

# Liability for Defective Products

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Millions of consumer products are produced every year. With mass production and use of these products has come numerous injuries. Sometimes the injuries are the user's fault. Many times, however, they are due to defective products.

Many grounds exist to win damages if you are injured by a defective product. The manufacturer may have been negligent, or it may have breached a contract or warranty.

Another ground for recovery in many cases is "strict liability." To recover damages under strict liability, a person generally only has to show that a product is defective and that the defect caused his or her injuries.

A manufacturer may be liable under all three grounds - negligence, breach of warranty and strict liability. However, rules vary from state to state regarding which grounds are available and the proof needed to recover damages. A lawyer should therefore be consulted in connection with any product liability claims.

A product can be defective in many ways. It may

have a manufacturing defect. This occurs when it is not made according to specifications. A piece may be missing, or the product may not be built properly, causing it to be dangerous.

Another kind of defect is a "design defect." This occurs when there is something wrong with the product's design. Thus, a product built according to instruction may be defective if the instructions are the source of the problem. For example, the product's creators may have used the wrong type of material or may not have included adequate safety shields in designing the product.

A product can also be defective if it does not include adequate warnings about possible dangers or complete instructions on how to use it.

If you are injured by a product, consult an attorney to determine if there is a right to compensation, even if you think you are partly to blame. Injuries that on the surface look like they were caused by the user often turn out to have been caused by a defective product. Also, certain legal principles may let you recover money even if you are partly to blame for your injuries. Act quickly, since there are time limits for filing claims.