COSGRAVE
VERGEER KESTER

Product Liability

Cosgrave's experienced product liability defense trial lawyers understand product manufacturers and the legal landscape in which they operate. Our work with manufacturers, distributors and sellers covers a wide range of services from pre and post-launch design review, to investigation of non-litigated claims, to product recall advice, and to litigation and trial in our state and federal trial and appellate courts. Cosgrave has been defending product liability claims for nearly 80 years.

Product liability claims typically fall into one or more of three categories – defective design, defective manufacture/assembly and inadequate warning/instruction claims. A manufacturer, distributor or seller is not liable unless the claimant shows the project was not only defective, but also "unreasonably dangerous." Applicable governmental regulations and voluntary industry standards often play an important role in shaping a product liability claim.

The successful defense of a product liability claim involves three key ingredients: (1) knowledge of the ever-changing laws, regulations and voluntary industry standards impacting product liability claims, (2) a detailed, technical understanding of your product and industry, and (3) the ability to effectively present the technical aspects of your product design to a local jury. Cosgrave's product liability lawyers have significant experience in all of these areas.

Cosgrave's Oregon and Washington product liability team defends manufactures, distributors and sellers in a wide range of industries, including the following:

Medical Devices/Pharmaceutical:

- Power Wheelchairs
- Motorized Hospital Beds
- Surgical Tables
- Adulterated Medications
- Pain Pumps
- Rollators (wheeled walker)
- Oxygen Concentrators

Farm/Industrial/Construction Equipment:

- Tractors

INDUSTRIES

Construction

Healthcare

Hospitality

Insurance

Manufacturing

Railroad

Trucking and Motor Carrier

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- Backhoes
- Forklifts
- Food Processors (grinders)
- Automated Conveyor Line Equipment
- Self-Unloading Trailers
- Scaffolding
- Angle Grinders
- Industrial Lathes

Transportation:

- Defective Tires
- ATVs
- Marine Diesel Engines
- Experimental Aircraft
- Semi-Truck Trailers
- Van Conversions

Building Supplies:

- Residential Electrical Switches
- Electrical Pumps
- Windows
- Defective Lumber
- Underground Piping
- Asbestos-Containing Products
- Silica-Containing Products
- Flooring

Consumer Products:

- Firearms
- Ladders
- Paper Shredders
- Coffee Makers
- Paraffin Foot Baths
- Acid Peel Facial Treatments
- Folding Golf Carts
- Heating Pads
- Snorkeling Equipment
- Fishing Waders
- Office Chairs
- Rust Prevention

Construction Defect Related Products – visit our Construction Services and Litigation Practice Area page

Representative Clients

- Canam Steel Corporation
- FedEx Express
- Medmarc Insurance Company
- Invacare Corporation
- United Rentals (North America), Inc.
- Recreational Equipment, Inc., (REI)
- Snap-On, Inc.
- Shaw Industries Incorporated

- Tremco Incorporated
- American International Group (AIG)
- Chubb Insurance Company
- Liberty Mutual Insurance Company
- National Indemnity Insurance Company

Affiliations

ALFA International Product Liability & Complex Torts Practice Group
ALFA International Medical Device and Drug Practice Group
American Academy of Appellate Lawyers
American Bar Association Litigation Section
American Board of Trial Advocates
American College of Trial Lawyers
Defense Research Institute
Federal Bar Association
Federation of Defense & Corporate Counsel
Litigation Counsel of America
Oregon Association of Defense Counsel