## 1

#### Our interpretation is the affirmative must defend the plan in addition to a method to operationalize the plan in the 1AC in the real world that is tied to the body and voice of the speaker – hold the line, CX and the 1AC prove there’s no I-meet.

#### Vote negative to promote knowledge production – their model of debate is a disembodied performance that detaches the self from the material – this proliferates the domination of hegemonic power structures. Knowledge production is a voting issue – it’s the only terminal impact to debating, since our performance can change the lives of those outside the community.

**Campbell 97** – Fiona, members.tripod.com/FionaCampbell/speech\_acts\_on\_problematising\_empowerment.htm, 12-04-07

So who am I—to speak, to be listened to? And why is it important to identify my speaking position? The ‘word’ in spoken or written form (sometimes referred to as discourse), is the site that both power and knowledge meet. Which is why speech acts can be inherently dangerous. Furthermore, a person in a privileged speaking position, such as myself, has a political/ethical responsibility to interrogate [their] relationship to the subordinated and disadvantaged people and declare their ‘interest.’ On this point, La Trobe University, Professor Margaret Thornton states “assumed objectivity of knowledge itself camouflage not only the fact that it always has a standpoint, but that it also serves an ideological purpose” Refusing to declare one’s speaking position, I argue constitutes not only a flagrant denial of the privileging effect of speech, but must be considered as an act of complicity to systematically mislead. I speak tonight from what I would term, a privileged speaking position. As someone who has been exposed to tertiary education, had an opportunity to read and reflect on many books and ideas, with a job and more particularly, as a teacher. Indeed, for some I act as a mentor—the one who ‘knows something about knowledge.’ On the other hand, I am deeply ambivalent about my ‘expertise’ to engage in the act of public speech talk. For am from the margins, the client, patient, the ‘riff raff’, flotsam and jetsam of society and might say—somewhat ‘deviant.’ It is important to come clean about my speaking position, my knowledge standpoint and declare my interests: I speak for myself as a woman who has experienced youth homelessness, childhood violence, and later ‘disability.’ Before I speak I am required to undertake a process of self-examination, to scrutinize my representational politics, to immerse myself in a self-reflexive interrogation and discern “what my representational politics authorizes and who it erases…” Do I speak for myself or others? Am I making gross generalizations about groups in the community? Does my speech contain unacknowledged assumptions and values? More specifically, within this process of reflection, I am required to examine the context and location from which I speak, in order to ascertain whether it is “allied with structures of oppression or allied with resistance to oppression.”

#### Drop the debater – we indict their model of debate. Evaluate the T-shell through competing interpretations – you cannot be reasonably oppressive, and reasonability brightlines are arbitrary which requires judge intervention. No RVIs or impact turns – you should not win for proving you’re accessible, and their model deters debaters from indicting oppressive practices.

## 2

#### Interpretation: affirmative debaters must delineate in a card what intellectual property they reduce in the 1AC.

#### Four types of IP that are vastly different.

Ackerman 17 [Peter; Founder & CEO, Innovation Asset Group, Inc; “The 4 Main Types of Intellectual Property and Related Costs,” Decipher; 1/6/17; <https://www.innovation-asset.com/blog/the-4-main-types-of-intellectual-property-and-related-costs>] Justin

Intellectual property protection isn’t as simple as declaring ownership of a particular product or asset. In most countries, there are four primary types of intellectual property (IP) that can be legally protected: patents, trademarks, copyrights, and trade secrets. Each has their own attributes, requirements and costs.

Before narrowing your focus on which form of protection to use, know that these forms of protection are not mutually exclusive. Depending on what you’re doing, you might be able to use a “belt & suspenders” approach and apply multiple forms of protection, or one approach might be the most sensible. Read the descriptions below to get some of the basics.

Used to protect inventive ideas or processes – things that are new, useful and nonobvious - patents are what most often come to mind when thinking of IP protection. **Patents** are also used to protect newly engineered plant species or strains, as well.

Procedure For most companies, patents result from the following stages: Conceptualization Typically, innovation teams work to address a common problem facing their organization, industry, or the world at large when developing their idea. When they’ve arrived at a solution or concept, they’ll draw up plans and gather the resources necessary to make it a reality. Prototypes or drawings can be created to provide a more accurate description of the end product or process. Invention Disclosure An internal review process often occurs with every invention. The innovation team consists of internal counsel and an invention review panel of varying disciplines. The reviewers assess, rate, rank, score, and highlight potential flaws in the supporting documents and descriptions for the invention, which are then addressed by the inventor. These reviews can and often do take place multiple times for a single invention. Patent Application If the invention is deemed meritorious enough for the pursuit of patent protection, some organizations prepare their own provisional or nonprovisional patent applications. Others will farm this stage out. There may be more tweaks as an application is prepared, and then submission to the appropriate patent office and the prosecution stage begins (the back & forth with the government patent office). Typically it is outside counsel that manages this process and related docketing activities. Docketing is the overarching name for activities that include management of paperwork and meeting filing deadlines specified by the government patent office. Because the application process is often very complicated, patent offices highly recommend working with experienced patent attorneys to handle this process. Maintenance Once a patent is approved, it has a finite lifetime. Patent holders are responsible for maintaining and tracking the usage of their patents and paying the appropriate periodic government renewal fees. If a given technology or other patented asset is collecting dust, you might not want to renew it. Instead, you can try and sell, license or donate it. Conversely, if a patented asset is performing well through product sales or licensing activities and its life is getting shorter, you might think about innovating ahead and maintaining competitive momentum. Costs Costs will vary depending on the country or countries where you file an application, and can run into tens of thousands of dollars depending on the invention’s complexity, plus attorney fees. Maintenance fees over the lifetime of the patent can run into thousands more per patent, per country where patent rights have been granted. You have to keep your eyes on these costs.

Trademark

A trademark is unlike a patent in that it protects words, phrases, symbols, sounds, smells and color schemes. Trademarks are often considered assets that describe or otherwise identify the source of underlying products or services that a company provides, such as the MGM lion roar, the Home Depot orange color scheme, the Intel Inside logo, and so on.

Procedure Trademarks do not necessarily require government approval to be in effect; they can apply through abundant use in interstate commerce. Still, registration of a trademark affords far superior protection and is gained by filing an application with the proper government office. A trademark application requires the company or user to provide a clear description and representation of the mark and its uses in conjunction with associated products or services. As with patents, it’s a good idea to partner with outside counsel that specializes in trademark applications and/or search services so they can help ensure there is a clear path for your desired mark. Costs Trademarks are generally quite less expensive to obtain. According to the US Patent and Trademark Office, trademark registration currently costs between $225 and $325 for each class code you use per mark. Attorney and search fees are extra. There are also periodic (and relatively inexpensive) government maintenance fees for trademarks.

Copyrights do not protect ideas, but rather the manner in which ideas are expressed (“original works of authorship”) - written works, art, music, architectural drawings, or even programming code for software (most evident nowadays in video game entertainment). With certain exceptions, copyrights allow the owner of the protected materials to control reproduction, performance, new versioning or adaptations, public performance and distribution of the works. Procedure Copyrights in general attach when the original works become fixed in a tangible medium, but should be registered with the government copyright office for optimal protection in the form of damages, injunctions and confiscation. Copyright registration applications are much simpler than patents or trademarks, and typically can be obtained by the author alone. The US Copyright Office encourages use of their online application system, and requires a sample of the work to be protected and some background information about the author. Costs Depending on the type of work being protected, currently fees vary between $25-$100 in the US. The most frequent copyright registration sought is for one work by one author, and costs about $35.

Trade Secret

Trade secrets are proprietary procedures, systems, devices, formulas, strategies or other information that is confidential and exclusive to the company using them. They act as competitive advantages for the business. Procedure There actually isn’t a federally-regulated registration process for trade secrets. Instead, the onus is on the company in possession of the secret to take necessary precautions to maintain it as such. This is an ongoing, proactive process and can include clearly marking relevant documents as “Confidential,” implementing physical and data security measures, keeping logs of visitors and restricting access. The issuance of nondisclosure agreements or other documented assurances of secrecy can also be employed. One of the first defenses typically put up when you assert that someone misappropriated your trade secret is that you failed to adequately treat it as a trade secret. Costs Though there are no official registration costs, there are costs associated with taking appropriate precautions and security measures. You must weigh the competitive significance of your secrets against the cost of protecting them.

#### Violation: they don’t

#### Negate:

#### 1] Stable Advocacy – they can redefine what intellectual properties the 1AC defends in the 1ar which decks strategy and allows them to wriggle out of negative positions which strips the neg of specific IP DAs, IP PICs, and case answers. Evaluate theory after the 1NC – 2ARs will always win on theory since they can blow up one argument for 3 minutes.

#### CX can’t resolve this and is bad because A] Not flowed B] Skews 6 min of prep C] They can lie and no way to check D] Debaters can be shady.

#### 2] Real World – policy makers will always specify what the object of change is. That outweighs since debate has no value without portable application. It also means zero solvency since the WTO, absent spec, can circumvent aff’s policy since they can say they didn’t know what was affected.

#### This spec shell isn’t regressive – it determines what the affirmative implements and who it affects. Fairness and education are voters – it’s how judges evaluate rounds and why schools fund debate. 1NC theory first – a] If I was abusive, it was because the 1AC was b] We have more speeches to norm over whether it’s a good idea. Neg abuse o/w aff abuse – we both have 13 minutes but you have persuasive advantages in the 2AR on top of infinite prep time. No RVIs – A – Going all in on theory kills substance education which outweighs on timeframe B - Discourages checking real abuse which outweighs on norm-setting C – Encourages theory baiting – outweighs because if the shell is frivolous, they can beat it quickly.

## 3

#### Interpretation: The affirmative must defend all member nations of the World Trade Organization ought to reduce intellectual property protections for medicines. The negative may not read plan inclusive counterplans.

#### Violation: The affirmative only defends it for pandemics.

#### Vote neg for limits -- there are 164 members[[1]](#footnote-1), which means their interp justifies reducing any IP protection in any WTO member, creating hundreds of potential AFFs to prep out. This kills negative ground because different countries can have different economic situations that affect the Innovation debate and we lose all disads to global action—we couldn’t read dip cap or politics because they’d just spec out of it.

## 4

### K

#### The world is an extension of the self’s conceptual frames – however, the Other’s infinite nature interrupts our imposition of meaning. Totalization, or the attempt to reduce the Other to a one-dimensional object is the root cause of violence as it denies our obligation to preserve the Other’s mystery. Thus, the roll of the ballot is to resist totalization – they can’t weigh the case if we win their starting point is flawed.

**Hooft 6** [Stan Van Hooft “Understanding Virtue Ethics” 2006 pg. 99-101]

Let us try to understand that suggestion more fully by taking a few steps back from interpersonal relations and considering our knowledge of the world. The way in which philosophers have traditionally understood knowledge and perception is to suggest that we assimilate things into our cognitive schemes. It is as if we impose categories and classifications on things in order to integrate them into our familiar world. We cognitively take possession of what we perceive and know. I do not mean by this that we literally or legally own them, of course. I mean that we assimilate what was previously unknown and therefore beyond our ken into a lived environment in which everything has its place and its relation to me. Once again, we can use your pen as an example. Whether or not you legally own the pen, the key point is that it is a familiar item in your world. If you are sitting in your study, then your desk, the books in front of you, the poster of a pop star on your wall and even the buildings that you see through your window are all a familiar environment to you. This environment contains things that you use and also things that are not your legal possessions but that are familiar parts of “your” world. You gaze upon it as your own domain. This was, of course, Sartre’s point in relation to the park. The very processes of cognition, of making sense of the world, involve your imposing your concepts and categories upon it and thereby appropriating it as your world. But now imagine yourself having dinner with a person you are very close to. Once again you are in a familiar environment. As far as you are concerned you are assimilating this world of the restaurant to yourself. But what of your companion sitting opposite you at this candle-lit table? Do you also assimilate them into your world? As you gaze at their face and into their eyes, do you appropriate them into the lived world of familiar objects that constitutes your known and comfortable environment? Levinas would say no. He would insist that the face of the Other person, and particularly their eyes (traditionally thought of as the “windows to the soul”) are[is] not assimilable in this way. They are a mystery. They are infinite in the sense of being ungraspable in the cognitive categories with which we appropriate our lived world. They are beyond our ken. Levinas is alluding to more than the important point that people are hard to get to know. Everyone seems to be keeping their own natures hidden within themselves. Indeed, the closer we are to someone the harder they seem to be to know. Th e spouse you might have lived with for many years continues to be a mystery to you. All of this is relevant, but Levinas is appealing to the very moment at which you look into that person’s face. What you see there has such depth and mystery as to forever escape your cognitive grasp. You cannot assimilate it. You must let it be what it is. The face is present in its refusal to be contained. It is neither seen nor touched – for in visual or tactile sensation the identity of the I envelops the alterity of the object, which becomes precisely a content. But this is not experienced as a problem to be overcome or as a threat to your own authenticity or selfhood. It is experienced by you as an opening on to something wonderful. It is experienced by you almost as a mystical rapport with something of infinite depth. (One can only speak in metaphors here since the hypothesis is that the other is unattainable through the categories of understanding.) And this changes the quality of your own being. Rather than now being the Nietzschean self-affi rmer or the existential self-project, you become an openness to the mystery of the Other. This is not, of course, a stance taken consciously or as the result of a decision. It is simply your mode of being as transformed by the presence of the Other person. Your primordial comportment towards the world is now no longer that of a self-project bent on making and affirming your own identity and on appropriating the environment as your own lived world; it is that of reverence and wonder in the presence of the mystery of the Other. And this comportment or stance always already has an ethical quality. I can illustrate this last point by using a much more mundane example than the intimate candle-lit dinner. Imagine yourself buying a railway ticket from an automatic vending machine. Here you are engaging in an interaction with a machine. As such the action falls clearly within that familiar world that you have appropriated to yourself through the way you understand and live in that world. You are the centre of this world and you do not need to respond to the machine as anything other than a thing that is there for you. But now imagine yourself buying the train ticket from a station attendant seated in a ticket booth. From a pragmatic or functional point of view the exchange is not different from the previous one. You are obtaining a ticket in exchange for money. However, there is a qualitative difference. This difference is marked by the etiquette of saying “please” and “thank you” and, perhaps, of exchanging some remarks about the weather. Th ese words add nothing to the functionality of the exchange but they are important in that they mark your acknowledgement of the other as a person rather than a machine. The very presence in that booth of a person elicits in you a courteous and pleasant response. Although hardly a dramatic moment in your life, this response is an expression of a primordial ethical comportment that marks your mode of being as ethical. Without any deliberate thought, you acknowledge and respect the mystery of that other person in those simple gestures.

#### Util totalizes the Other to mechanical calculations which destroys ethics, politics, and the value to life. Vote negative to recognize the Other as a complex subject that demands a continual quest of understanding.

**Joseph 17** [<https://dspace.wlu.edu/bitstream/handle/11021/33878/RG38_TaylorZ_Poverty_2017_A.pdf?sequence=1&isAllowed=y> ” The Essential Poverty of the Face: A Case for Levinasian Responsibility and Justice in Poverty Studies” Zachary Taylor Joseph 2017 Washington and Lee University]

On the one hand**,** Levinas and utilitariansostensiblysharea similar view ofresponsibility. Utilitarianism is a kind of consequentialism; whether an action is morally right depends only on the consequences of that act, as opposed to the circumstances or the intrinsic nature of the act or what happens before the act.112 While, for simplicity’s sake, I focus here on act utilitarianism, my comments about how Levinasian responsibility is instructive to utilitarianism apply to other forms of utilitarianism as well. Act utilitarians claim that I am morally required to promote the most preferences or satisfactions of the most people. Act utilitarianism, it should be noted, cannot easily distinguish the different categories of moral permissibility, impermissibility, obligation, and supererogation. In effect, act utilitarianism implies that I do wrong each time I fail to perform an action that maximizes the most preferences or satisfactions for the most people. Since it makes the optimal action obligatory and the suboptimal action wrong, act utilitarianism expands the realm of that which is morally impermissible, collapses the distinction between the permissible and the obligatory, and eliminates the possibility of the supererogatory. **My responsibilities according to act utilitarianism, then, are more or less endless.** Moreover, as John Stuart Mill, one of utilitarianism’s foremost exponents, writes in Utilitarianism, “the happiness that forms the utilitarian standard of what is right in conduct is not the agent’s own happiness but that of all concerned. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator.”114 My responsibilities, then, are endless with respect to the happiness, preferences, or satisfactions of others. Insofar as the ideal utilitarian agent is a “disinterested and benevolent spectator” with responsibilities determined by the needs of others, utilitarianism’s account of responsibility notably parallels Levinasian responsibility. Bernard Williams, in “A Critique of Utilitarianism,” elucidates how the demands of others impact the responsibility of the utilitarian agent. He writes: On the utilitarian view, the undesirable projects of other people as much determine […] one’s decisions as the desirable ones do: if those people were not there, or had different projects, the causal nexus would be different, and it is the actual state of the causal nexus which determines the decision. The determination to an indefinite degree of my decisions by other people’s projects is just another aspect of my unlimited responsibility to act for the best in a causal framework formed to a considerable extent by their projects.115 It is notable here how Williams characterizes utilitarianism’s account of responsibility as “unlimited.” It is also notable how, similar to Levinas’s phenomenological description of responsibility, the projects of other people seem to impose themselves on the utilitarian agent Williams describes. Williams also claims that on the utilitarian view, the projects of others will more often than not override the preferences or satisfaction I derive from my own projects, so that even if the projects of others conflict with some project of mine, “the satisfaction to [me] of fulfilling [my] project, and any satisfactions **to others of [my] doing, have already been through the calculating device and** have been found inadequate.”116 On this point, too, the utilitarian account of responsibility intrinsically tied to the projects of others closely resembles Levinasian responsibility, insofar as what I want to pursue is secondary to that which I know will benefit other people. Whatever the similarities between utilitarian responsibility and Levinasian responsibility, the utilitarian account severely undervalues the importance of both subjectivity and individuation. In his critique of utilitarianism, Williams points out that the ideal utilitarian agent is not at all someone with a unique identity and robust personality. To the contrary, he is at the whims of the mechanistic calculations that utilitarianism prescribes. Whatever actions he performs “will depend entirely on the facts, on what persons with what projects and what potential satisfactions there are within calculable reach of the casual levers near which he finds himself.”117 Williams rightly characterizes the demands of utilitarianism as “an attack on [a person’s integrity].” **Utilitarian responsibility effectively strips a person of projects and attitudes which in some cases he takes seriously at the deepest level, as what his life is about**. […] It is absurd to demand of such a man, when the sums come in from the utility network which the projects of others have in part determined, that he should just step aside from his own project and decision and acknowledge the decision which utilitarian calculation requires. It is to alienate him in a real sense from his actions and the source of his action in his own convictions.118 Levinasian responsibility, on the other hand, while no less demanding than utilitarian responsibility, avoids reducing the subjected “I” to a mechanistic tool through which utilitarian calculations impersonally run. For Levinas, responsibility is synonymous with subjectivity; rather than lose myself in the projects of other people, I discover who I am in responsibility to the Other. Recall the words of Paul Celan, quoted earlier:119 “I am you, when I am I,” or, as I also rendered his statement, only when I am for another, am I really the “I” I should be. According to Levinas’s phenomenological description, responsibility by no means alienates me from my actions or the source of my actions. Quite the opposite, it in fact constitutes my unique identity and robust personality as a human subject.120 In this sense, Levinas’s account of responsibility is instructive to the utilitarian account while still retaining the moral exigency of utilitarianism that those who are concerned with poverty alleviation might find attractive in utilitarian responsibility.

## 6

### NC

#### Util collapses into contractarianism, or the contracts from which individuals constrain actions to serve their self-interest.

#### 1 – Pleasure and pain are only motivational to the individual who senses them, which means only a system of mutual self-restraint can enter agents into binding agreements to respect each other’s pleasure and pain.

#### 2 – Even if there is an external source of the good, pain and pleasure are only examples of things that agents might find motivational, it’s not a wholistic account of everyone’s self-interest which means only contracts can ensure agents follow ethical principles.

#### 3 – Performativity – You agree to 4 minutes of prep – going over would result in a loss or disqualification – their performance proves the AC collapses to the NC.

#### 4 – Infinite Regress – Util begs the question of why our assessment of individual dues ought to be preferred over other assessments – contracts allow individuals to construct conceptions of the good based on a rational restriction of their future actions.

#### Now negate:

#### 1 – IP rights are included in multiple international contracts which the AFF violates.

**WIPO** – WIPO, 11-9-1998, accessed on 8-25-2021, World Intellectual Property Organization, "Intellectual Property and Human Rights", https://www.wipo.int/edocs/pubdocs/en/wipo\_pub\_762.pdf

The World Intellectual Property Organization (WIPO) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) take pleasure in issuing the proceedings of the Panel Discussion on "Intellectual Property and Human Rights" which took place in Geneva on November 9, 1998, to mark the Fiftieth Anniversary of the Universal Declaration of Human Rights (UDHR). Intellectual property rights are enshrined as human rights in the UDHR. Article 27 of the Universal Declaration provides that: "(]) Everyone has the right.freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits; (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author." These rights are further emphasized by Article 15 of the International Covenant on Economic, Social and Cultural Rights, 1966 (ICESCR), Article 19 of the International Covenant on Civii'and Political Rights, 1966 (ICCPR), the Vienna Declaration and Program of Action, 1993 (VDPA), and other international and regional instruments.

#### 2 – Consent – the aff disregards the consent of medicine producers and allows it to be violated by removing patents – that negates because violating a party’s consent is an act of violating a hypothetical contract since their side of the contract isn’t accounted for.

## 7

#### Paradigm for 1AR shells and IVs:

#### 1 – Reasonability on 1AR shells – 1AR theory is crazy aff-biased because the 2AR gets to line-by-line every 2NR standard with new answers that never get responded to– reasonability checks 2AR sandbagging by preventing crazy abusive 1NCs while still giving the 2N a chance. Evaluate theory after the 2NR – key to check back against infinite prep.

#### 2 – DTA on 1AR shells - They can blow up a blippy 20 second shell to 3 min of the 2AR while I have to split my time and can’t preempt 2AR spin which necessitates judge intervention and means 1AR theory is irresolvable so you shouldn’t stake the round on it.

#### 3 – RVIs on 1AR theory – 1AR being able to spend 20 seconds on a shell and still win forces the 2N to allocate at least 2:30 on the shell which means RVIs check back time skew – outweighs on quantifiability

#### 4 – No new 1ar paradigm issues – A] the 1NC has already occurred with current paradigm issues in mind so new 1ar paradigms moot any theoretical offense B] introducing them in the aff allows for them to be more rigorously tested which o/w’s on time frame since we can set higher quality norms.

1. World Trade Organization, “Members and Observers” <https://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm> brett [↑](#footnote-ref-1)