

# Product Liability



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Members of Ulmer & Berne LLP's product liability practice have significant expertise and experience in the defense of product liability claims. Our product liability lawyers have represented manufacturers of many types of machines, devices and products, including power plant components, heavy equipment, industrial systems and consumer goods, as well as product designers, distributors and retailers, in product liability actions.

We help clients defend product liability claims in state and federal courts nationwide ranging from individual actions to major class actions. This challenging area of the law requires continual analysis and extension of defenses available to manufacturers of products, and the lawyers who practice in this area remain current in addressing the issues that arise in products liability cases, including the following:

- Claims based on defective design or defective manufacture of a product;
- Claims based on inadequate warning or failure to warn (including original warnings and post-marketing warnings), including claims addressing the content and delivery of the warning; and
- Theories of defense available to manufacturers of products, including definition of a product, assumption of risk, substantial alteration of the product, the open and obvious condition of the product, "state of the art" and unforeseeable misuse of the product.



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