

## Seminar

# Product Liability in the U.S.

**Reduce your liability risk!**

**Avoid damages liability!**

- *US product liability law*
- *Avoiding risks*
- *Scope and limitations of liability*
- *Contract provision in the English language*
- *Labelling of products*

**Tuesday, 24th February 2009**

**9:00 – ca. 17:00 Uhr**

**Austria Trend Hotel Ananas  
Rechte Wienzeile 93-95  
(Entrance: Sonnenhofgasse)  
1050 Wien**

## Target group

Export- and import managers, Lawyers, Manufacturers, Suppliers, Consultants, Controllers, Quality Mangers

## Background, Seminar goal

Product liability in the U.S. is a challenge for companies. In the media often spectacular claims regarding defective products are discussed, but many companies are not sufficiently prepared for product liability claims. The purpose of this seminar is to introduce you to U.S. product liability and to outline how risks can be mitigated. A key topic is prevention by risk management.

## Speaker

Dr. Paul Luiki, J.D. (Iowa), lawyer in Vienna and partner at the law firm Fellner Wratzfeld & Partner Rechtsanwälte GmbH; licensed lawyer in the state of Ohio; native-born US citizen with extensive practical experience as a lawyer in the US and in Austria; specialized in contract and corporate law, in particular product liability matters.

## Program

### Basics and developments

- Trends
- Statistics
- Legal introduction

### U.S. Product liability and the international context

When are goods subject to U.S. product liability laws?

### What is a defect?

- Criteria of defects (consumer expectation, risk-utility analysis)
- Manufacturing defects
- Design defects
- Warning defects

### Bases of claims

- Strict product liability
- Breach of warranty
- Negligence

### Damage

- What is a damage?
- Incidental and consequential damages
- Punitive damages
- Who is liable?

### Statute of limitations

### Risk Management

- Identification of hazards
- Mitigation of risks
- Warnings, manuals, packaging
- Duty of surveillance, product adaption
- Insurance coverage

### Contractual terms in English

- Contractual liability
- Warranty, exclusion of liability
- Contractual indemnities

### Procedural specifics on litigation in the U.S.

- Legal differences within the U.S. (federal structure)
- The jury process
- Evidentiary issues
- The role of the expert in the process
- What to do in the event of a claim lodged in the U.S.
- Case studies from the U.S.
- Comparisons to Austria (basic differences in product liability law and practice)

Luiki

**Organization**

**Date/Venue:**

Tuesday, 24<sup>th</sup> of February 2009

**Time:** from 9.00 to 17.00

**Place:** Austria Trend Hotel Ananas, Rechte Wienzeile 93-95, 1050 Vienna

**Course Fees:**

**EUR 420,00** + 20 % VAT., includes full documentation, coffee breaks, lunch, payable net upon receipt of invoice

**Discounted Delegate Fee:**

**EUR 336,00** + 20 % VAT. for members of ICC Austria (we would welcome your company/bank should you decide to become a member of ICC Austria)

**Registration deadline:**

4 business days prior to the seminar

**Cancellation:**

Please understand that a cancellation as well as a possible return of seminar fee can only take place if the cancellation is exercised prior to the registration deadline. Any cancellation must be in writing. If cancellation is not made in a timely manner, the full seminar fee is owing. Of course you can send a substitute if you cannot attend.

**Registration:**

Fax: +43 1 50105 - 3703  
@ [icc@icc-austria.org](mailto:icc@icc-austria.org)  
✉ ICC Austria  
Wiedner Hauptstraße 73  
1040 Viennan

**Information:**

Organization: Eric Savoye  
☎ Tel.: +43 1 50105 - 3700

**Further ICC seminars:**

- ◆ **Conference on Bank Guarantees**  
11. + 12. Mai, Wien
- ◆ **Conference on Letters of Credit**  
13. + 14. Mai, Wien
- ◆ **Forfeiting, Factoring of issuing banks under L/Cs**  
for Trade Finance Specialists  
15. Mai, Wien



**Registration**

It is best to send a fax to:

**ICC Austria** Fax: +43 1 50105 – 3703 mail to: [icc@icc-austria.org](mailto:icc@icc-austria.org)

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Yes, I register for the seminar

**Produkt liability in the US**

February 24th 2009

and agree that my details can be electronically stored and that I can be notified of further seminars by mail, fax or email.

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