## 1

#### Interpretation: Reduce means unconditional and permanent – the aff is a suspension.

Reynolds 59 – Judge (In the Matter of Doris A. Montesani, Petitioner, v. Arthur Levitt, as Comptroller of the State of New York, et al., Respondents [NO NUMBER IN ORIGINAL] Supreme Court of New York, Appellate Division, Third Department 9 A.D.2d 51; 189 N.Y.S.2d 695; 1959 N.Y. App. Div. LEXIS 7391 August 13, 1959, lexis)

Section 83's counterpart with regard to nondisability pensioners, section 84, prescribes a reduction only if the pensioner should again take a public job. The disability pensioner is penalized if he takes any type of employment. The reason for the difference, of course, is that in one case the only reason pension benefits are available is because the pensioner is considered incapable of gainful employment, while in the other he has fully completed his "tour" and is considered as having earned his reward with almost no strings attached. It would be manifestly unfair to the ordinary retiree to accord the disability retiree the benefits of the System to which they both belong when the latter is otherwise capable of earning a living and had not fulfilled his service obligation. If it were to be held that withholdings under section 83 were payable whenever the pensioner died or stopped his other employment the whole purpose of the provision would be defeated, i.e., the System might just as well have continued payments during the other employment since it must later pay it anyway.  [\*\*\*13]  The section says "reduced", does not say that monthly payments shall be temporarily suspended; it says that the pension itself shall be reduced. The plain dictionary meaning of the word is to diminish, lower or degrade. The word "reduce" seems adequately to indicate permanency.

#### Violation: evergreening is one and done

#### Vote neg:

#### 1] Limits and ground– their model allows affs to defend anything from pandemics to Biden’s presidency— there's no universal DA since it’s impossible to know the timeframe when there won’t be IP— that explodes neg prep and leads to random timeframe of the week affs which makes cutting stable neg links impossible — limits key to reciprocal engagement since they create a caselist for neg prep (innovation, collaboration, econ, ptx: all core neg literature thrown away)

#### 2] 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.

#### 3] TVA – defend the advantage to a whole rez timeframe. We don’t prevent new FWs, mechanisms, or advantages. PICs don’t solve – our model allows you to specify countries and medicines.

#### Fairness – debate is a competitive activity that requires fairness for objective evaluation. Outweighs because it’s the only intrinsic part of debate – all other rules can be debated over but rely on some conception of fairness to be justified.

#### Drop the debater – a] deter future abuse and b] set better norms for debate.

#### Competing interps – [a] reasonability is arbitrary and encourages judge intervention since there’s no clear norm, [b] it creates a race to the top where we create the best possible norms for debate.

#### No RVIs – a] illogical, you don’t win for proving that you meet the burden of being fair, logic outweighs since it’s a prerequisite for evaluating any other argument, b] RVIs incentivize baiting theory and prepping it out which leads to maximally abusive practices

## 2

#### Permissibility and presumption negate – a. the resolution indicates the affirmative 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 so negate because the aff is probably false

#### The aff burden is to prove that the resolutional statement is logical, and the reciprocal neg burden is to prove that the resolutional statement is illogical.

#### Prefer:

#### 1. Text – Oxford Dictionary defines ought as “used to indicate something that is probable.”

[https://en.oxforddictionaries.com/definition/ought //](https://en.oxforddictionaries.com/definition/ought%20//)Massa

#### Ought is “used to express logical consequence” as defined by Merriam-Webster

(<http://www.merriam-webster.com/dictionary/ought>) //Massa

#### 2. Debatability – a) my interp means debates focus on empirics about squo trends rather than irresolvable abstract principles that’ve been argued for years b) Moral oughts cannot guide action.

**Gray,** Grey, JW. "The Is/Ought Gap: How Do We Get "Ought" from "Is?"" *Ethical Realism*. N.p., 19 July 2011. Web. 28 Oct. 2015. //Massa

**The is/ought gap is a problem in moral philosophy where what is the case and what ought to be the case seem quite different, and it presents itself as the following question** to David Hume: **How do we *know* what morally ought to be the case from what is the case?** Hume posed the question in A Treatise of Human Nature Book III Part I Section I: In **every system of morality**, which I have hitherto met with, I have always remark’d that the author proceeds for some time in the ordinary way of reasoning, and establishes the being of a God, or makes observations concerning human affairs, when of a sudden I am surpriz’d to find, that instead of the usual copulations of propositions, is and is not, I meet with no proposition that is not connected with an ought, or an ought not. This change **is imperceptible**; but is, however, of the last consequence. **For as this ought**, or ought not, **expresses some new relation** or affirmation, ‘tis necessary that it shou’d be observ’d and explain’d; and at the same time that a reason shou’d be given, **for what seems altogether inconceivable**, how this new relation can be a deduction from others, which are entirely different from it. It is here that Hume points out that **philosophers argue about** various **nonmoral facts, then somehow conclude what ought to be the case** (or what people ought to do) **based on** those facts (about **what is the case**). **For example, we might find out that arsenic is poisonous and conclude that we ought not consume it. But we need to know how nonmoral facts can lead to moral conclusions. These two things seem unrelated. The is/ought gap [isn’t]** doesn’t seem like **a problem for nonmoral oughts**—what we ought to do to accomplish our goals, fulfill our desires, or maintain our commitments. For example, we could say, “If you want to be healthy, you ought not consume arsenic.” However, it might be morally wrong to consume arsenic. If it is, we have some more explaining to do.

#### 4. Neg definition choice – The aff should have defined ought in the 1ac as their value, by not doing so they have forfeited their right to read a new definition – kills 1NC strategy since I premised my engagement on a lack of your definition.

#### [1] Inherency – either a) the aff is non-inherent and you vote neg on presumption or b) it is and it isn’t logically going to happen.

## 3

interp: aff cant read 1ar theory highest layer and dtd and no rvi, no 2n theory paradigm issues, and new 2ar theory weighing

- infinite abuse - extempted

#### Fairness outweighs because it’s the only intrinsic part of debate – all other rules can be debated over but rely on some conception of fairness to be justified.

Meta theory ow -

# Case

## Uv

New 2nr responses to spikes

#### [1] Vote them down – inclusion is a tangible out-of-round impact distinct from the procedural aspects of debate –key to minority participation – at worst I get new responses and u reject spikes

Thompson 15 Terrence Lonam April 21, 2015 “Miscellaneous Thoughts from the Disorganized Mind of Marshall Thompson” http://nsdupdate.com/2015/04/21/miscellaneous-thoughts-from-the-disorganized-mind-of-marshall-thompson/

First, I think that evaluating who is the better debater via who dropped spikes excludes lots of specific individuals, especially those with learning disabilities. I have both moderate dyslexia and extreme dysgraphia. Despite debating for four years with a lot of success I was never able to deal with spikes. I could not ‘mind-sweep’ because my flow was not clear enough to find the arguments I needed, and I was simply too slow a reader to be able to reread through the relevant parts of a case during prep-time. I was very lucky, my junior year (which was the first year I really competed on the national circuit) spikes were remarkably uncommon. Looking back it was in many ways the low-point for spike. They started to be used some my senior year but not anything like the extent they are used today. I am entirely confident, however, in saying that if spikes had had anywhere near the same prevalence when I started doing ‘circuit’ debate as they do now, I—with the specific ways that dyslexia/dysgraphia has affected me—would never have bothered to try to debate national circuit LD (I don’t intend to imply this is the same for anyone who has dyslexia or dysgraphia, the particular ways that learning disabilities manifest is often difficult to track). Now, the mere fact that I would have been prevented from succeeding in the activity and possibly from being able to enjoyably compete is not an argument. I never would have been able to succeed at calligraphy, but I would hardly claim we should therefore not make the calligraphy club about handwriting. Instead, what I am suggesting is that the values that debate cares about and should be assessing are not questions of handwriting or notation. We expect notation instrumentally to avoid intervention, but it is not one of the ends of debate in itself. Thus, if there is a viable principle upon which we can decrease this strategic dimension of spikes but maintain non-intervention I think we should do so. I was ‘good’ at philosophy, ‘good’ at argument generation, ‘good’ at research, ‘good’ at casing, ‘great’ at framework comparison etc. It seems to me that as long as I can flow well enough to easily follow a non-tricky aff it was proper that my learning disabilities not be an obstacle to my success. (One other thing to note, while I was a ‘framework debater’ who could never have been good at spikes because of my learning disability I have never met a ‘tricky debater’ who could not have succeeded in debate without tricks simply in virtue of their intelligence and technical proficiency; that is perhaps another reason to favor my account.)

[2] they’re not complete arguments until the 1ar

[3] clash – they just extend one conceded argument and explode it which destroys any clash

### Give the neg an RVI on 1ar and 1ac theory

#### To clarify this includes your spikes which should also mean if I win an offensive reason to reject one of your spikes it triggers an RVI.

#### [1] Not having an RVI incentivizes you to read a bunch of blippy underdeveloped spikes in the 1AC as well as a short 1ar shell solely as a time suck scewing my strategy. Strat skew key to equal access to the ballot.

#### [2] Infinite abuse: absent an RVI, the aff can read game over arguments like evaluate the theory debate after the 1ar putting the NC in a doublebind: either I answer them and waste time or concede them and auto lose.

#### [3] Under competing interps we should create the best norms for debate. RVIS encourage debaters to actually test issues, including the spikes you are trying to defend as good norms.

#### [4] Ableism: Having an RVI on spikes is key to ensure that you don’t use them in an exclusionary manner, such as hiding them inside other spikes, which shuts people with flowing disabilities outside of debate.

#### [5] Forcing them to go for their interp ensures debaters wont just spam spikes, but instead only preempt genuine abuse, which means A) we spend more rounds on substance and B) people read shorter underviews and more substance.

No 1ar theory

[1] 7- 6 time skew

[2] no 3nr to respond to the 2ar so every arg goes uncontested which means 1ar theory is a no risk issue for u which also answers new 2ar theory weighing

[3] 1ac theory checks and its contextual

#### Reasonability on 1AR shells – 1AR theory is super 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 super abusive 1NCs while still giving the 2N a chance.

#### 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.

#### New 2NR paradigm issues– a] none of the args have a clear implication which encourage shiftiness b] It’s key to robustly contest their norm.

### Negating is harder

#### [a] Aff has the ability to read the first framework and spikes which I have to coincide with and react to which outweighs since a) you have infinite prep time to frontline your aff before round so you’ll always be ahead of me and b) this turns my ability to react since you can mold my advocacy until I’m forced into generics that you are ready to debate.

#### [b] You speak first and last which means you have a psychological judge persuasion advantage since you frame the round in their mind and are the last thing they remember.

#### [c] Aff sets the stage for the debate by choosing the advocacy which means they can exclude all neg ground and win easily.

### Reject spikes not specifically delineated in their own section

#### To clarify – if there is contradictions negate under a spike section titled aff gets 1ar theory, it should be rejected.

#### [1] Flowability – it becomes impossible to flow because we can’t look at every single word as people spread – that comes first because you have to flow to debate.

At affirm if I win offense

AT timeskew - 2nr is split bc of 1ar offense - 1ar strategicness and 2ar collapse solves AT reciprosity - aff gets aff specific theory and aff specific arguments - thats not a reason for literally everything to be offense

### Offense

[1] Aff defending permanent policies are anti-pragmatic – they preclude future deliberation and change

[2] Fiat is anti-pragmatic – it kills deliberation on the aff

[3] Squo is better – it lets use deliberate over whether countries want to pass the aff – countries like the EU that don’t want to do the aff are excluded

[4] They reduce free flow of information – no one will share information if it can be stolen – patents are net better bc they make info accessible but preclude your ablity to profit – that encourages future innovation

[5] stops deliberation on new uses of drugs bc u cant patent them answers the wu 2 ev

#### [6] Patents facilitate collaborative innovation by reducing competitive risks and secrecy.

**Helsloot 20** Helsloot, Hans. “Patents Are Not about Monopolies, but about Sharing Knowledge.” *Innovation Origins*, 29 Aug. 2020, innovationorigins.com/en/patents-are-not-about-monopolies-but-about-sharing-knowledge/. Good luck Danny!

I am often surprised that – when talking about patents – it’s mainly about creating monopolies and keeping that knowledge to yourself. Sharing knowledge and inventions is presented as the antithesis of patenting, yet it isn’t in practice. Patent applications are publicized free of charge by the government, which means that knowledge is open to the public. In many cases, patent applications are also filed precisely to make it easier to innovate collaboratively. Innovation is not something you do on your own Practically all innovations are brought to fruition by working together with other companies. Smaller companies in particular often need to collaborate quite a bit. Innovating together, however, is a path marred by pitfalls. You tend to have to share your knowledge with others that you would normally prefer to keep secret. As a consequence, you may inadvertentedly create new competitors if a partnership falls apart. But if you refuse to share your knowledge, you hamper close collaboration and create a sense of distrust as well, which in turn increases the likelihood of failure. Contract or patent You can avoid distrust in part by first making sound contractual agreements with regard to confidentiality, goals, roles, input, and the rights to the result of the partnership. This is achievable as long as the number of partners is fairly limited, all partners have an interest in the development becoming successful and there are not too many setbacks along the way. But before the number of cooperation partners expands, or you have to work with unknown parties, it is important to find out what is patent-worthy. At least before you start sharing knowledge with them. If you have already filed a patent application at that stage, then it will be far easier to share knowledge. Sorting system for recycling I shall illustrate this with an example. Some time ago, I spoke to a young company that had come up with an innovative sorting technique. They planned to adjust this new technique so that it could be used in recycling systems, which they would work on together with a multinational who were global operators in recycling. The young company needed the multinational for funding in order to get their innovation onto the market and in turn, the multinational would be able to bring an interesting innovation on board. It seemed like a great deal for the young innovative company. However, they had not yet patented any of their sorting techniques and wanted to arrange everything with contracts instead. Part of the deal had only been agreed in word and not through written contracts. The collaboration subsequently yielded all kinds of patentable inventions about adjustments to the sorting technique which made it even more suitable for recycling. Because these inventions came out of the collaboration, the multinational claimed part-ownership of the patent applications, so that it could prevent its competitors from copying the technique. Shared ownership This kind of shared ownership creates a very complex situation. For example: precisely what is being patented? Should it specifically concern the recycling application (in the interest of the recycling company), or should an separate application be filed (in the interest of the young company)? Does the patent have to be applied for in the countries where the recycling company’s competitors are active (interest of the recycling company) or in the countries where the sorting technique may attract interest (in the interest of the young company). Consequently, all kinds of strategic choices will have to be made over the next 20 years (= maximum duration of the patent). The odds are not really high that the young company and the multinational will have the same business interests with regard to these choices over the next 20 years. It would have been better if the young company had already applied for a patent for the sorting technique before starting their collaboration. They would have had a much stronger negotiating position then. Plus, they would have been able to share that knowledge safely without the fear that the mulitinational would end up owning 50% of their sorting technology. Regrettably, it is no longer possible to walk that back. Stronger If you had already filed a patent, you are in a much stronger position when it comes to innovating with other parties. Moreover, sharing knowledge is less risky than when you try to arrange everything solely on the basis of contracts. After all, contracts only apply to parties who have actually signed them. Whereas patents apply to everyone. A cooperation partner may at some point decide not to respect the contract. Then go and try to prove exactly what they should have kept confidential according to the contract. Or try to claim for any ensuing damage. If you have already filed a patent application, you will be much stronger if that ever happens. Even if it’s just a matter of threatening to sell the patent application on to your opponent’s main rival. Plenty of people will argue that patent applications are more expensive than contracts. Unfortunately, this is true. But if sharing knowledge does turn out to be less risky, the chances for successful collaboration are much greater. On top of that, patent applications add more value to your business than contracts do. They make your company more attractive to financiers and they can be traded. Once they have been granted, you can earn a lot of money from them by licensing them off. When all is said and done, submitting a patent application prior to a collaboration does help facilitate the sharing of knowledge.

At barron

This isn’t offense for u – its reason as to why kant affirms no warrants as to why intellectual commons are good – nice try Daniel

At wu 1

The aff homogenizes ip regimes – every country is forced to do the same thing as the wto says

Turn – squo allows for us to deliberate certain patents for each drug esp cuz they have dif purposes

The aff is an ip law – ur article isn’t about the topic but rather that ip laws are uniform but u are still a form of ip law – u govern how ip should be

At wu 2

U critique ip laws- u create ip law that doesn’t currently exist about evergreening whereas the squo doesn’t have that ip law evergreening which means ur offense doesn’t link