earlier versions of the coronavirus, and also be somewhat **resistant to** some of the **coronavirus**

vaccines in development. Still, vaccines currently used appear to offer significant protection from severe disease caused by coronavirus variants. Ray says, “There is evidence from laboratory studies that some **immune responses** driven **by current vaccines** could be **less effective against** some of these **variants**. The immune response involves many components, including B cells that make antibodies and T cells that can react to infected cells, and a reduction in one does not mean that the vaccines will not offer protection. “People who have received the vaccines should watch for changes in guidance from the CDC [Centers for Disease Control and Prevention], and continue with coronavirus safety precautions to reduce the risk of infection, such as mask wearing, physical distancing and hand hygiene.” “We deal with mutations every year for flu virus, and will keep an eye on this coronavirus and track it,” says Bollinger. “If there would ever be a major mutation, the vaccine development process can accommodate changes, if necessary,”

he explains. **There are 17 genetic changes in the alpha variant from England.** Bollinger says. **There's** some **preliminary**

evidence that this variant is more contagious. scientists noticed a surge of cases in areas where the new strain appeared.” He notes that some of the mutations in the alpha version and some other variants seem to affect the coronavirus's spike protein, which covers the outer coating of SARS-CoV-2 and gives the virus its characteristic spiny appearance. These proteins help the virus attach to human cells in the nose, lungs and other areas of the body. “Researchers have preliminary evidence that some of the new variants, including alpha, seem to bind more tightly to our cells,” Bollinger says. “This appears to make some of these new

strains ‘stickier’ due to changes in the spike protein. Studies are underway to understand more about whether any of the variants are more easily transmitted.” Bollinger says that some of **these mutations** may

enable the coronavirus to spread faster from person to person, and more infections can **result in more**

people getting very sick or dying. In addition, **there is** preliminary **evidence from Britain that some variants could be**

associated with more severe disease. “Therefore, it is very important for us to expand the number of genetic sequencing studies to keep track of these variants,” he says. Bollinger explains that it may be more advantageous for a respiratory virus to evolve so that it spreads more easily. On the other hand, mutations that make a virus more deadly may not give the virus an opportunity to spread efficiently. “If

we get too sick or die quickly from a particular virus, the virus has less opportunity to infect others. However, **more infections from a faster-spreading variant will**

lead to more deaths.” he notes.

Contention Two: Stock Market and Economy

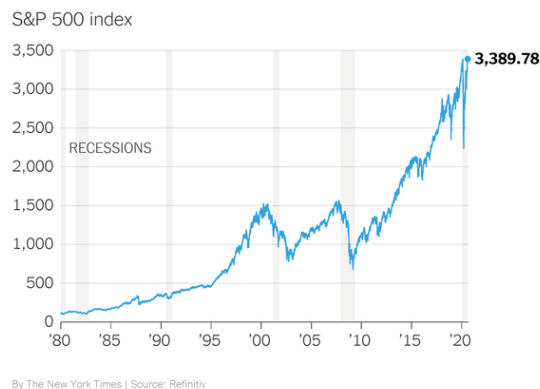
Subpoint B: STOCK MARKET

The stock market is booming despite corona – consumer confidence is soaring.

Zierner 21 [Colin; New York Stock Exchange; The author may be wrong cuz it was placed under a picture so idk if it was the author or picture creds, if not assume DealBook as the author; “What is going on?” Dealbook | Business and Policy; NYTimes; 8/19/20, Updated 5/7/21;
<https://www.nytimes.com/2020/08/19/business/dealbook/stock-market-record-high.html>]

‘This market is nuts’

The S&P 500 is 0.1 percent higher than it was six months ago, setting a record at the close of trading yesterday. That doesn’t seem so **momentous** — until you consider what happened **in between**: The blue-chip index shed a third of its value in the early stages of the pandemic and then roared back, soaring more than 50 percent from its low in late March.



What gives? A new market record may seem strange when set against the **human and economic devastation of the pandemic**. (Or as one analyst put it: “This market is nuts.”). As Andrew explains in a guest appearance in The Morning, our sister newsletter, there are five major considerations that investors are making to justify the rally:

- 1) Looking **past** bad news today and anticipating **better conditions 12 to 18 months from now**
- 2) The **continued good fortunes of a few big tech companies**
- 3) An **almighty market pop** that would arise from **news of a vaccine breakthrough**
- 4) An accommodating **Fed printing money and keeping rates low**
- 5) The hope that Congress overcomes its divisions and **pumps the economy with more stimulus**

Can it last? “Markets often operate as something of an experiment in mass psychology,” The Times’s Matt Phillips writes. So what could dampen the mood? • The market is very top-heavy, with just five companies — Alphabet, Amazon, Apple, Facebook and Microsoft — accounting for more than a fifth of the S&P 500’s market value. Those tech giants have gained around 40 percent so far this year, while the 495 other stocks in the index have collectively lost a few percentage points. • Another potentially ominous sign comes from company insiders, who have been selling their holdings in greater numbers. The data platform AlphaSense sifted through regulatory filings for DealBook and found that disclosures of executive stock sales so far this month have already surpassed last month’s total, and are on track to beat the record set in February, when the market set its previous high. Here’s what is happening In case there was any doubt, Joe Biden has been confirmed as the Democratic presidential nominee. He was formally nominated by the party last night at the party’s national convention. Also onscreen: Former President Bill Clinton and Jill Biden rejected President Trump’s handling of the pandemic, Representative Alexandria Ocasio-Cortez highlighted progressive priorities in her cameo appearance, and other Democrats focused on improving health care. Tonight’s agenda includes Senator Elizabeth Warren (more on her below), former President Barack Obama and Senator Kamala Harris, Mr. Biden’s running mate. Cost-cutting measures at the Postal Service were put on hold. Postmaster General Louis DeJoy announced that operational changes, which drew criticism for causing mail delays

and for potentially affecting voting by mail, would now take place after the November elections. A Senate panel found extensive links between the 2016 Trump campaign and Russia. The Republican-led Senate Intelligence Committee released a nearly 1,000-page report concluding that some Trump advisers maintained extensive contacts with Russian intelligence officials who sought to disrupt the 2016 election.

The shipping giant A.P. Moller-Maersk raised **profit expectations**. The world's **biggest container company not only reinstated full-year financial guidance, but pegged it above pre-pandemic levels, a sign that international trade may not be as bad as feared (provided there isn't a second wave of the virus, the company noted). The Danish company's shares jumped more than 7 percent in early trading today.**

C.E.O. pay reached a seven-year high. The left-leaning Economic Policy Institute found that leaders of the 350 largest American companies earned an average of \$21.3 million last year, setting the ratio of C.E.O.-to-worker pay at 320-to-1. Rising stock markets could propel executives' pay to similarly high levels again this year, despite pandemic-inspired cuts to salaries, which tend to be a small proportion of C.E.O.'s stock and option-based pay packages.

SPACs are so hot right now Another day, another flurry of news about so-called special-purpose acquisition companies, the publicly traded M.&A. machines that are Wall Street's hot new craze. (How hot? These "blank check" firms have raised more than \$30 billion so far this year, according to SPAC Research, compared with \$13.6 billion in all of 2019.) Another electric vehicle maker went public by merging with a SPAC. Canoo, which sells van-like vehicles that require a subscription, announced plans to merge with Hennessy Capital Acquisition Corp IV to gain a stock listing. It's the fourth electric vehicle company to pursue this route, after Nikola, Lordstown Motors and Fisker. More SPACs have been founded, featuring some prominent names: • Starboard Value, the activist hedge fund, announced plans to raise \$300 million, following in the footsteps of Bill Ackman and Dan Loeb. • Bill Foley, a longtime financier with plenty of experience with SPACs, raised \$1.3 billion, increasing the size of the deal by \$100 million. • And Kevin Hartz, the co-founder of Eventbrite, raised \$200 million for a new SPAC to buy a tech start-up. Mr. Hartz explained to DealBook the thinking behind his SPAC, and how he's dealing with the competition. Consumer internet companies, marketplaces and fintech start-ups are on his radar, and the fund's smaller size allows it to target younger companies with founders that he wants to take a bet on, much like the traditional venture model. Indeed, he is banking on his relationships with venture funds and start-up founders around Silicon Valley to stand out in an increasingly crowded field. (In addition to founding Eventbrite, Mr. Hartz was an early investor in Airbnb and Uber.) • What, in his mind, is driving the SPAC boom? Strong equity markets are helping SPAC deals get done quickly despite pandemic-imposed travel restrictions. "We had our first org meeting with Goldman Sachs on June 18 — we retained our lawyer then — and 60 days later we're now a public entity in the market ready to go," Mr. Hartz told Lauren Hirsch, our new DealBook reporter. How to spend it As lockdowns ease, where people are opening their wallets shows how the pandemic is reshaping spending habits. Check out this series of infographics assembled by The Times using location-tracking data from smartphones for state- and store-level details of shopping activity. The revenge of brick-and-mortar retailers. In-store shopping is still (mostly) down from pre-pandemic times, forcing retailers with physical locations to up their online game. For some, that has paid off handsomely: Target reported its strongest sales growth in history this morning, propelled by digital sales that nearly tripled in its most recent quarter. That followed Walmart's blowout earnings yesterday, in which its U.S. online sales doubled. • New nationwide e-commerce data also reflects this trend, with retailers that sell online as well as in store (Walmart and Target) growing faster than their online-only counterparts (Amazon). As of June, online-only retailers accounted for 55 percent of overall e-commerce sales in the U.S., according to the Census Bureau.

Look out ahead. Walmart executives said that government stimulus was the main "tailwind" driving the jump in sales: They mentioned "stimulus" 13 times on their call with analysts yesterday. Keeping up that red-hot sales streak might depend on lawmakers negotiating a new round of unemployment insurance and support measures, which is shaping up to be less generous than before. "As stimulus funds tapered off toward the end of the quarter, sales started to normalize," Brett Biggs, Walmart's C.F.O., said on the call.

Best data proves intellectual property reductions statistically decrease stock investment – TRIPS allows for increased stock liquidity and protects vulnerable firms that are key to the market.

Dass et al 15 [Nishant Dass; Nishant Dass is joining the Robert Day School of Economics and Finance as the Charles M. Stone Associate Professor of Finance. He is an empiricist by training and his field of research is Corporate Finance; Vikram Nanda; Dr. Vikram Nanda joined the Jindal School of Management at UT Dallas in 2015. He previously held academic positions at Rutgers University, Georgia Tech, Arizona State University, The University of Michigan and The University of Southern California; Steven Chong Xiao; Dr. Steven Chong Xiao is an Assistant Professor of Finance at the University of Texas at Dallas. He received his PhD in 2014 from the Georgia Institute of Technology. He also holds a bachelor's degree in Finance and Operations Management from the Hong Kong University of Science and Technology and a master's degree in Quantitative and Computational Finance from the Georgia Institute of Technology; May 19, 2015; "Intellectual Property Protection and Financial Markets: Patenting vs. Secrecy,"; Northwestern, <https://www.law.northwestern.edu/research-faculty/clbe/events/innovation/documents/DassNandaXiao.pdf>; Accessed 7/22/21] /

5.2.2 Who is More Affected By TRIPS? We expect the passage of TRIPS to have a greater impact on certain types of firms than others. First, the objective of TRIPS is to secure IP protection for firms across international markets and, hence, we might expect its benefits to accrue particularly to firms with products sold internationally. Therefore, we would expect firms in industries with a larger fraction of sales from export to be affected to a greater extent by TRIPS and to experience a larger liquidity improvement (or decrease in illiquidity) after the law was enacted. We test this prediction by estimating a difference-in-differences model among patenting firms, interacting Post TRIPS with export reliance of an industry. For each 4-digit SIC industry, we divide the total export value prior to TRIPS by the total sales of all COMPUSTAT firms in that industry in the same year.¹² Since the denominator only represents sales by public firms (and not all the firms in this industry), the ratio of export to total sales may be greater than one. In that case we winsorize the ratio at one. If industries with more exports benefit more from better IP protection, we expect the interaction term to be significantly negative, indicating a decrease in illiquidity. We present the estimation results in Panel A of Table ???. The interaction term is negative across all specifications and significant in three of the six specifications, supportive of our prediction that industries that are more reliant on foreign sales benefit more from TRIPS. Further, industries that do not have a reliable alternative to patent (e.g., maintaining trade secrets) may benefit more from the strengthening of patent right. For an industry, trade secrecy may be a costly way to protect IP if disputes regarding trade secrets take place frequently. In that sense, industries that have experienced a substantial amount of trade secret litigations may find patents more valuable especially when the protection is strengthened by TRIPS. We therefore estimate a difference-in-differences model among patenting firms, interacting Post TRIPS with the rank of trade secret dispute frequency of an industry. Lerner (2006) collects historical records of California and Massachusetts state cases in as well as federal cases on trade secret litigation and aggregates the number at the level of 3-digit SIC industry. We rank the industries based on the number of cases and interact it with the indicator of Post TRIPS in our regression.¹³ The results in Panel B of Table show that the interaction between Post TRIPS and Trade Secret Dispute Rank is negative and significant at 10% in four out of six specifications, indicating firms in industries with more trade secret disputes experience a greater increase in stock liquidity. This is consistent with our prediction that industries with more trade secret disputes are likely to find patents more valuable when patent protection is stronger. This result, along with the effect on export oriented industries, indicate that the increase in liquidity is caused by TRIPS rather than other confounding events. The marginal benefit from an improvement in patent protection may be different across firms. Similar to the case of trade secret protection, we may expect larger firms may gain relatively little from a stronger patent protection: they may have the legal and other resources to litigate effectively even when the legal protection is weaker. Further, even in the absence of patent protection, we could imagine that the largest firms such as Google or Microsoft with significant market power could compete effectively against copycat firms. On the other hand, the marginal benefit of improved patent protection could be far greater for small firms. Given the vulnerable position of small firms, stronger patent protection could enable them to more effectively protect themselves from IP infringement through litigation (Lanjouw and Schankermann, 2004). Moreover, it is possible that an extension in patent terms grants could be particularly helpful to small firms to exploit their technology. Small firms are also more subject to information asymmetry problem compared to large firms. Therefore, small firms are more likely to benefit from the improvement of patent protection compared with large firms. To test whether smaller firms benefit more from the improvement in patent protection, we perform a diff-in-diff regressions among patenting firms where we interact Post TRIPS with an indicator of small firms. Small Firm is either indicated by firms with total assets or market share below the median prior to TRIPS.¹⁴ The estimates of the model presented in Panel A of Table 13 show that the interaction term between Post TRIPS and Low Ln(Assets) indicator is significantly positive at 1% level in all specifications. Similar findings are shown for market share in Panel B. These results suggest that among patenting firms, firms that are small in terms of assets or market share benefit more from the strengthened patent rights protection and experience greater increase in stock liquidity.

5.2.3 TRIPS and Equity Financing With an increase in stock liquidity after strengthened patent rights, firms should benefit by gaining easier access to equity financing. This is especially important for small firms or financially constrained firms that may lack other sources of financing. In this section we ask whether firms take advantage of increased liquidity after TRIPS by raising equity capital. To test this we again estimate a Diff-in-Diff model. This time we use firms' SEO activities as the dependent variable. We estimate the following firm fixed effects logit model: $\Pr(\text{SEO})_{i,t} = \alpha_4 + \beta_7 \text{Post}_{i,t} + \beta_8 \text{Post}_{i,t} \times \text{Treated}_i + \gamma_0 \text{CONTROL}_{i,t-1} + \phi_i + \epsilon_{i,t}$. (5) SEO is a binary variable that equal one if the firm issues an SEO in that year and zero otherwise. Panel A of Table 14 shows the results. In columns 1 and 2 we estimate the model in the full sample and estimate the difference between patenting firms and non-patenting firms. The estimates show that patenting firms on average are not significantly more likely to raise equity capital following TRIPS. In columns 3 to 6, we estimate the model among patenting firms and test the difference between large firms and small firms and between constrained firms and unconstrained firms. The estimates show that firms with smaller size, those that do not pay dividends or have access to public debt, are significantly more likely to conduct a SEO after TRIPS. In Panel B, we compare the market reaction to SEOs before and after TRIPS. We estimate pooled OLS models by regressing SEO CARs over different horizons on Post TRIPS indicator with a set of firm controls. The estimates show that the market reaction to SEO announcements over various horizons is significantly less negative after the passage of TRIPS. Announcements of SEOs after TRIPS are associated with a 9.7% higher abnormal return in the one year period post-SEO. This higher frequency of SEOs among small and financially constrained firms after TRIPS and the better market performance suggest that TRIPS plays a role in reducing financing frictions by improving stock liquidity.

6 Conclusion In this paper, we examine the impact of the exogenous legislative events that strengthened the protection accorded by different forms of IP protection. In particular, we exploit the exogenous variation in laws that affected different models of IP protection: the passage of state statutes that strengthened trade secrets protection and the implementation of TRIPS, that strengthened patent protection. As we would predict, stronger secrecy protection encourages firms to move away from patenting and toward greater secrecy. This is accompanied by an increase in information asymmetry and a corresponding reduction in stock liquidity. By contrast, stronger patent protection causes firms to disclose more information by patenting their inventions and a greater willingness to release information - resulting in higher stock liquidity. Consistent with the notion that higher stock liquidity is associated with lower cost in raising equity capital, we find that SEOs after TRIPS (trade secret statute) are associated with higher (lower) abnormal return in various horizons. Our findings provide policy makers and academic researchers with a new perspective for the discussion and future development of IP protection law. In particular, our findings show that IP protection plays a more important role in the financing of small firms, that are typically in a more vulnerable position in product markets and face greater frictions in raising capital. Therefore, our study has important implications for policies that aim to facilitate growth of small innovative firms.

Crashes lead to a great depression.

Rusoff 21 [Jane; ThinkAdvisor Contributing Editor specializing in interviews with thought leaders. She has written for The New York Times, The Washington Post, USA Today and Esquire, among numerous other publications. Author/co-author of five books, Jane was a staff editor at London Express Features and Billboard's Merchandising Magazine; "Harry Dent: 'Biggest Crash Ever' Likely by End of June," ThinkAdvisor; 3/10/21; <https://www.thinkadvisor.com/2021/03/10/harry-dent-biggest-crash-ever-likely-by-end-of-june/>] Justin

Why will the downturn that you see be so harsh? The only reason the 2008 downturn didn't turn into a depression was that they turned on the monetary spigots so hard and blew us out of it, which kept the bubble going. They kept printing money and put it off. Now we've got a bigger bubble. This downturn is going to be the Great Depression that the deep recession of 2008 was [falling into]. How long do you think the depression will last? If the economy finally falls apart after this much stimulus, economists will flip from being endlessly bullish to endlessly bearish. They'll say, "Now we're in a decade-long-plus depression, like the 1930s." But I'll say, "Nope, this thing will be hell: It's going to do its work very fast. By 2024, it will be over." By 2023 or 2024, we're going to be coming out of it into what I call the next Spring Boom. Right now, you favor investing in Treasury bonds. What's your strategy? Man, what's better than sleeping with 30-year Treasury bonds — the safest investment in the reserve currency of a country that's in big trouble — but not as much as Europe and Japan are in and nowhere near as much as China is in. We're in the best house in a bad neighborhood. What will happen to the 30-year Treasury bond during the massive crash you foresee? It's going to fall to half a percent and maybe zero. It will expand your money 30%, 40%, 50%, while stocks are crashing 70%, 80%, 90%. Real estate will go down 30%, 40%, 50%. Commodities are already down 50% and are going down another 30% or 40%. Everything is going to default. Cash will preserve your money. The 30-year Treasury will magnify your money. So, do you think 50% of an investment portfolio should be in Treasuries? If you're willing to take more risk, you'll have one bucket in long-term U.S. Treasury bonds and maybe in a few other good governments, like Sweden or Australia. Triple-A corporates could go in there too. Then you'll have another bucket — of short stocks, not leveraged. Stocks are very volatile on the way down. You can also be in REITs that are in very solid areas, like multi-family housing in affordable cities and medical facilities because those will hold up the best. There's a discernable euphoria now among investors. But John Templeton, the renowned investor and fund manager, famously said that "bull markets die on euphoria." Do you agree with that? Yes. And Jeremy Grantham [GMO co-founder] said [on Jan. 5] this level of euphoria means you're within months — not years — of a major bubble peak. You're at the end. Will cryptocurrency be part of that huge crash? Yes. I think Bitcoin is the big thing long term and that crypto and blockchain is a big trend. It's like the internet of finance — money and assets — instead of information. So it's a big deal — but in its early stages. Bitcoin is going to go to 58 [thousand], 60, 80 — and then end up back at 3,000 to 4,000. I would buy it long term, a couple of years from now. I wouldn't touch it between now and then. What are your expectations for the economy once the pandemic substantially fades? Some industries are never going to come back. We're not back to where we were before COVID — by GDP or any other major indicator. Everybody is acting like "When we get over COVID, we'll be back better than ever." The stock market is already anticipating that. But it's wrong. The only reason people are spending is because the government handed businesses and consumers tons of money. But it will get to a point where it's not going to matter how much money is printed — and then you'll have an avalanche. A huge collapse is coming. What specifically will cause it? There's is no way you can [keep] having fake earnings, fake GDP, fake interest rates and super-high valuations. Financial assets have to come down to reality. What are the implications? Loans will fail by the boatload. Then money disappears. That causes bank and business failures. We have to get all the financial leverage, financial assets and debt out of our economy. Twenty percent of public companies are zombies. They can't even pay their debt service in a growth economy. They're already dead. We've just keeping them alive with embalming.

The impact is Extinction.

Liu '18 [Qian; 11/13/18; Managing Director of Greater China for The Economist Group, previously director of the global economics unit and director of Access China for the Economist Intelligence Unit, PhD in economics from Uppsala University; "The next economic crisis could cause a global conflict. Here's why,"

<https://www.weforum.org/agenda/2018/11/the-next-economic-crisis-could-cause-a-global-conflict-here-s-why/>] Justin

The next economic crisis is closer than you think. But what you should really worry about is what comes after: in the current social, political, and technological landscape, a prolonged economic crisis, combined with rising income inequality, could well escalate into a major global military conflict. The 2008-09 global financial crisis almost bankrupted governments and caused systemic collapse. Policymakers managed to pull the global economy back from the brink, using massive monetary stimulus, including quantitative easing and near-zero (or even negative) interest rates. But monetary stimulus is like an adrenaline shot to jump-start an arrested heart; it can revive the patient, but it does nothing to cure the disease. Treating a sick economy requires structural reforms, which can cover everything from financial and labor markets to tax systems, fertility patterns, and education policies. Policymakers have utterly failed to pursue such reforms, despite promising to do so. Instead, they have remained preoccupied with politics. From Italy to Germany, forming and sustaining governments now seems to take more time than actual governing. And Greece, for example, has relied on money from international creditors to keep its head (barely) above water, rather than genuinely reforming its pension system or improving its business environment. The lack of structural reform has meant that the unprecedented excess liquidity that central banks injected into their economies was not allocated to its most efficient uses. Instead, it raised global asset prices to levels even higher than those prevailing before 2008. In the United States, housing prices are now 8% higher than they were at the peak of the property bubble in 2006, according to the property website Zillow. The price-to-earnings (CAPE) ratio, which measures whether stock-market prices are within a reasonable range, is now higher than it was both in 2008 and at the start of the Great Depression in 1929. As monetary tightening reveals the vulnerabilities in the real economy, the collapse of asset-price bubbles will trigger another economic crisis – one that could be even more severe than the last, because we have built up a tolerance to our strongest macroeconomic medications. A decade of regular adrenaline shots, in the form of ultra-low interest rates and unconventional monetary policies, has severely depleted their power to stabilize and stimulate the economy. If history is any guide, the consequences of this mistake could extend far beyond the economy. According to Harvard's Benjamin Friedman, prolonged periods of economic distress have been characterized also by public antipathy toward minority groups or foreign countries – attitudes that can help to fuel unrest, terrorism, or even war. For example, during the Great Depression, US President Herbert Hoover signed the 1930 Smoot-Hawley Tariff Act, intended to protect American workers and farmers from foreign competition. In the subsequent five years, global trade shrank by two-thirds. Within a decade, World War II had begun. To be sure, WWII, like World War I, was caused by a multitude of factors; there is no standard path to war. But there is reason to believe that high levels of inequality can play a significant role in stoking conflict. According to research by the economist Thomas Piketty, a spike in income inequality is often followed by a great crisis. Income inequality then declines for a while, before rising again, until a new peak – and a new disaster. Though causality has yet to be proven, given the limited number of data points, this correlation should not be taken lightly, especially with wealth and income inequality at historically high levels. This is all the more worrying in view of the numerous other factors stoking social unrest and diplomatic tension, including technological disruption, a record-breaking migration crisis, anxiety over globalization, political polarization, and rising nationalism. All are symptoms of failed policies that could turn out to be trigger points for a future crisis. Voters have good reason to be frustrated, but the emotionally appealing populists to whom they are increasingly giving their support are offering ill-advised solutions that will only make matters worse. For example, despite the world's unprecedented interconnectedness, multilateralism is increasingly being eschewed, as countries – most notably, Donald Trump's US – pursue unilateral, isolationist policies. Meanwhile, proxy wars are raging in Syria and Yemen. Against this background, we must take seriously the possibility that the next economic crisis could lead to a large-scale military confrontation.

By the logic of the political scientist Samuel Huntington, considering such a scenario could help us avoid it, because it would force us to take action. In this case, the key will be for policymakers to pursue the structural reforms that they have long promised, while replacing finger pointing and antagonism with a sensible and respectful global dialogue. The alternative may well be global conflagration.

XT: judge the winner of the round comes to who actually solves for deaths under the framework of util in this round.

First contention:

1. Extend new variants. Extend rubin 21 New variants of covid will escape the current vaccine protection, making the vaccine practically useless. Over time, the variants have a higher chance of being able to evade the protection of the vaccine

2. Next, extend Steele 21. We prove that IP is key to developing these new vaccines against variants of covid. The only way to make these new vaccines is through innovating, and IP is essential to innovate.
3. No vaccines against these new variants will lead to more deaths, explained in Bollinger and Ray 21. These variants can be even more deadly than the original version of covid.
4. Thus, we o/w on timeframe and scope
 - a. 1. We o/w on timeframe because we prepare for critical situations in the future against mutants of covid.
 - b. 2. We o/w on scope because we save lives that could be potentially lost due to these variants.

Second Contention:

1. Extend stock market. Extend Dass 15 that shows how ipr decreases stock investment. TRIPs allows for protection of the firms and increased stock liquidity by preventing stock crashes
2. Stock crashes lead to depression of the economy because of the shocks sent through the value of our currency and industries
3. Depression leads to bad livelihoods and extinction
4. Judge we saw what happened in 08 and the reason that

Going onto my opponents case: judge do NOT let my opponent get access to these impacts such as solving cancer or lowering IP protections because under todays round, my opponent herself says that getting rid of these IP protectiosn inirley is bad which is what is actually happening in this round. We say that in my opponents first contention that drug prices fall being people dying vecause the pandemic is the most important thing right now.

Delta COVID-19 variant now 83% of US cases

<https://www.cidrap.umn.edu/news-perspective/2021/07/delta-covid-19-variant-now-83-us-cases>

- Judge my opponent vouches for fixing problems such as antiblack racism but one, we can't talk about these problems if everyone's dead in the first place. Saying that I don't care about racism is abusive and shouldn't be said in round
- Even if my opponent

Kilburn and Strode 21 "Why a waiver won't work"

<https://www.kilburnstrode.com/knowledge/european-ip/covid19-vaccine-ip-protection-waiver>

Nick Bassil, Partner in the life science and chemistry team at Kilburn & Strode, believes that **the waiver** proposal **is unlikely to address the** desired **aim of increasing vaccinations**: "The IP issues only scratch the surface of the problem. **The bigger issues are knowledge transfer**, the **availability of raw materials and the education and training of staff**," COVID-19 **vaccines are complex and require raw materials** and **manufacturing equipment that are not easily available**, and there are no short cuts: **every dose** must be safe and effective. This **requires skilled scientists and**

rigorous processes. (Some of the promising leads for vaccines, as well as treatments and diagnostics, were discussed in our previous article “The worldwide pharma response to coronavirus”.)

Tom Leonard, also a Partner in the team, agrees: “**Patents are only half the story.**” Biologics in particular are very complicated to make - growing organisms and living things is inherently unpredictable.” Moreover, he says, **the proposal does not specify which IP rights are to be waived:** “Any part of the process could be subject to IP rights, so how do you identify which patents to waive? **Any manufacturer taking advantage of the waiver would need reassurance that they are not infringing any IP rights.”**

The problem is compounded because the **technology behind COVID-19 vaccines could be applied in many different areas.** For example, **research into mRNA**, which has led to successful COVID-19 vaccines such as those produced by BioNTech/Pfizer and Moderna, **has been underway for years, and is directed towards many different diseases,** including malaria and cancer. **Waiving patent rights could put research into these diseases at risk.**

1NR – AT: Developing Nations

Roberts 21 “Biden’s Wink at Global Theft of U.S. Vaccine Patents Is Bad for America and the World”

<https://www.heritage.org/economic-and-property-rights/report/bidens-wink-global-theft-us-vaccine-patents-bad-america-and-the>

The extent to which a government enacts and enforces laws that protect Intellectual Property Rights is a factor in calculating the Property Rights’ indicator score in the annual Heritage Foundation *Index of Economic Freedom*.⁷

Property rights is one of three indicators in the *Index*’s Rule of Law pillar. **Even-handed property rights protection by the government** through the enforcement of contracts **is essential to ensuring equity and integrity in the marketplace.**

As Heritage visiting legal analyst Adam Mossoff has noted,⁸ **government intervention to weaken property rights** through price controls or by undermining patent protection (e.g., through compulsory licensing) **would demolish “innovation, destroy markets, and stymie or degrade economic development.”** He continues:

The theft by actors in foreign countries of the trade secrets in patented pharmaceutical products made by American companies constitutes a Special 301 violation.

Waiving patent protection also **opens** the **door to the overseas production of counterfeit vaccines that**

could be ineffective—even **[are] deadly.** As the authors of a study commissioned by the National Institutes of Health report:

Counterfeit drugs **pose a public health hazard, waste consumer income, and reduce the incentive to**

engage in research and **development and innovation**.... [C]ounterfeit drugs may raise concerns among consumers

about safety and may reduce patient medication adherence.

Brown 21 “Powerhouse Points: Will TRIPS Waiver of IP Protection for COVID-19 Vaccines Serve Global Need?”

<https://www.freeborn.com/perspectives/powerhouse-points-will-trips-waiver-ip-protection-covid-19-vaccines-serve-global-need>

Trade secrets are considered highly confidential proprietary **information by pharmaceutical companies and often relate to research and development** processes and pipelines, not merely single products.

For example, **the** mRNA **vaccines produced by Pfizer and Moderna employed technology that has been previously utilized in biomedical research but the specific manufacturing process likely can't be easily replicated.** Therefore **in order for other companies to reproduce the vaccines, pharmaceutical companies** might **need to disclose know-how, including training, technical assistance, materials and company documents, all of which are typically considered protected trade secrets.**

Experts agree that **the sharing of know-how is critical to scaling up COVID-19 vaccine production** and developing second generation vaccines to address variants. **However, there is no precedent for forcing pharmaceutical companies to involuntarily disclose trade secrets.** Compulsory patent licenses were issued in the past to boost production of AIDS and HIV drugs, but even those licenses did not require disclosure of trade secrets.

Compulsory licensing could result in more litigation than compliance when trade secrets are at issue, especially when such information has application beyond current COVID-19 vaccines.

To date, no vaccine company has voluntarily shared its know-how through the World Health Organization's COVID-19 Technology Access Pool (C-TAP).