

Products Liability

Products liability is an area of personal injury law that deals with injuries caused by **defective products**.

Products liability can be a fairly complicated area of law. This is because the factual issues are often very difficult to sift through. It's sometimes difficult for a **plaintiff** to prove that a defective product caused their injuries, and that they were using the product for its intended purpose, which is usually an essential element in a successful products liability claim.

Unlike many other personal injury actions, a lawsuit for products liability generally doesn't require a showing that the manufacturer or seller of the product was negligent in designing or manufacturing the product. They simply need to show that a defect existed, and that it caused an injury to the end user. This liability-without-fault standard is known as "**strict liability**."

There are a few different types of defects that can give rise to a products liability suit. They are generally referred to as "design defects," "manufacturing defects," and "warning defects."

First of all, it should be made clear what constitutes a "defect." A product is deemed to be defective when it is unreasonably safe when put to its ordinary use. "**Unreasonably safe**" means that the dangers associated with using a product do not outweigh the product's usefulness, and that there are no means to make the product safer without significantly reducing its usefulness, or making it overly expensive.

A **design defect** is a defect that exists in a product even if it manufactured according to its design. For example, if a chair's design specifications call for legs that are too thin to support the weight of an average person, and the chair routinely breaks, causing injuries, it suffers a design defect.

A **manufacturing defect**, on the other hand, occurs when a product's design is sound, but something goes wrong in the manufacturing process, rendering it unsafe.

A **warning defect** is present when a product has certain dangers inherent to its very nature, which cannot be eliminated without making the product less useful. In this case, the product needs to have clear warnings about this danger. If such a product does not have adequate warnings, and this causes an injury, the company that made the product is going to be liable.

This is just a basic overview of products liability law. There are many more details that you should be aware of. If you have been injured by a defective product, you should consult with an experienced **products liability attorney**. Your attorney will be able to advise you of your legal rights, as well as your chances of succeeding in a products liability lawsuit.