# Voices Semis Neg vs Harker AR

# 1NC

### 1

#### Interpretation: “medicines” is a generic bare plural. The aff may not defend WTO member nations reducing intellectual property protections for a subset of medicines.

#### The upward entailment test and adverb test determine the genericity of a bare plural

Leslie and Lerner 16 [Sarah-Jane Leslie, Ph.D., Princeton, 2007. Dean of the Graduate School and Class of 1943 Professor of Philosophy. Served as the vice dean for faculty development in the Office of the Dean of the Faculty, director of the Program in Linguistics, and founding director of the Program in Cognitive Science at Princeton University. Adam Lerner, PhD Philosophy, Postgraduate Research Associate, Princeton 2018. From 2018, Assistant Professor/Faculty Fellow in the Center for Bioethics at New York University. Member of the [Princeton Social Neuroscience Lab](http://psnlab.princeton.edu/).] “Generic Generalizations.” Stanford Encyclopedia of Philosophy. April 24, 2016. <https://plato.stanford.edu/entries/generics/> TG

1. Generics and Logical Form

In English, generics can be expressed using a variety of syntactic forms: bare plurals (e.g., “tigers are striped”), indefinite singulars (e.g., “a tiger is striped”), and definite singulars (“the tiger is striped”). However, none of these syntactic forms is dedicated to expressing generic claims; each can also be used to express existential and/or specific claims. Further, some generics express what appear to be generalizations over individuals (e.g., “tigers are striped”), while others appear to predicate properties directly of the kind (e.g., “dodos are extinct”). These facts and others give rise to a number of questions concerning the logical forms of generic statements.

1.1 Isolating the Generic Interpretation

Consider the following pairs of sentences:

(1)a.Tigers are striped.

b.Tigers are on the front lawn.

(2)a.A tiger is striped.

b.A tiger is on the front lawn.

(3)a.The tiger is striped.

b.The tiger is on the front lawn.

The sentence pairs above are prima facie syntactically parallel—both are subject-predicate sentences whose subjects consist of the same common noun coupled with the same, or no, article. However, the interpretation of first sentence of each pair is intuitively quite different from the interpretation of the second sentence in the pair. In the second sentences, we are talking about some particular tigers: a group of tigers in ([1b](https://plato.stanford.edu/entries/generics/#ex1b)), some individual tiger in ([2b](https://plato.stanford.edu/entries/generics/#ex2b)), and some unique salient or familiar tiger in ([3b](https://plato.stanford.edu/entries/generics/#ex3b))—a beloved pet, perhaps. In the first sentences, however, we are saying something general. There is/are no particular tiger or tigers that we are talking about.

The second sentences of the pairs receive what is called an existential interpretation. The hallmark of the existential interpretation of a sentence containing a bare plural or an indefinite singular is that it may be paraphrased with “some” with little or no change in meaning; hence the terminology “existential reading”. The application of the term “existential interpretation” is perhaps less appropriate when applied to the definite singular, but it is intended there to cover interpretation of the definite singular as referring to a unique contextually salient/familiar particular individual, not to a kind.

There are some tests that are helpful in distinguishing these two readings. For example, the existential interpretation is upward entailing, meaning that the statement will always remain true if we replace the subject term with a more inclusive term. Consider our examples above. In ([1b](https://plato.stanford.edu/entries/generics/#ex1b)), we can replace “tiger” with “animal” salva veritate, but in ([1a](https://plato.stanford.edu/entries/generics/#ex1a)) we cannot. If “tigers are on the lawn” is true, then “animals are on the lawn” must be true. However, “tigers are striped” is true, yet “animals are striped” is false. ([1a](https://plato.stanford.edu/entries/generics/#ex1a)) does not entail that animals are striped, but ([1b](https://plato.stanford.edu/entries/generics/#ex1b)) entails that animals are on the front lawn (Lawler 1973; Laca 1990; Krifka et al. 1995).

Another test concerns whether we can insert an adverb of quantification with minimal change of meaning (Krifka et al. 1995). For example, inserting “usually” in the sentences in ([1a](https://plato.stanford.edu/entries/generics/#ex1a)) (e.g., “tigers are usually striped”) produces only a small change in meaning, while inserting “usually” in ([1b](https://plato.stanford.edu/entries/generics/#ex1b)) dramatically alters the meaning of the sentence (e.g., “tigers are usually on the front lawn”). (For generics such as “mosquitoes carry malaria”, the adverb “sometimes” is perhaps better used than “usually” to mark off the generic reading.)

#### It applies to “medicines” – 1] upward entailment test – “reduce intellectual property protections for medicines” doesn’t entail reducing protections for aids, because it doesn’t prove that we should derestrict other beneficial tech

#### **Violation – they only defend** emergency use listing medicines during public health emergencies other than Covid-19 of international concern.

#### Vote neg:

#### Precision o/w – anything else justifies the aff arbitrarily jettisoning words in the resolution at their whim which decks negative ground and preparation because the aff is no longer bounded by the resolution.

#### 1] Limits – you can pick anything from COVID vaccines to HIV/AIDS to random biotech to insulin treatments and there’s no universal disad since each one has a different function and implication for health, tech, and relations – explodes neg prep and leads to random medicine of the week affs which makes cutting stable neg links impossible.

#### 2] TVA – read the aff as an advantage to a whole rez aff.

### 2

#### CP: The member nations of the World Trade Organization should allow exclusivity to be extended indefinitely for antimicrobial drugs per Salmieri. The member nations of the World Trade Organization should reduce intellectual property protections for all other emergency use listing medicines during public health emergencies.

Salmieri 18 “INTELLECTUAL PROPERTY AND THE FREEDOM NEEDED TO SOLVE THE CRISIS OF RESISTANT INFECTIONS” 2018 Gregory Salmieri [Ph.D., Philosophy, 2008, University of Pittsburgh; B.A. 2001, The College of New Jersey. Fellow, The Anthem Foundation for Objectivist Scholarship; Lecturer, Philosophy Department, Rutgers University] <http://georgemasonlawreview.org/wp-content/uploads/2019/04/26-1_7-Salmieri.pdf> SM

This Article suggests another sort of solution, which might be described as a way of incentivizing, by means of a single policy change, both the development of new antimicrobials and the responsible stewardship of these drugs. In its simplest form, the solution is to make the patent terms on these drugs extremely long. The solution has been proposed in this form by Professor John Horowitz and Brian Moehring32 as well as Professor Eric Kades,33 and it is occasionally mentioned in the existing literature.34 However, the case for this broad sort of solution has not been adequately articulated or appreciated. The next part develops the case for a solution of this sort and proposes an alternative version of the solution that is better tailored to the problem and better situated within a theory of IP. Finally, Part III addresses some concerns faced by any solution of this sort.

II. THE RIGHT TO THE VALUE CREATED BY RESPONSIBLE STEWARDSHIP

Consider how the two-fold problem of growing resistance to our current antimicrobial drugs and the dearth of new antimicrobials under development looks once the specifics are omitted. Forget for a moment that the subject is drugs and microbes—or even inventions as opposed to other sorts of property—and just focus on the structure of the predicament.35 There is a resource of immense value that is being used myopically in a way that destroys existing stocks of the resource, and little is being done to find or develop new stocks of it.

This is a pattern one expects to see with unowned resources, but not with owned ones. It is the classic “tragedy of the commons.” When a patch of grazing land is owned in common by everyone—which is just to say it is unowned—everyone has an incentive to make what use of it he can, leading to its overuse and destroying its value. By contrast, an owner can use land judiciously in ways that preserve its value or even to invest in improving the land. This is possible because the owner has exclusive control of the land in the present and therefore can control its uses, and because the owner expects to reap the benefit of the land’s future value. If deeds to land expired after twenty years, with the land reverting to the commons, land owners would have no financial incentives to preserve or enhance the land’s value past the twenty-year window. In this scenario, they could not afford to forgo shortterm gains that came at the expense of the land’s later value. Nor could they afford to invest in long-term improvement projects, such as clearing new land for grazing. This is the predicament with antimicrobial drugs. The profligate use of such drugs in the present destroys their value in a future in which they are unowned.

This suggests the simple solution of extending the patent terms for antimicrobial drugs. So long as the drug remains under patent, the patent holder has both an interest in preserving its usefulness and the ability to control its use so as to preserve its value. How long should the patent term be extended? The five years of extra market exclusivity offered by the GAIN Act is calculated with a view to incentivizing companies to invest in developing new drugs. The aim of the present proposal is different. It is to enable the creators of drugs to profitably exercise their rights over the drugs in a manner that preserves the drugs’ effectiveness over time—ideally into the indefinite future. This requires extending the term of exclusivity not just a few years or decades, but as far into the future as there is reason to hope that the drugs’ effectiveness can be maintained.

There are various ways in which this suggestion could be further developed; perhaps the most promising is simply to allow patents on antimicrobial drugs to be renewed indefinitely, so long as the drugs’ continued effectiveness can be demonstrated. (How exactly continued effectiveness should be demonstrated is a matter of detail, but likely by showing resistance to be below a certain threshold—perhaps 20 percent—in clinical isolates of interest.36) This would allow for a potentially infinite patent term. “Perpetual patents” have occasionally been proposed, 37 but the lack of a fixed term may do violence to the notion of a patent, so it may be better to conceive of this as a proposal for a new type of IP right that combines features of patents and trademarks. Conceptualizing the relevant right in this way highlights its basis. Like a patent, the right would pertain to an invention and would confer market exclusivity; like a trademark, however, it would be renewable in perpetuity on the grounds that the continued value of the property depends on the owner taking continuous action to maintain it. In the case of the right under consideration, the relevant actions would be those of stewarding the drug in such a manner as to prolong its continued effectiveness in the face of resistance.

This new sort of property right could, in principle, be applied to drugs that are already off patent or otherwise ineligible for patent protection. The Chatham House Working Group proposes granting “delinkage rewards” to “firms registering a new antibiotic without patent protection (such as new uses for old drugs),”38 and it may be that the sort of IP protection proposed here would be applicable in such cases as well. If so, the right would be justified by the discovery of the new use for the drug and by the fact that intelligent management of this use is required for it to retain its value. A more difficult case is granting such rights to already known antibiotics that have gone off patent and are now available as generics. Removing these drugs from the commons would make it possible for an owner to profit by stewarding them responsibly. The difficulty here is determining who would own them. Professor Kades considers the possibility of granting a new patent to the original patent holder, but suggests “auctioning the patent rights [to such drugs] to the highest bidder.”39 Both are plausible solutions. Another option, in light of the issue of cross-resistance (which will be discussed in Part III) would be to apportion the IP rights to the relevant drugs among the owners of other drugs with similar mechanisms of action.

Instituting the sort of property right described here (whether or not it is extended to drugs that are currently unpatentable and/or in the public domain) would create an environment in which pharmaceutical companies and other private entities can compete to develop new policies and business models that maximize the total value derived from antimicrobial drugs over time. An important advantage of this proposal is that it does not require policymakers (or authors of law review articles) to know in advance which specific practices would have this auspicious effect. However, some obvious possibilities suggest themselves.

Pharmaceutical companies could sell new antimicrobials at a price high enough to make it prohibitive to use them as anything other than treatments of last resort. In addition to extending the drugs’ useful lives, the high prices would compensate for the lower initial volume of sales, and the drugs could eventually be repriced for wider use as second- and then first-line treatments. This repricing would have to be paced both to the growth of the resistant bacterial population and to the development of new antimicrobial drugs to take their predecessors’ place as treatments of last resort. One can imagine many variations of this strategy with different price points and development cycles.

Pharmaceutical companies could also extend the effective lifespan of their antimicrobials through contractual arrangements with healthcare providers, which restrict the latter’s use of the drugs to certain protocols or best practices. Imagine the new business practices whereby pharmaceutical companies might profit from drugs that are never or hardly ever used. Licensing plans like the one proposed by Commissioner Gottlieb might be employed in innovative ways.40 For example, healthcare providers or insurance companies might pay a monthly fee for the right to use these drugs should it ever become necessary to do so. Or the various parties might negotiate a system whereby a pharmaceutical company (or an entity that has licensed drugs from multiple companies) charges a fixed price for treatment in accordance with a proprietary antimicrobial protocol that makes use of several of their drugs, specifying which drugs can used under which conditions.

The suggestions in the last paragraph all amount to ways in which revenues from the creation of a new drug might be “delinked” from sales volume. In principle, this delinkage could occur simply through market forces, without any additional policy interventions, but since governments and multinational organizations account for most of the spending in the healthcare sector in much of the world, their adopting policies favoring delinkage would likely stimulate the development of these sorts of business models under an IP regime of the sort suggested. Indeed, such delinkage–promoting policies would likely fare better under the proposed IP regime than under the current IP system because, as The Chatham House Working Group observes, “patent expiry” creates some difficulties for such policies.

Obligations for responsible use can be carefully crafted and functional when monopoly rights are in place, but are likely to fail once generic antibiotics are introduced upon the termination of the period of exclusivity. Generic manufacturers ordinarily rely on volume-based rewards, and low prices and large volume of sales without appropriate measures to conserve the antibiotics may be an important driver of indiscriminate use and resistance. A sustainable system will require controls on market entry after termination of the patent, and regulation of the way the generic products are marketed and prescribed.41

It bears emphasizing at this point that the best stewardship policies for antimicrobial drugs remain to be discovered. The Chatham House Working Group report (quoted several times above) represents the cutting edge of research on this issue, and it offers precious few details about the new “delinked” business model it says “needs to be developed.” Successful business models are rarely if ever specified from on high by public policy makers. Securing a long-range IP right to antimicrobial drugs would create the conditions in which the healthcare industry as a whole could invest the resources required to discover the practices, protocols, and business models that maximize the value of these substances. In addition, the ability to capture this value as profit would create an incentive to develop new drugs as needed.

IP rights, and patents in particular, are sometimes understood as bargains between creators and society. The proposal under consideration grants a lot more to the developers of any new antimicrobial drugs than they are granted under current law, but it asks a lot of these developers in return—for it requires them to become good stewards of their drugs by discovering and implementing the means necessary to preserve the drugs’ value over time, so that the maximum potential benefit from them is realized.42 This is work that needs to be done by someone, and the sort of IP regime proposed here would enable those people and firms most qualified to do this work to profit by doing it.

This leads to a deeper point. Although IP rights are often understood as special privileges granted by government and justified on utilitarian grounds, the dominant strand in early American jurisprudence, taking its inspiration from John Locke, regards all property rights as securing to a creator the fruits of his productive work.43 Among the reasons why patents and copyrights are finite in duration, whereas rights to chattels or land can be passed on from generation to generation indefinitely, is that chattels and land generally need to be maintained in order to retain their economic value over time, whereas this is not true of the economic value of an artwork or a method.44 But the case under consideration reveals that the continued economic value of certain methods does depend on an ongoing process of intelligent management by which one uses the method sparingly. It is this very fact that (according to the argument of this Part) justifies extending the IP right to the drug indefinitely. This raises the question of whether there are structurally similar cases in other fields, where the continued commercial value of a potential invention depends on its judicious use. If so, it may be that there are other values being destroyed (or never created) because of tragedies of the commons that could be rectified by policies analogous to the one suggested here.

#### AMR competes – that’s the UN.

UN 18 12 November 2018 “Antimicrobial resistance a 'global health emergency,' UN, ahead of awareness week” <https://news.un.org/en/node/1025511/antimicrobial-resistance-a-global-health-emergency-un-ahead-of-awareness-week-2> SM

Many antibiotics are no longer effective in fighting infections as those infections have built up resistance to the medication.

Deaths due to antimicrobial resistance (AMR) could surpass annual cancer fatalities, a situation which the UN has called a “global health emergency.”

The UN agencies, which include the Food and Agricultural Organization (FAO), the World Health Organization and the UN Environment Programme called for the more responsible use of antibiotics in humans, animals and agriculture at the opening of World Antibiotic Awareness Week (WAAW) in Asia and the Pacific on Monday, 12 November.

The main message of the awareness week this year is “handle antibiotics with care,” focusing on action plans to prevent infections in livestock, aquaculture and crop production while promoting good farming and food safety.

The UN Food and Agriculture Organization (FAO) defines antimicrobials as drugs which prevent and treat parasitic, bacterial, viral and fungal infections. However, overuse by health practitioners and misuse in the agricultural sector means they are no longer effective in fighting many infections.

Antibiotics can end up in soil, water and the environment at large, giving microbes further opportunity to build up resistance FAO Assistant Director-General and Regional Representative for Asia and the Pacific, Kundhavi Kadiresan, pointed out.

The UN considers AMR as a priority health issue to be tackled with as much urgency as Ebola and HIV.

#### Even if the aff incentivizes innovation they cannot incentivize innovation in anti-microbial research – the problem right now is lack of profit incentives for innovation and responsible stewardship.

Salmieri 18 “INTELLECTUAL PROPERTY AND THE FREEDOM NEEDED TO SOLVE THE CRISIS OF RESISTANT INFECTIONS” 2018 Gregory Salmieri [Ph.D., Philosophy, 2008, University of Pittsburgh; B.A. 2001, The College of New Jersey. Fellow, The Anthem Foundation for Objectivist Scholarship; Lecturer, Philosophy Department, Rutgers University] <http://georgemasonlawreview.org/wp-content/uploads/2019/04/26-1_7-Salmieri.pdf> SM

According to a 2013 report by the Center for Disease Control (“CDC”), two million people in the United States annually contract infections that are “resistant to one or more of the antibiotics designed to treat those infections”; the result is at least 23,000 deaths and (direct and indirect) economic losses that have been estimated at $55 billion (in 2008 dollars).2 The United Kingdom’s Antimicrobial Resistance Review estimates that, worldwide, there will be as many as ten million deaths annually from such infections by 2050.3 A 2017 report by the World Bank Group anticipates the financial toll:

In the optimistic case of low AMR [antimicrobial resistance] impacts, the simulations found that, by 2050, annual global gross domestic product (GDP) would likely fall by 1.1 percent, relative to a base-case scenario with no AMR effects; the GDP shortfall would exceed $1 trillion annually after 2030. In the high AMR-impact scenario, the world will lose 3.8 percent of its annual GDP by 2050, with an annual shortfall of $3.4 trillion by 2030.4

There are two related aspects to this crisis: (1) bacterial populations are evolving resistance to the antimicrobial drugs currently in use, and (2) there are few new drugs in the developmental pipeline that promise to be effective against these bacteria.5 It is widely understood that both aspects are caused or exacerbated by the economic incentives faced by the pharmaceutical industry and the healthcare industry more broadly.6

The eventual obsolescence of any conventional antimicrobial drug is inherent in its use, but it is hastened when the drug is liberally prescribed.7 Such liberal prescription is driven by incentives for both physicians and pharmaceutical companies. Patients’ expectations for prompt treatment sometimes lead doctors to prescribe broad-spectrum antibiotics in cases where it would be more prudent to await testing and prescribe a more targeted antimicrobial—or to prescribe antibiotics for viral infections where they are ineffective. 8 Pharmaceutical companies have an incentive to sell as much volume as possible in the period between the drug’s Food and Drug Administration (“FDA”) approval and the end of its twenty-year patent term.

The problem of liberal prescription of antibiotics has been much discussed in medical and policy circles. 9 It is widely agreed that an important part of the solution is antimicrobial stewardship, which the Infectious Diseases Society of America defines as follows:

Antimicrobial stewardship refers to coordinated interventions designed to improve and measure the appropriate use of antimicrobials by promoting the selection of the optimal antimicrobial drug regimen, dose, duration of therapy, and route of administration. The major objectives of antimicrobial stewardship are to achieve optimal clinical outcomes related to antimicrobial use, to minimize toxicity and other adverse events, to reduce the costs of health care for infections, and to limit the selection for antimicrobial resistant strains.10

The most dramatic outcome thus far of the policy discussion, in the United States at least, is that the Centers for Medicare and Medicaid Services updated its “Conditions of Participation.”11 These updated “Conditions of Participation” (issued as a result of an executive order by President Obama in 2014) require all hospitals participating in Medicare and Medicaid to establish and maintain “antibiotic stewardship programs.”12 These conditions are already in effect for acute care hospitals and are expected to go into effect generally by the end of 2018.13

An additional incentive for too liberal use of antibiotics comes from outside of the healthcare industry. These drugs are useful as a growth promoter for livestock, and it has been shown that this use can lead to the growth of resistant bacteria, which can then infect human beings. 14 Such use of most antibiotics is now banned in the European Union member states, Mexico, New Zealand, and South Korea.15 In the United States and Canada, regulatory agencies have issued guidelines against this use of antibiotics that are deemed medically important.16

The second aspect of the crisis is the dearth of new antimicrobial drugs in development. A 2017 World Health Organization report projects that approximately ten new antibiotics and biologicals will be approved in the next ten years but warns that “these new treatments will add little to the already existing arsenal” because most of them will be “modifications of existing antibiotic classes,” which are “only short term solutions as they usually cannot overcome multiple existing resistance mechanisms and do not control the growing number of pan-resistant pathogens.”17

Few new antimicrobial drugs are in development because there is a low return on the investment needed to discover such drugs and shepherd them through the approval process. This is the reason why Aventis, Bristol-Myers, Squibb, Eli Lilly, Glaxo SmithKline, Proctor and Gamble, Roche, and Wyeth all “greatly curtailed, wholly eliminated or spun off their antibacterial research” between 1999 and 2003.18 The already low return on investment will dwindle as stewardship guidelines are adopted and the drugs are prescribed more judiciously.19

The Chatham House Working Group on New Antibiotic Business Models summarizes the situation thusly:

Today, few large pharmaceutical companies retain active antibacterial drug discovery programmes. One reason is that it is scientifically challenging to discover new antibiotics that are active against the antibiotic-resistant bacterial species of current clinical concern. Another core issue, however, is diminishing economic incentives. Increasingly, there are calls to conserve the use of truly novel antibiotics, which might limit sales severely and discourage greater investment in R&D. Meanwhile, unless they see evidence of superiority, healthcare payers are unwilling to pay prices that would directly support the cost of development, provide a competitive return on investment and reflect the value to society of maintaining a portfolio of antibiotics adequate to overcome growing resistance.

A principal reason for this is the mismatch between the current business model for drugs and combating resistance. The current business model requires high levels of antibiotic use in order to recover the costs of R&D. But mitigating the spread of resistance demands just the opposite: restrictions on the use of antibiotics. Economic incentives play a key role in the global resistance problem, leading to overuse of these precious drugs at the same time as companies are abandoning the field; and the increasing restrictions on inappropriate use of antibiotics make them relatively unprofitable compared with other disease areas.20

#### Only antimicrobial resistance causes extinction---microbiome collapse and superbugs

Garrett 16. (Laurie Garrett is a Pulitzer prize-winning science journalist and writer of two bestselling books. She was awarded the Pulitzer Prize for Explanatory Journalism in 1996 for a series of works published in Newsday, chronicling the Ebola virus outbreak in Zaire. Antibiotic-Resistant Bacteria and the World's Peril. September 19, 2016. https://blogs.scientificamerican.com/guest-blog/antibiotic-resistant-bacteria-and-the-world-s-peril/)

Welcome to the Anthropocene, the era in which one species—human beings—so utterly dominates the planet that all of the driving forces of climate, oceans, geology, air and every other life form on Earth are controlled by the activities of humanity. Most of the damage is thoughtless. Humans don’t decide to pollute, they just do so. People don’t make a choice to lower the numbers of oxygen-producing trees on the planet, they just chop them down without thinking about it. Among the most dangerous of these thoughtless actions executed by our species is wild misuse of antibiotics. On September 21, the United Nations General Assembly is convening a special session to look at ways to curb use of precious medicinal drugs that are swiftly being outwitted by drug-resistant bacteria, making everything from a scraped knee to a bout of pneumonia far more dangerous and difficult to treat. But that focus, important as it is, remains limited to human use of chemicals and concern about their misuse to our species’ health. Genuine governance and stewardship in the Anthropocene requires a far broader look at what our activities mean for the planet, writ large. At the most basic levels of life every single system on Earth is controlled, or influenced, by microbes—microscopic creatures ranging from nano-sized viruses to enormous colonies of bacteria; from populations of microbes in the depths of the oceans to the inside of the human gut. A human being is made up of about 30 trillion cells and 39 trillion microbes, most of which are indispensable to our mental and physical health. If all the viruses and parasites swarming inside and on the skin of a human being are tallied the microbe-to-cell ratio is about ten-to-one. The microbes—collectively known as the Human Microbiome—digest our food, help us do battle with invading pathogens, clean our skin and provide us fuel. Life without microbes is no life at all. Antibiotics kill bacteria, and as anybody who has been on a long course of the drugs to treat an ailment knows, the medicine is indiscriminate, knocking off not only invaders like the bugs that cause pneumonia and ear infections, but also those that prevent stomach aches and constipation in response to ingestion of food. Human overuse or misuse of antibiotics has bred the emergence of Superbugs that are not only resistant to the drugs, but may be able to surge in numbers within a person’s gut, for example, leading to dangerous imbalances in bacterial populations that then cause diabetes, some types of heart disease, depression and an enormous range of common diseases. The Earth has its own microbiome, representing about a third of the weight of all biological material and life forms on the planet. And it is every bit as indispensable to the planet as your microbiome is to your personal health. Microbes living on the surface of the oceans, for example, aerosolize and end up in the atmosphere, where water droplets collect on their surfaces, forming clouds . Eliminating those microbes would directly affect rainfall. More oxygen that humans breathe is made by microbes than plants. And even the plants rely upon the microbiome of soil to transfer nutrients into their roots, allowing trees and forests to make more oxygen for humans to breathe. So it should be with some considerable alarm that we consider the killing potential manmade antibiotics have for Earth’s microbiome.

### 3

#### CP: The member nations of the World Trade Organization ought to reduce intellectual property protections for emergency use listing medicines during public health emergencies other than Covid-19 of international concern.

#### The People’s Republic of China should:

#### - substantially increase innovation funding, production and global distribution of COVID-19 Vaccines for all current and future waves of the pandemic

- includes Sinovac, sionpharm, and any future vaccines

#### - cooperate with allies to achieve increased production and global distribution of the COVID-19 Vaccine.

#### Solves case – China vaccinates the world – even if I kick the counterplan distribution happens anyway

* Preempt bad – Gostin just manufacturing ]good bc quantity + new waves – cp solves both

Mallapaty 6-9 Smriti Mallapaty 6-9-2021 "China is vaccinating a staggering 20 million people a day" <https://www.nature.com/articles/d41586-021-01545-3> (She has a master of science degree in environmental technology from Imperial College London.)//Elmer

For more than a week, an average of about **20 million people** have been vaccinated against COVID-19 **every day in China**. At this rate, the nation would have fully vaccinated the entire UK population in **little more than six days**. China now accounts for more than half of the 35 million or so people around the world receiving a COVID-19 shot each day. Zoltán Kis, a chemical engineer in the Future Vaccine Manufacturing Research Hub at Imperial College London, doesn’t know of “anything **even close to those production scales**” for a vaccine. “The manufacturing efforts required in China to reach this high production throughput are tremendous,” he says. The majority of doses are of one of two vaccines, both of which have been approved for emergency use worldwide by the World Health Organization (WHO). CoronaVac — produced by Beijing-based company Sinovac — showed an efficacy of 51% against symptoms of COVID-19 in clinical trials, and much higher protection against severe disease and death. The second jab was developed in Beijing by state-owned firm Sinopharm and has demonstrated an efficacy of 79% against symptomatic disease and hospitalization. Supplying vaccines to the world China’s current vaccine production rate could potentially **make a significant dent in global demand**, says Kis; that would be “**a huge step in reducing the health-care and economic burden of the COVID-19 pandemic**”. China has already supplied 350 million doses of the two vaccines to more than 75 nations, and WHO approval should now trigger the further distribution of both vaccines to low-income countries. “China’s vaccination campaign got off to a slow start, but has rapidly picked up pace,” says Rongjun Chen, a biomaterials scientist also at the Future Vaccine Manufacturing Research Hub. As recently as mid-April, China was administering only about five million doses a day. According to an official at China’s National Health Commission, the nation aims to produce some three billion doses of COVID-19 vaccines in 2021 — and up to **five billion per year after that**. To achieve such high production rates, many things need to go according to plan across the entire production and distribution chain, from sourcing raw materials to manufacturing active ingredients, filling vials and distributing doses to vaccination centres, says Kis. “It is crucial that everything arrives at the right location at the right time.”

#### China’s using absence of vaccine alternates to assert influence.

Zhao 4-29 Suisheng Zhao 4-29-2021 "Why China’s vaccine diplomacy is winning" <https://www.eastasiaforum.org/2021/04/29/why-chinas-vaccine-diplomacy-is-winning/> (Professor and Director of the Center for China–US Cooperation at the Josef Korbel School of International Studies, University of Denver)//Elmer

Chinese COVID-19 vaccines have been shipped to more than **80 countries** for market or emergency use. Among them, 53 countries received vaccines for free (including developing countries in Africa and some strategically important Asian countries such as the Philippines and Pakistan) and 27 middle-income countries paid for doses. Rolling out of vaccines to developing countries, Beijing has framed itself as **a solution to the pandemic** rather than the origin of the coronavirus. China’s advanced vaccine diplomacy stands in contrast **to the ‘me first policies’** of the **United States and the European Union**. With a shortfall in supplies, US and EU leaders have faced high infection rates and death tolls at home and feel the need to inoculate their domestic populations first. This has left the world’s poorest and most vulnerable people without vaccine supply and at risk. China has not faced these problems and can afford to send vaccines abroad. Just by showing up and helping plug gaps in the global supply of vaccines, China has g**ained ground** in vaccine diplomacy. President Xi Jinping pledged that Chinese vaccines would be provided as a global public good. But a large portion of Chinese vaccines are not free — some countries have paid Chinese vaccine makers. Still the absence of the United States and European Union from vaccine diplomacy **is not lost** on countries struggling to put shots in people’s arms. Many countries would prefer US or EU-made Pfizer and Moderna vaccines over China’s vaccines if given the choice, **yet they cannot access them**. These countries are desperate and have jumped at the opportunity to receive Chinese vaccines. Chinese companies are also more willing than their western counterparts **to strike licensing deals** to produce vaccines in foreign countries. For example, Indonesia has become a regional hub for Sinovac’s CoronaVac through its state pharmaceuticals company Bio Farma. The United Arab Emirates (UAE) chose Sinopharm because it was willing to conduct phase three clinical trials in the UAE and build native vaccine production capabilities. Sinopharm also arranged to manufacture its vaccine in the UAE for regional distribution. Beijing’s vaccine diplomacy involves propaganda to boost **perceptions of China as a generous and responsible power**. Chinese media has covered every delivery of vaccine shipment. The scene is set by a standard script. When a cargo plane lands, it is greeted by senior local leaders accompanied by Chinese ambassadors fawning over the vaccine cargo. Vaccine diplomacy has helped **increase China’s influence** and enabled it to capitalise **on new opportunities**. China has rolled vaccines out to participants of its Belt and Road Initiative (**BRI**) **and enhanced preferential access to jabs alongside investments in infrastructure and connectivity projects**. According to an April Think Global Health report, of the 56 countries to which China pledged doses, all but one were participants in its BRI. Naming it the Health Silk Road, vaccine diplomacy has provided a foothold for China’s pharmaceutical industry that has been plagued by scandals and low levels of trust at home and abroad. Making Sinovac and Sinopharm household names in foreign countries, China may change these perceptions. Although Chinese vaccine makers were among the earliest in the world to begin clinical trials and self-reported some key results, many have not published complete data in peer-reviewed journals. This has fuelled scepticism about their safety and effectiveness. Gao Fu, director of China’s Centre for Disease Control and Prevention, noted in April that Chinese vaccines were not as effective as hoped and mixing them was among the strategies being considered to boost their effectiveness. Some countries have been reluctant to greenlight Chinese vaccines. Singapore received its first shipment of Sinovac vaccines in February, but Singaporean regulators have not approved its use, moving ahead with using Pfizer and Moderna vaccines. Polish President Andrzej Duda spoke with President Xi about buying Chinese jabs in March. Yet Poland’s health authorities have recommended against using Chinese vaccines because of a lack of data. Concerns have also arisen about whether China’s production capacity is able to keep pace with an ever-expanding list of overseas customers and its domestic vaccination campaign. The Turkish government ordered 20 million doses of China’s Sinovac vaccine. But delayed shipments forced the government to repeatedly revise its vaccination timetable. Egypt purchased a total of 40 million doses of the vaccine from Sinopharm in January but had received only a tiny percentage of its vaccine order from China by the middle of April. This tension will intensify as China’s domestic demand for vaccines increases. China has continued with vaccine diplomacy in the absence of the United States and other Western countries. These countries should compete and cooperate with China to overcome bottlenecks in the global distribution of vaccines and ensure that all nations, particularly developing countries, receive the vaccines they need to finally beat COVID-19.

#### Waivers are a critical issue in the perceptual ineptness of America and the West.

Pratt and Levin 4-29 Simon Frankel Pratt and Jamie Levin 4-29-2021 "Vaccines Will Shape the New Geopolitical Order" <https://archive.is/OgDcA#selection-847.23-857.11> (Simon Frankel Pratt is a lecturer in the School of Sociology, Politics, and International Studies at the University of Bristol. Jamie Levin is an assistant professor of political science at St. Francis Xavier University in Canada.)//Elmer

While home to vaccines produced by the likes of Pfizer, Moderna, AstraZeneca, and Johnson & Johnson—all now household names and whose vaccines are considered more efficacious—governments of these states have demonstrated a **reluctance to supply doses** to much of the rest of the world at the expense of domestic vaccination rates. The United States and the U.K. have exported almost none, and the EU is clamping down. They have similarly been **unwilling to waive patents**, allowing for production of these vaccines where they are most needed. This suggests that the United States and the EU are **slow to fully exploit the geopolitical opportunities** of vaccine diplomacy or at least are not willing to do so with the same alacrity and **enthusiasm as other states**. That may change as time goes on, however, and the result will be worsened inequities within already inequitable trade relationships between these countries and the global south.

#### Chinese hegemony squashes separatist movements.

Ryan D. Griffiths 16, Sydney IR senior lecturer, “States, Nations, and Territorial Stability: Why Chinese Hegemony Would Be Better for International Order,” Security Studies, 25:3, 519-545

To conclude, a hegemonic China ought to influence international order by shifting the balance from self-determination toward territorial integrity. Its insistence on supporting territorial integrity in the internal sense is significant, and only in instances of consent would the state recognize independence claims. As such, the prohibition on conquest should endure during a time of Chinese hegemony, but the rate of state birth would decrease. State proliferation would be controlled relative to the partly controlled international order that has characterized the post-1945 period. The Pax Sinica How would a future period of Chinese hegemony compare with the current international order or orders of the past? I have argued that Chinese hegemony would privilege territorial integrity at the expense of self determination. The result would be an international order that would resemble earlier periods in some ways and be unique in others. Sovereign norms would once again be dominant and liberal norms would be subordinated to the right of states. One result of this shift would be a decline, if not disappearance, in nonconsensual secession. However, since a Chinese hegemon is likely to hold on to the territorial integrity norm, conquest would also remain rare. The overall result would be a surprisingly stable international order, a Pax Sinica. To consider this argument it is useful to place this Pax Sinica in historical perspective (See Table 1). Given its emphasis on sovereignty and its internal fragmentary pressures, China would shift the normative balance to a point where secession is only legal in the presence of sovereign consent. Importantly, that move would jettison the constitutive process of statehood, since self-determination would be elevated to a positive right only in the presence of consent. The difficult decision of choosing who counts would be simplified by effectively allocating that choice to sovereign states. Not unlike the pre-Napoleonic era, sovereignty would prevail and the arc of history would bend back toward the right of states. Importantly, this would not simply be a return to the 1800s.67 The politics of recognition in the 19th century possessed a liberal undercurrent and, as Fabry argues, the United States and UK would often disregard the sovereignty of states when recognizing breakaway regions that had prevailed over their central governments.68 In truth, Chinese hegemony would resemble the 18th century more than the 19th, when states hewed closely to the sovereign principle that recognition should only be given in cases of consent. The notion that minority nations should be able to self-determine, that individuals selecting into a group should have rights, was not yet on the map. The liberal tradition was only just emerging and the sovereign tradition was relatively unchallenged. The Pax Sinica would bear those same conservative features. However, Chinese hegemony would also bear modern features. The main difference is the very conception of sovereignty and the corollary development of the norm of territorial integrity. Should the norm of territorial integrity be supported by a Chinese power, state death would remain a rare occurrence. Unlike the 18th and 19th centuries where the number of states was gradually reduced through conquest and accession, very few states would exit the system unless they voluntarily chose to unify with other states. Thus the Pax Sinica would be rather stable. The number of states may gradually increase, but it would be limited to those cases where the sovereign gave its consent—that is, controlled proliferation. This anticipated focus on territorial stability under Chinese hegemony is consistent with both contemporary and historical political doctrine. The Confucian emphasis on a strong and stable state is echoed in recent political slogans like “Stability and Harmony.”69 There are conservative, statist overtones in China’s policies without any commensurate emphasis on liberal norms. Unlike the United States, Chinese exceptionalism does not promote a set of universal values in its foreign policy.70 Meanwhile, recent scholarship has looked into the past to examine what previous periods of Chinese regional dominance say about patterns in international order.71 One common finding is that imperial China tended to emphasize patterns of informal rule where other polities remained sovereign, yet informally subordinate. Indeed, David C. Kang finds that the China-centered international order that existed in East Asia from the 14th to the 19th centuries—the so-called Tribute System—was characterized by stable borders and infrequent wars of conquest, at least where recognized political units like Vietnam and Korea were concerned.72 The hegemon showed little tolerance for unrecognized, tribal, and/or institutionally dissimilar groups, especially on the western and northern frontiers. Of course, past behavior is not a perfect indicator of future performance, but that approach to international order privileges recognized states and emphasizes the sovereign territorial grid in a manner where the hegemon can exert power and influence without formal conquest. Essentially, there is continuity between China’s imperial past and what this paper predicts for the future should it become a hegemon. I began the article by claiming that the Pax Sinica would be better for international order. In making this claim I define “better” in narrow terms emphasizing territorial stability, which can be assessed in several ways. How often do either external aggressors or internal separatists shift sovereign borders through violence? What is the frequency of secessionist civil war? How much international discord is there on the topic of secession and recognition? This is the ledger I use when comparing the Pax Sinica with the post-1945 American-led order. There are many other factors, to be sure, and critics might point to a number of ways in which Chinese hegemony would be worse. For example, they may question the support for human rights under Chinese leadership. I do not argue that Chinese hegemony would be better in all ways—there are pros and cons to any order—but I contend that there are net benefits where territorial stability is concerned. Analyzed under these terms the key differences between the American order and the imagined Chinese order have to do with the politics of secession and sovereign recognition. International order matters because it determines diplomatic practices and shapes behavior. It sets the rules of the game. The American-led order over the last seventy years has attempted to balance the norms of territorial integrity and self-determination by establishing rules for what nations are eligible for independence. But, as Fabry notes, that is an enormously challenging project because developing clear rules that separate the lucky from the unlucky requires that states derive agreed-upon criteria in a constitutive process.73 Given the politics and conflicting principles of international life (and the evolving nature of normative arguments), inconsistency, ambiguity, and accusations of hypocrisy are unavoidable. The resulting political space creates uncertainty for states and nationalist movements over when self-determination applies and when it should be subordinated to territorial integrity. Incidents like the Ukrainian crisis cast a shadow over separatist crises elsewhere. The leadership in Azerbaijan detects double standards in American policy, wondering why it “punishes Russia for annexing Crimea, but not Armenia for similar behavior in Karabakh.”74 Such uncertainly can makes states feel vulnerable, as it has in Azerbaijan, change the incentives for key actors, and increase the chance of conflict. Secessionist civil war is a common feature of contemporary times. Scholars estimate that at least half of the civil wars since 1945 have involved secessionism, and Barbara F. Walter argues that secessionism is the chief source of violence in the world today.75 Erica Chenowith and Maria Stephan find that secessionism is one of the few (if only) forms of political protest where violent tactics are more effective than nonviolent.76 Meanwhile, Tanisha Fazal and I identify fifty-five secessionist movements as of 2011 and record that many of these movements feel they have a reasonable chance of gaining independence in light of the somewhat flexible practices surrounding recognition.77 Given the strategic environment in which secessionists operate, where violence can be effective and where sovereignty is thought to be obtainable, it should come as no surprise that conflict is common. In regard to territorial stability, the concern of contemporary times is not traditional territorial conquest, but the threat posed by state fragmentation.78 This is where Chinese hegemony ought to improve international order.

#### WWIII – turns and outweighs the entire case because it makes management of the commons impossible

Valaskakis 14, Former OECD Ambassador of Canada (Kimon, “Separatism Everywhere : The New Global Epidemic,” <http://www.huffingtonpost.com/kimon-valaskakis/separatism-everywhere-the_b_4977800.html>)

Fourth and finally, there is simple self interest. Rich provinces, in a country, whose constitution obliges them to help poorer ones, (like Canada) may want to end these subsidies and keep all the money to themselves. Under this logic it should be Alberta rather than Quebec considering secession. When all is said and done, is all this good or bad news ? At first blush, by invoking the principle of self-determination, the virtues of decentralization and more responsible local government, we might be tempted to welcome these centrifugal forces. But upon reflection and careful analysis we should instead fear them because they will exacerbate the present mismanagement of our planet. The separatists often believe that they can repeal globalization by a simple declaration of sovereignty, the adoption of a new flag and national anthem and by being awarded a seat in the United Nations. This, unfortunately is a delusion. Globalization is fueled by international capital, labor and technology movements, the internet, global finance and powerful worldwide networks — some visible, others covert. Multinational corporations are going to remain global, and so are mafias, narco-cartels, organized crime, jihadists etc. If all the separatist movements in the world were to succeed, we could move from a present world of under 200 countries to one of over 1,000 -- all with an equal seat at the UN. Can you imagine how difficult it would be to decide on anything in a 1,000 strong UN general assembly? Think, also, of the balance of power: 1,000 fragmented small countries, plus their subnational governments, competing for the favors of a dozen huge unregulated global conglomerates. It would be an embarrassment of riches for the footloose conglomerates. It would also be Eldorado for organized crime, jihadists, tax evaders and assorted criminals vaulting from jurisdiction to jurisdiction. The sociologist, Daniel Bell once remarked,in the 1970s, that the nation state had become too big for the small problems and too small for the big ones. His words were prophetic but they cut both ways. National governments can no longer cope with pandemics, global warming, international terrorism, unregulated global finance -- unless they act in unison in intergovernmental organizations. But, by the same token, Lilliputian micro states, emerging from the global separatist wave, would be even be less capable to deal with these problems. Global governance would then be completely controlled by the remaining, still international, private networks. A scary scenario to be sure. Does that mean we must stay put and freeze present borders in perpetuity. No, obviously not. Re-arrangements and restructuring are necessary. But the more sustainable answer may be in new forms of federalism rather than in the pure multiplication of sovereignties. In today's interdependent world, sovereignty is an illusion except if you are a superpower. The problems are too big while the means available to the new so-called 'sovereign' government are too small. The 'balkanization' of Eastern and Southern Europe after the First World War, led to the Second World War. The balkanization of the world through wide-spread separatism could increase the probability of a third one. Not an inspiring scenario.

#### 1AR theory is skewed towards the aff – a) the 2NR must cover substance and over-cover theory, since they get the collapse and persuasive spin advantage of the 3min 2AR, b) their responses to my counter interp will be new, which means 1AR theory necessitates intervention. Implications – a) reject 1AR theory since it can’t be a legitimate check for abuse, b) drop the arg to minimize the chance the round is decided unfairly

#### Condo’s good – a) prep skew – they’re more familiar with the aff so I need to be able to leverage multiple forms of prep, b) reciprocity – no condo means every perm becomes a no risk issue which creates NIBs to ballot access

### 4

#### CP: The member nations of the World Trade Organization ought to increase trademark protection for medicines. Those states ought to reduce all other forms of intellectual property protections for emergency use listing medicines during public health emergencies of international concern.

#### Strong trademark protection deters counterfeiting and is key to governmental enforcement – they’re the mechanism by which the WHO enforces and monitors quality

BPI 08 [BioProcess International™ is a monthly, controlled-circulation magazine devoted to the development, scale-up, and manufacture of biotherapeutics and biodiagnostics. Each issue provides the global industrial biotherapeutic community with up-to-date, peer-reviewed information]. “IP Strategies to Combat Distribution of Counterfeit Drugs” March 1, 2008 <https://bioprocessintl.com/business/intellectual-property/ip-strategies-to-combat-distribution-of-counterfeit-drugs-182314/> SM

Criminal actions by government entities also help impede counterfeiting and can provide a powerful deterrent. For example, on 31 August 2007, Johnson & Johnson announced that a Shanghai Court fined and sentenced Su Zhiyong, a Chinese businessman, to 3.5 years in prison for selling about a million counterfeit OneTouch test trips (8). The genuine product is manufactured by LifeScan, Inc., a unit of Johnson & Johnson. Those counterfeit strips were found in 35 US states as well as Canada, Greece, India, Pakistan, the Philippines, Saudi Arabia, and Turkey. Such governmental efforts reduce the public health threat of counterfeit drugs, but they cannot provide economic redress to those whose products are being copied. Enforcement of privately held intellectual property rights can, however, address economic harm while at the same time removing copies from the market. Proactive procurement of intellectual property (IP) is the first step toward seeking private redress for economic harm. Patents, trademarks, and copyrights — collectively referred to as IP — vary in their scope, duration, geographical reach, and in the investment of time and money required to obtain and enforce them (13). It is useful at the outset for businesses to assess which form of protection is appropriate for a given product and anticipate how illicit copying of that product and/or its packaging may occur. Important considerations in the initial assessment include the type of product, the nature of likely copying, the geographical scope of intended legitimate distribution, and the duration of the exclusivity period needed to protect against copiers. Patents: A patent allows its owner to exclude third parties from making, using, importing, selling, or offering for sale products or methods of manu facture or use covered by it for a finite period of time, typically no more than 20 years from the date of initial patent filing. Patent protection is obtained country by country. It is used to prevent others from manufacturing and/or selling exact and close copies of the patented technology in a specific geographical area without the consent of the patent holder. Pharmaceutical patents are usually considered the first line of defense in protecting this type of intellectual capital because they can prevent others from manufacturing, using, selling, and/or importing products with the same or equivalent active ingredients and/or formulations. However, as compared with other IP, patent rights are expensive to enforce. A final, enforceable judgment may not be obtained until years after a lawsuit is filed. Patent holders must prove in civil litigation that an alleged copier is making or selling a product that is described in the patent. This requires a detailed review of the patent document and correspondence with the relevant patent office. Frequently, technical experts are retained to opine on technical terminology and the meaning of phrases or terms during that phase of such lawsuits. Only after that initial review is an allegedly infringing technology compared to the property right defined during the initial phase of the proceeding. So a patent can prevent others only from manufacturing, using, selling, or importing products that are exact or close copies of patented technology. Rarely, however, are counterfeit medicines such close copies of the original. They seldom contain the same or the same amounts of a genuine, patented formulation. Therefore, a patent does not prevent the making or selling of look-alike counterfeit drugs that do not contain the same or similar active compound or formulation. In addition, a patent is granted to “innovators” alone. So manufacturers of generic drugs, frequently manufactured after brand-name drugs have gone off-patent, cannot use patents to prevent distribution of counterfeited generics. Copyrights prevent others from copying and claiming authorship of original works. Copyright protection is granted to original works of authorship that have been fixed in a tangible form of expression. Works of authorship include literary, musical, dramatic, pictorial, graphic, sculptural, cinematic, and architectural works. Titles, names, and short phrases are generally not copyrightable. Ownership of a copyright is secured from the moment of creation, and such work need not ever be published. Similar to patent protection, copyright protection is available country by country only. It requires a registration process to enforce the right against third parties. In terms of securing protection from counterfeiters, copyrights on package inserts may be useful, but they are of limited effectiveness in preventing copies from reaching the public or providing redress for economic harm. Trademarks seek to prevent exactly what counterfeiters seek to obtain: the economic benefit and investment in product integrity of a manufacturer. A strong trademark is the most valuable type of intellectual property that can be used to combat counterfeiting. Similar to patents, trademarks are enforceable country by country, so this type of protection must be obtained in each country where a product is made or distributed. Unlike patents, some countries recognize a trademark right without a formal application and review process, although other procedural requirements typically must be met in demonstrating proof of sale of a product within the relevant jurisdiction. Also by contrast with patents, trademarks are not limited in time but can extend as long as they are used in commerce in connection with a product. Trademarks are used to identify the source of goods or services. Words, names, numbers, symbols, devices, designs, sounds, and colors that function as brands to distinguish the source of goods and their packaging may be registered as trademarks. Even the colors and shapes of pills may be trademarked. Unlike patents, trademarks cannot be obtained on the process of making a product or medicine. They do not protect the innovation of the underlying product. However, trademarks are available to generic manufacturers who identify their products with unique logos or other identifying marks. Misappropriated trademarks can mislead consumers by copying the unique name, logo, packaging, shape, and/or color used by the manufacturer of a genuine product or packaging. The intention of a counterfeiter is to confuse consumers as to the actual source (and quality) of a product. Therefore, all unique aspects of the product and packaging should be considered as worthy of trademark protection, and a company’s trademarks should be applied as frequently as possible (e.g., on the product itself, if possible, and on both inner and outer packaging). All modifications of a label, such as the product logo or other unique identifying descriptive marks, should be protected in the language of the country where a product is to be sold. Obtaining and enforcing trademark rights are typically less costly than for patents, and a final enforceable judgment is usually obtained faster than in a patent infringement action. Indeed, evaluation of whether a trademark is likely to be infringed can be limited to a visual inspection rather than a complicated analysis of patented technology. Most significantly, however, in many countries trademark owners can have counterfeit goods and accompanying documents — and even sometimes manufacturing equipment — immediately seized at the outset of a lawsuit. Such powerful preliminary remedies are generally unavailable in patent lawsuits, and they can lead to swift resolution of counterfeiting action. Preventive Power The rise of counterfeit medicines is a threat to public health as well as the economic investment made by both innovators and generic manufacturers in the pharmaceutical industry. All manufactures of medicines can limit their economic harm by proactively assessing their products and available IP options and anticipating counterfeit designs and products. After an initial assessment, appropriate IP protection can be pursued in the relevant markets and countries. Although patents — and to a lesser extent copyrights — can be useful in combating counterfeiting and addressing economic harm, a strong trademark is the best IP tool for combating drug counterfeiting.

#### Turns the aff – exacerbates public health crises.

Miller and Wayne 20 “Fraud in Your Pill Bottle: The Unacceptable Cost of Counterfeit Medicines” Henry I. Miller, M.S., M.D. and Wayne Winegarden, Ph.D. [Ph.D. in economics from George Mason University, Senior Fellow in Business and Economics at the Pacific Research Institute and the Director of PRI's Center for Medical Economics and Innovation] October 2020 https://medecon.org/wp-content/uploads/2020/10/CounterfeitMed\_F.pdf SM

Counterfeit medicines are a clear and present danger to the health of patients Fake medicines create unique problems and risks. Like all counterfeits, fake drugs impose large costs on the economy, but unlike fake handbags and clothing, counterfeit drugs directly harm people’s health and create risks for the broader patient community in multiple ways. The degree and kind of harm depends on the specific defects of the counterfeit drug and the indication for the drug. If counterfeit drugs are ineffective because they lack active ingredients, or contain substandard amounts, patients are being misled about receiving safe and effective treatments and will continue to suffer from the health risks of their sickness or disease. When these patients are relying on the drugs to treat life- threatening diseases such as cancer, the lack of efficacy of the drugs can directly lead to a patient’s death or greater disability. An example of this problem occurred in 2013 when the FDA issued a Health Care Provider Alert in February warning doctors that a counterfeit version of Avastin had been found in the United States.17 Avastin is a widely used intravenous drug that treats cancers of the colon, lung, kidney, and brain, and is also used off- label to treat age-related macular degeneration. The counterfeit drug contained none of Avastin’s active ingredient (bevacizumab) and, while regulators did not say what was actually in the vials, in previous incidents they had contained salt, starch, and a variety of chemicals that are potentially carcinogenic or otherwise harmful. Clearly, it is highly unlikely that cancer patients will go into remission if they are receiving fake drugs with no active ingredients. The possibility that these counterfeits contain potentially carcinogenic chemicals or other toxins introduces additional health risks. This substitution of something inactive, or even harmful, for a life-saving drug was most likely lethal. According to Professor Nimesh Nagarsheth of the Mt. Sinai School of Medicine in New York, the “people who receive[d] a fake medication instead of Avastin could have lost several months of their lives”.18 Unfortunately, the increased mortality risk also extends to patients taking medicines that address more common health issues. During the H1N1 flu epidemic of 2010, the FDA warned consumers about a potentially harmful counterfeit of an anti-flu drug, Tamiflu, that could have been a killer in two respects: It lacked the flu-preventing and modulating medicine (oseltamivir), and it contained an antibiotic similar to penicillin that can be lethal to people who are allergic to it. Another example from 2010 was counterfeits of the weight-loss drug Alli. These counterfeits, sold over the Internet but containing none of the active ingredient in the real drug, contained sibutramine, the prescription-strength weight-loss drug Meridia, which has since been removed from the U.S. market because of concerns about the drug’s cardiac side effects. From a global perspective, the Organization for Economic Cooperation and Development (OECD) documented that counterfeit pneumonia drugs cause the death of between 72,000 and 169,000 children annually, and fake anti-malarial drugs cause 116,000 deaths annually.19 In 2015, the FDA alerted health care practitioners and the public that a counterfeit version of Botox was found in the United States and had possibly been sold to doctors’ offices and medical clinics nationwide.20 Botox is approved for several medical conditions and for removing facial wrinkles. Because the FDA could not confirm that the manufacture, quality, storage, and handling of those products met U.S. standards, the counterfeit products were considered unsafe. 10 More recently, the importation of large amounts of counterfeit opioids caused an explosion of overdose deaths in the United States, according to a Drug Enforcement Administration (DEA) report.21 The DEA described how hundreds of thousands of counterfeit prescriptions, many containing deadly amounts of potent fentanyl-related compounds, made their way into the U.S. drug market, with deadly consequences: In March 2016, law enforcement officers in Lorain County, Ohio, seized 500 pills that visually appeared to be oxycodone. The pills were blue and had ‘A 215’ markings, consistent with 30 milligram oxycodone pills. Laboratory analysis indicated that the pills did not contain oxycodone, but were instead the research chemical U-47700. U-47700 is an unscheduled synthetic opioid not studied for human use that has caused at least 17 overdoses and several deaths in the United States. There are also broader public health risks created by the counterfeit medicine problem. Counterfeit medicines thwart the efforts of the public health community to control infectious diseases like Covid-19 and can worsen current public health crises like the problem of bacteria developing anti-microbial resistance (AMR), which is a large and growing public health threat.22 According to the Centers for Disease Control and Prevention (CDC), there are “more than 2.8 million antibiotic-resistant infections in the U.S. each year, and more than 35,000 people die as a result.”23

## Case

### D! Disease

#### No Disease X impact— it’s unscientific- your author is speculating about a monster disease that doesn’t exist and still says vaccines solve

#### CNA ev just says news diseases coming—even with strong pharma we can’t stop them—COVID proves- the world didn’t find a medical treatment until millions were dead.

#### COVID vaccines were a fluke- it was based on Israeli research on the SARS outbreak from the 90s—next disease will be brand new

#### Vaccines don’t solve mutations – their only internal to extinction

**Harris and Bieniasz 2021** (Richard Harris, NPR science correspondent, interviewing Paul Bieniasz, Howard Hughes investigator at Rockefeller University. [https://www.npr.org/2021/02/09/965703047/vaccines-could-drive-the-evolution-of-more-covid-19-mutants Feburary 9](https://www.npr.org/2021/02/09/965703047/vaccines-could-drive-the-evolution-of-more-covid-19-mutants%20Feburary%209), 2021)DR 21

RICHARD HARRIS, BYLINE: You may have heard that bacteria can develop resistance to antibiotics and, in a worst-case scenario, render the drugs useless. Something similar can also happen with vaccines, though, with less serious consequences. This worry has arisen mostly in the debate over whether to delay a second vaccine shot so more people can get the first shot quickly. Paul Bieniasz, a Howard Hughes investigator at the Rockefeller University, says that gap would leave people with only partial immunity for longer than necessary.

PAUL BIENIASZ: **They might serve as sort of a breeding ground for the virus to acquire new mutations.**

HARRIS: That's because the virus is always mutating. And if one happens to produce a mutation that makes it less vulnerable to the vaccine, **that virus could** simply **multiply in a vaccinated individual**. But even if that happens, that's only one step in the process.

BIENIASZ: What's really unclear and really quite important for the virus to evolve is whether those people let - having been vaccinated and infected, whether they have sufficient levels of virus replication to pass the virus on to other people.

HARRIS: If the vaccine keeps virus levels low, even mutated viruses, the infected person won't produce enough to spread to other people. Unfortunately, at the moment, **scientists can't answer the most basic questions about this process**. How much does the virus actually replicate inside a person who has been vaccinated with either one dose or two? And how **effective is that vaccine at limiting infection enough so that the virus levels stay low** and prevent the spread to other people? Andrew Read at Penn State University says, whatever the answers may be, vaccine resistance or escape, as it's called, isn't nearly as scary as bacteria becoming resistant to antibiotics.

ANDREW READ: I know everybody's worried about it. But I would say history shows us that vaccine escape does not erode to zero. It does not erase vaccine protection.

HARRIS: A vaccine may become less potent. But in other cases where this has happened, it still works.

READ: It's often got very strong anti-disease properties. So you get less sick even with the viruses that are around.

HARRIS: And this evolutionary pressure is present for any vaccine that doesn't completely block infection. So it's not just an issue for people who are between their initial shot and a booster. Many vaccines, apparently, including the COVID vaccines, do not completely prevent a virus from multiplying inside someone even though these vaccines do prevent serious illness.

### No ! Covid/War

#### Empirically disproven—even if small skirmishes happen, they don’t escalate because countries are distracted and low on funds – every example in Ide proves low level fighting doesn’t have an impact

#### Card is bunk speculation—examples are Taliban and Kashmir aggression—the Taliban got aggressive because of U.S. withdrawal and Kashmir aggression was in response to Modi’s brutal crackdown on the Muslim protests in 2020.

#### Absolute number of skirmishes down because of COVID

**Mehrl and Thurner 2020** (Marius Mehrl, Postdoctoral Researcher at the Geschwister Scholl Institute of Political Science, University of Munich examining armed conflict and rebel organizations. and Paul W. Thurner, professor and Chair for Empirical Political Research and Policy Analysis., Ludwig-Maximilians-University Department of Political Science. "The effect of the COVID-19 pandemic on global armed conflict: early evidence." *Political Studies* Review 2020)DR 21

The figure suggests that the number of battles decreased during the **Covid-19** pandemic, as their weekly numbers are lower in the period after the first case than in that before and have been almost monotonically declining since the 1000th case was reported. The number of battle events during the pandemic is also lower than in the same months in the years 2018 and 2019. Figure 1 thus presents some evidence that global armed conflict, if measured by the reported number of weekly battles, has decreased during the coronavirus pandemic. However, simply comparing battle numbers across years can only be a start as a variety of factors, not only the incidence of Covid-19, may differ between the years. For instance, countries at conflict in 2020 may have been peaceful in 2018– 2019 and vice versa. Similarly, the number of total active conflicts will most likely not be constant across all 3years