# TT Bad

#### Interpretation: neither debater may read a truth testing role of the ballot

#### Violation: they read truth-testing, confirmed in cx

#### Standards:

#### [1] Ground and strat skew – their model imposes an absolute proof on us – gives them functionally infinite ground through skeptical arguments and logical tautologies – comparative worlds is a 1:1 burden structure that makes debate better and reciprocal.

#### [2] Advocacy skills – their model leads to defensive offense so they never have an active advocacy – voter since we need to be advocate for solutions to messed up things in the world

**Fairness and education are voters – debate’s a game that needs rules to evaluate it and it teaches portable skills that we use lifelong. Drop the debater - severance kills 1NC strat construction—1AR restart favors aff since it’s 7-6 time skew and they get 2 speeches to my one. No rvi - they’ll bait theory and prep it out with aff infinite prep—justifies infinite abuse and chilling us from checking abuse in fear of things like 2ar ethos Competing interps - reasonability’s arbitrary & forces judge intervention especially with 2ar recontextualizations to always sound like the more reasonable debater**

**Use dtd – I can’t rectify the skew because o the spieks so it’s apriori indict**

**No reasonability – the 1ar has preroudn prep so you should know everything**

**No rvis – if it’s friv then you can beat it easily so there’s no abuse, their warrant is specific to t so reject it, and 1ar uplayering with theory means there’s no abuse**

# kant

**[1] Property rights – putting limits on the economic uses of intellectual property creates a contradiction – the concept of property is violated if you aren't allowed to control how you use it.**

Pozzo**,**6 (Riccardo Pozzo, Riccardo Pozzo is an Italian philosopher and historian of philosophy., 11-18-2006, accessed on 8-12-2021, Scielo, "IMMANUEL KANT ON INTELLECTUAL PROPERTY", [https://www.scielo.br/j/trans/a/rLfb3yPN3p4KPsYpxp8LQCp/?format=pdf&lang=en)\*brack](https://www.scielo.br/j/trans/a/rLfb3yPN3p4KPsYpxp8LQCp/?format=pdf&lang=en)*brack)eted for gen lang\*//st

The error consists in mistaking one of these rights for the other” (Kant, 1902, t.6, p.290). The corpus mysticum, the work considered as an immaterial good, remains property of the author on behalf of the original right of its creation. The corpus mechanicum consists of the exemplars of the book or of the work of art. It becomes the property of whoever has bought the material object in which the work has been reproduced or expressed. Seneca points out in De beneficiis (VII, 6) the difference between owning a thing and owning its use. He tells us that the bookseller Dorus had the habit of calling Cicero’s books his own, while there are people who claim books their own because they have written them and other people that do the same because they have bought them. Seneca concludes that the books can be correctly said to belong to both, for it is true they belong to both, but in a different way. The peculiarity of intellectual property consists thus first in being indeed a property, but property of an action; and second in being indeed inalienable, but also transferable in commission and license to a publisher. The bond the author has on [their] work confers [them] a moral right that is indeed a personal right. It is also a right to exploit economically [their] work in all possible ways, a right of economic use, which is a patrimonial right. Kant and Fichte argued that moral right and the right of economic use are strictly connected, and that the offense to one implies inevitably offense to the other. In eighteenth-century Germany, the free use came into discussion among the presuppositions of a democratic renewal of state and society. In his Supplement to the Consideration of Publishing and Its Rights, Reimarus asked writers “instead of writing for the aristocracy, to write for the tiers état of the reader’s world.” (Reimarus, 1791b, p.595). He saluted with enthusiasm the claim of disenfranchising from the monopoly of English publishers expressed in the American Act for the Encouragement of Learning of May 31, 1790. Kant, however, was firm in embracing intellectual property. Referring himself to Roman Law, he asked for its legislative formulation not only as patrimonial right, but also as a personal right. In Of the Illegitimity of Pirate Publishing, he considered the moral faculties related to intellectual property as an “inalienable right (ius personalissimum) always himself to speak through anyone else, the right, that is, that no one may deliver the same speech to the public other than in his (the author’s) name” (Kant, 1902, t.8, p.85). Fichte went farther in the Demonstration of the Illegitimity of Pirate Publishing. He saw intellectual property as a part of his metaphysical construction of intellectual activity, which was based on the principle that thoughts “are not transmitted hand to hand, they are not paid with shining cash, neither are they transmitted to us if we take home the book Trans/Form/Ação, São Paulo, 29(2): 11-18, 2006 13 that contains them and put it into our library.

#### It doesn’t matter if it’s intellectual property – the concept of intellectual property is the same as physical property – property as a concept is something that a person owns and can control unconditionally given that it doesn’t violate someone else’s freedoms, so IP qualifies.

#### [2] Act-omission distinction – not giving someone is an omission, otherwise we would have infinite obligations to tell everyone everything – pharma companies can’t be held accountable for doing functionally nothing.

Don’t let them say that companies putting protections on their intellectual property is an action because that’s not actively preventing someone from accessing the info. I.e., if I lock the door of my house, I am not taking an active action to eliminate trespassers, but if I shot someone who I thought would trespass then I would be. The latter is unkantian, but the former is not because only one of the actions intrinsically sets harming people as an end; pharma companies can’t know the effects that patents will have on others given that consequences are unpredictable.

#### [3] Reducing IP is a form of free-riding that fails the universality test, but also uses the creators of the medicine as means to an end.

Dyke 18 Dyke, Raymond. “The Categorical Imperative for Innovation and Patenting - IPWatchdog.com: Patents &amp; Patent Law.” IPWatchdog.com | Patents &amp; Patent Law, 1 Oct. 2018, www.ipwatchdog.com/2018/07/17/categorical-imperative-innovation-patenting/id=99178/.//dhsNJ

As we shall see, applying Kantian logic entails first acknowledging some basic principles; that the people have a right to express themselves, that that expression (the fruits of their labor) has value and is theirs (unless consent is given otherwise), and that government is obligated to protect people and their property. Thus, an inventor or creator has a right in their own creation, which cannot be taken from them without their consent. So, employing this canon, a proposed Categorical Imperative (CI) is the following Statement: creators should be protected against the unlawful taking of their creation by others. Applying this Statement to everyone, i.e., does the Statement hold water if everyone does this, leads to a yes determination. Whether a child, a book or a prototype, creations of all sorts should be protected, and this CI stands. This result also dovetails with the purpose of government: to protect the people and their possessions by providing laws to that effect, whether for the protection of tangible or intangible things. However, a contrary proposal can be postulated: everyone should be able to use the creations of another without charge. Can this Statement rise to the level of a CI? This proposal, upon analysis would also lead to chaos. Hollywood, for example, unable to protect their films, television shows or any content, would either be out of business or have robust encryption and other trade secret protections, which would seriously undermine content distribution and consumer enjoyment. Likewise, inventors, unable to license or sell their innovations or make any money to cover R&D, would not bother to invent or also resort to strong trade secret. Why even create? This approach thus undermines and greatly hinders the distribution of ideas in a free society, which is contrary to the paradigm of the U.S. patent and copyright systems, which promotes dissemination. By allowing freeriding, innovation and creativity would be thwarted (or at least not encouraged) and trade secret protection would become the mainstay for society with the heightened distrust.