### 1

Interp nibs bad:

### 2

#### Permissibility and presumption negate – [a] the resolution indicates the aff has to prove an obligation, and permissibility would deny the existence of an obligation [b] Statements are more often false than true because any part can be false. This means you negate if there is no offense because the resolution is probably false.

#### Ethics must begin a priori:

#### [1] Uncertainty – our experiences are inaccessible to others which allows people to say they don’t experience the same, however a priori principles are universally applied to all agents.

#### [2] Bindingness – I can keep asking “why should I follow this” which results in skep since obligations are predicated on ignorantly accepting rules. Only reason solves since asking “why reason?” requires reason which concedes its authority and equally proves agency as constitutive

#### That means we must universally will maxims— any non-universalizable norm justifies someone’s ability to impede on your ends.

#### Thus, the standard is consistency with the categorical imperative.

#### Prefer the standard: [a] freedom is the key to the process of justification of arguments. Willing abide by their ethical theory presupposes that we own ourselves. So its logically incoherent to justify their arguments without first willing that we can pursue ends free from others [b] Frameworks are topicality interps of the word ought so they should be theoretically justified. Prefer on resource disparities—a focus on statistics privileges debaters with the most preround prep which excludes lone-wolfs. A debate under my framework solves since huge files aren’t reuqired

#### 1]The aff violates the categorical imperative and is non-universalizable- governments have a binding obligation to protect creations

**Van Dyke 18** Raymond Van Dyke, 7-17-2018, "The Categorical Imperative for Innovation and Patenting," IPWatchdog, <https://www.ipwatchdog.com/2018/07/17/categorical-imperative-innovation-patenting/id=99178/> SJ//DA recut SJKS

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

#### [2] IPs are a necessary check on companies free-riding off associations of quality which violates the principle of humnity

Wong et al 20 [Liana, Ian, and Shayerah; Analyst in International Trade and Finance; Specialist in International Trade and Finance; Specialist in International Trade and Finance; “Intellectual Property Rights and International Trade,” \*Updated\* 5/12/20; CRS; <https://www.everycrsreport.com/files/20200512_RL34292_2023354cc06b0a4425a2c5e02c0b13024426d206.pdf>] Justin

Trademark protection in the United States is governed jointly by state and federal law. The main federal statute is the Lanham Act of 1946 (Title 15 of the United States Code). Trademarks permit the seller to use a distinctive word, name, symbol, or device to identify and market a product or company. Marks can also be used to denote services from a particularly company. The trademark allows quick identification of the source of a product, and for good or ill, can become an indicator of a product's quality. If for good, the trademark can be valuable by conveying an instant assurance of quality to consumers. Trademark law serves to prevent other companies with similar merchandise from free-riding on the association of quality with the trademarked item. Thus, a trademarked good may command a premium in the marketplace because of its reputation. To be eligible for a trademark, the words or symbol used by the business must be sufficiently distinctive; generic names of commodities, for example, cannot be trademarked. Trademark rights are acquired through use or through registration with the PTO.

A related concept to trademarks is geographical indications (GIs), which are also protected by the Lanham Act. The GI acts to protect the quality and reputation of a distinctive product originating in a certain region; however, the benefit does not accrue to a sole producer, but rather the producers of a product originating from a particular region. GIs are generally sought for agricultural products, or wines and spirits. Protection for GIs is acquired in the United States by registration with the PTO, through a process similar to trademark registration.

### 3

### 4

### Case

#### [2] Consequences Fail: [A] Every action has infinite stemming consequences, because every consequence can cause another consequence. [B] Induction is circular because it relies on the assumption that nature will hold uniform and we could only reach that conclusion through inductive reasoning based on observation of past events. [C] Aggregation Fails --- suffering is not additive can’t compare between one migraine and 10 head aches [D] Yes act/omission distinction – there are infinite events occurring over which you have no control, so you can never be moral

#### The aff is a double turn---positioning the 1AC as a way to undermine meaning or representation is itself an imposition of meaning that reaffirms the system they claim to oppose

Francois Debrix 3, professor of political science at Virginia Polytechnical Institute, Rituals of Mediation: International Politics and Social Meaning, p. xxxvii-xxxix, google books

Wodiczko's projections encourage their observers to not just remain passive consumers of rituals of transformation or representation.33 They intimate that social meanings come from the inside, from the mediated visions that, in late modernity, have taken over the social domain within which individual subjects interact. Wodiczko's method is to "manipulate the system from within (and) interfere with (itsl codes."34 Because mediation's codes are crucial to the production of meaning and social meaning maintains relations of power, wealth, and cultural governance, the commanding force of mediation must be revealed. To reveal media- tion, Wodiczko chooses to ironically mimic and exaggerate the effects of some media forms and objects (architecture, public monuments, televi- sion) by defacing and perverting them. Wodiczko's point is not to use different mediated forms to condemn mediation's excesses. His method is rather to use and reappropriate traditionally mobilized modern ritu- als of transformation to display their power of signification. The problematization of mediation is not an end in itself for Wodiczko, though. Problematizing modern rituals of transformation by defacing them is necessary for him to the extent that it contributes to reopening social meaning and to freeing up cultural possibilities. Another project by Wodiczko, the Alien Staff, demonstrates the capacity Of perverting and mimicking (re)mediations to open up (their) meaning.35 The Alien Staff is a situation performance concocted by Wodiczko to reveal the pluralizing potential of mediation once it has been freed from transfor- mative and representational rituals. In this art project, Wodiczko asked immigrants (in the United States mostly) to walk about the city and carry a tall stick made to look like a biblical staff (a new type Of flåneur perhaps). The staff opens up at its top to reveal an inserted television screen. On the screen, the same individual who carries the biblical staff is shown telling his or her life story. The staff bearer is asked to meander around the city and abruptly Stop in front Of pedestrians. The pedestri- ans are then faced with the staff and its mini TV screen. The staff bearer never speaks, and in fact remains as still and stoic as can be. Only the staff is active and conveys information. At one level, Alien Staff could be interpreted as a work of critical trans- formation and radical mobilization performed by this new kind of me- diating ritual. Wodiczko, perhaps, uses the magical staff and its talking head as a metaphor for the silencing of immigrant populations in in- dustrialized societies. Postmodern mediations do not give voice to im- migrants in societies still governed by Modern Man's political power and regime of economic production. This is one possible interpreta- tion offered by Wodiczko's art. Wodiczko does not indicate whether the problematization of postmodern media forms is the intended meaning of the display. But I think that Wodiczko, as silent as his staff bearer, re- fuses to tell the meaning of this art performance on purpose. Explain- ing the art scene would imply that one signification has been imposed. Meaning would be foreclosed and, contrary to the image that is shown, the immigrant would thus be forced to speak. By forcing the immigrant to speak (through someone else's narrating voice), the social system that "silenced" the immigrant in the first place would be reaffirmed. At another level, this performative (re)mediation by Wodiczko is an ironic play of meaning. The contrasting image of a silent human being with this same being's talking face on a miniature TV screen mimics the blinding sight and the deafening sound of contemporary media(tions) that have no place for the immigrant. Who pays attention to television's message anyway? But instead of individual silence or the media's white noise, Wodiczko's Alien Staff speaks volumes. While it denounces and challenges our postmodern mediating rituals, it also offers people (im- migrants in this case) vectors of speech, new methods of signification and presentation Of themselves. Outside the dominant code, different forms of meaning may be accessed. Perhaps, through new mediations of meaning, new social interactions and cultural practices may be developed. Wodiczko observes: "If I could make it more playful. Laughter—all the jokes, the disruptions, the changes of topics, all the absurdity and impossibility of talking about identity. This is the new community." Wodiczko's mediated art forms reimagine subjectivities and commu- nities but do not give them names. They enable meaning by multiplying the ways by which meaning is produced. They Offer different paths through which presentation Of one's body and self can be realized with- out having to postulate this presence from systems Of representation or transformation. In fact, multiple, possibly not essential, but certainly meaningful presentations Of one's selves (as immigrant, as Street per- former, as artist, as talking head) are facilitated. At the same time, Wodiczko's performances are not inaccessible to observers in search Of more traditional representational and transformative rituals Of media- tion. AS a ritual Of representation, Wodiczko's Alien Staff may be taken as an allegory for the im—ble passage of some individuals in demo- cratic political Systems from the status of alien to that Of citizen. Simi- larly, Alien Staff could be interpreted as a ritual Of transformation that denounces the unequal status of some individuals in society visa-vis Others and thus calls for a change of condition. Although those are possi- ble interpretations of Wodiczko's mediations, however, they may not be the most fruitful as they merely seek to impose one (their) privileged understanding of the method of mediation onto Wodiczko's own rituals. In the end, Wodiczko provides a pluralizing model of mediation. Differ- ent outcomes of mediation can take place because, after all, the method of mediation is neither value-free nor the sole possession of romantic man. What Wodiczko's plural approach to the manipulation of the medium and to the use of mediation wants to avoid is not the fact that mediation is being used to produce social meanings. This, Wodiczko suggests, is inevitable and in a sense desirable. What it wants to avoid and what it protects against is the idea, prevalent among proponents of mediation as either or transformation, that desirable so- cial meanings are decided and often established before the method of mediation even has a chance to deploy its cultural and political effects. When this happens, mediation remains an empty middle point between two distant realities or is used as a tool for something else, for some other more romantic social reality that mediation helps to substantiate. When this happens, mediation negates pluralization. The following es- show that contemporary transnational cultural interactions often mobilize mediations to dc just this. The (mediating) internationals that result from such mediations

#### The WTO can’t enforce the aff- causes circumvention.

Lamp 19 [Nicholas; Assistant Professor of Law at Queen’s University; “What Just Happened at the WTO? Everything You Need to Know, Brink News,” 12/16/19; <https://www.brinknews.com/what-just-happened-at-the-wto-everything-you-need-to-know/>] Justin

Nicolas Lamp: For the first time since the establishment of the WTO in 1995, the Appellate Body cannot accept any new appeals, and that has knock-on effects on the whole global trade dispute settlement system. When a member appeals a WTO panel report, it goes to the Appellate Body, but if there is no Appellate Body, it means that that panel report will not become binding and will not attain legal force.

The absence of the Appellate Body means that members can now effectively block the dispute settlement proceedings by what has been called appealing panel reports “into the void.”

The WTO panels will continue to function as normal. When a panel issues a report, it will normally be automatically adopted — unless it is appealed. And so, even though the panel is working, the respondent in a dispute now has the option of blocking the adoption of the panel’s report. It can, thereby, shield itself from the legal consequences of a report that finds that the member has acted inconsistently with its WTO obligations.

#### 5] Real shit is still real – take into account the people whose lives are actually affected by images. Even if images are obscured – we know the difference between real shit and fake shit

Blackburn 07 Simon Blackburn, professor of philosophy at Cambridge University, 4-29-07, “Au revoir Baudrillard,” Prospect, http://www.prospectmagazine.co.uk/2007/04/aurevoirbaudrillard/---- {hors texte = outside the text}

Baudrillard was not concerned with the artist’s touch but with what happens when television and other media purport to take us to the field of action. The 1990 Gulf war was modelled by planners using simulations; it was won, if we call a massacre a victory, largely by pilots looking at computer screens; and it was relayed to the public by television. Most consumers of these images get no reality check; the image is all we have to go on. And the image does not come to us innocently. What happened in 1990 may, indeed, have been something more than a war: an episode in America’s cultural narcissism, a hallucinatory projection of its fears and fantasies, a Faustian pact between developed capitalism and virtual reality, a promotional video, or a simulacrum indistinguishable from Disneyland. So Baudrillard’s hyperbole had a serious point. He often provoked outrage by it, but when, for instance, he tactlessly suggested that the iconic place of Nazi atrocities as a symbol of evil makes it “logical” to ask whether they even existed, his point was not to ally himself with the David Irvings of this world, but to suggest that for many political and cultural purposes, the answer is irrelevant. As with God, it is our investment that matters, not whether it is invested in a fiction. Baudrillard’s ideas about simulated reality seem to have touched on an old philosophical panic. Perhaps our senses are no better than our televisions. Perhaps nature has varnished and spun the pictures we receive. They too are commodities, bought in to provide sustenance. Perhaps, at the limit, we live in a virtual reality, unable to comprehend our real position, sentenced to a woeful life of dreams, myth, fiction and illusion. Baudrillard, the inspiration for the Matrix films, tried to distance himself from the trite opposition of one moment seeing through the glass darkly and then coming face to face with reality, yet he enjoyed playing with its ingredients. I do not think this was wise, since generalised scepticism implies that there is nothing especially wrong about America or late capitalism or consumer society—and would any self-respecting culture critic want to draw that conclusion. In any event, it is not all simulacra. We are participants in a public world, not hermits trapped in our own private cinemas. The cure for the sceptical nightmare is action. Nobody stays sceptical while crossing the street, or choosing dinner. Nor while dodging bombs and shells, even if they are sent by people watching computer screens. In the hurly-burly of survival, there is a lot that is hors texte—although this is more true for the artisan driving nails or baking bread than for the politician (or academic) whose work is confined to the production of signs and messages.

#### Aff gets circumvented- powerful countries use bilateral agreements to force other countries to accept their IPR protections- its empirically proven

DC = developing country

NIT = Net Importers of Technology (this references developing countries)

NET = Net Exporters of Technology (countries with advanced economies)

Marcellin 16 Marcellin, Sherry (Professor, London School of Economics). The political economy of pharmaceutical patents: US sectional interests and the African Group at the WTO. Routledge, 2016./SJKS

In July 1988, prior to the Montreal Mid-Term Review, DCs had sensed that the approach being proposed by industrialised countries was desirable on the grounds that the alternative would be a proliferation of unilateral or bilateral actions (MTN.GNG/NG11/8: 31). These NITs maintained that acceptance of such an approach would be tantamount to creating a licence to force, in the name of trade, modifications in standards for the protection of IP in a way that had not been found acceptable or possible so far in WIPO (ibid). Brazil subsequently informed the Group that on October 20, 1988, unilateral restrictions had been applied by the US to Brazilian exports as a retaliatory measure in connection with an IP issue; that this type of action seriously inhibited Brazil’s participation in the work of the Group, since ‘no country could be expected to participate in negotiations while experiencing pressures on the substance of its position’ (MTN.GNG/NG11/10: 27). The Brazilian delegate maintained that such action by the US constituted a blatant infringement of GATT rules and was contrary to the Standstill commitment of the Punta del Este Declaration. ‘The United States action was an attempt to coerce Brazil to change its intellectual property legislation, and furthermore represented an attempt by the United States to improve its negotiating position in the Uruguay Round’ (ibid). A US delegate countered that the measures had been taken with regret and as a last resort after all alternative ways of defending legitimate US interests had been exhausted, and that the US further believed that the adoption of effective patent protection was in Brazil’s own interest (ibid: 28). The US had therefore applied its strategy of coercive unilateralism against one of the two most important players championing the cause of the South in the TRIPS negotiations, the other being India. Apprehensive about the resistance of this dominant Southern duo, the United States sought to utilise its market size as a bargaining tool to secure changes to national IP regimes. It therefore decided to impact the more powerful of the two at the time, thereby indirectly admonishing India and the entire coalition against strengthened IP rules, as well as their domestic export constituencies who would be affected by US decisions to restrict imports. Moreover, because Brazil and India appeared to be collaborating extensively in maintaining a united front, a resulting strain on Brazil’s economy would likely affect their co-operation. However, since market opening and closure have been treated as the currency of trade negotiations in the post-war period (Steinberg 2002: 347), the move to place restrictions on Brazilian exports by the largest consumer market in the GPE should not have been entirely unanticipated. Brazil was also the regional leader in South America and disciplining it would send an unequivocal warning to other South American countries (Drahos and Braithwaite 2002: 136), including Argentina, Chile and Peru who were also active participants in the negotiations. This would mark the start of a series of coercive strategies aimed at compliance with the US private-sector envisioned GATT IPP.

#### The aff is co-opted by an agenda of EU health diplomacy that only further expands capitalist imperialism

Andrea Patanè 21. Marxist, Published: 15 May 2021. “COVID-19 pandemic: patents and profits” <https://www.marxist.com/covid-19-pandemic-patents-and-profits.htm> brett

Far from an act of ‘international solidarity', this latest move from the US government is a calculated political risk, and will be implemented in the interests of US imperialism. A section of the more serious wing of the bourgeoisie understands that a proper economic recovery can happen only if the pandemic is suppressed worldwide. As we have explained elsewhere, wealthy countries risk losing billions of dollars if the pandemic is brought under control only within their own borders, because new variants (like those in India and Brazil) can always mutate elsewhere and reinfect their populations, causing further economic disruption. Therefore, even on a capitalist basis, it is expedient in the long-term for the rich countries to facilitate a global vaccination campaign. Even Pope Francis anointed the demand from his seat in Rome! Biden’s announcement is also an act of vaccine diplomacy. America’s main rivals, China and Russia, have been shoring up their spheres of influence by distributing their Sinopharm and Sputnik V vaccines to poor countries left out by the vaccine nationalism of the US and Europe. Chinese and Russian vaccines have been exported into countries traditionally under western spheres of influence, including Brazil and Hungary. Pushing to waive IP protections on COVID-19 vaccines is therefore partly an effort to push back against the encroachment of rival imperialist powers, which have so far outcompeted Washington in the global vaccination drive. Biden’s announcement is also an attempt to restore the standing and authority of US imperialism on the world stage, which has been bruised by the ‘America First’ vaccine nationalist policy started by Donald Trump, and continued by Biden. According to the FT, Katherine Tai (top US trade envoy) and Jake Sullivan (national security adviser) made the case to Biden that pushing for the waiver “was a low-risk way to secure a diplomatic victory”, after coming under fire for not “respond[ing] quickly enough to the unfolding COVID-19 crisis in India”. Here you have it, straight from the horse’s mouth. Under capitalism, vaccines – rather than providing a way out of the pandemic – are tools for ‘low-risk diplomatic victories’. As if this was some sort of football match between world leaders! In short, Biden is stepping in to prioritise the interests of US imperialism as a whole over the immediate interests of the Big Pharma capitalists. But we should say clearly: this cynical attempt to claim the moral high ground came only after the US used its massive economic clout to secure enough vaccines to inoculate its own population several times over. And in fact, the wartime Defense Production Act is still in effect, which forces US manufacturers to fulfil domestic demands for medical equipment before exports are permitted. This de facto export ban has created bottlenecks in the supply chain that have already undermined the WHO-led COVAX programme to vaccinate poor countries. Rest assured, Biden’s policy remains ‘America First’, just by somewhat more calculated means than his predecessor.