



Product Liability, Mass Torts and Product Stewardship

Our Product Liability, Mass Torts and Product Stewardship team assists our manufacturing clients on risk, compliance and business management at every stage of the product life cycle. We are positioned to defend claims of any scope, around the globe. We help our clients keep ahead of the game on compliance with product safety legislation, lobbying and engaging if necessary with government legislatures and the public regulatory authorities. We advise on environmentally friendly supply chain management.

We handle crises that involve product recalls, governmental investigations, insurance coverage and environmental concerns. We are mindful of the need to maintain reputations. In the event of claims that may need to go to arbitration or trial, our team includes some of the most highly regarded dispute resolution lawyers in the world, according to respected legal publications, including Chambers and Partners, and Legal 500.

We collaborate with our colleagues around the world to ensure that each client receives sound advice based on a multi-disciplinary and multi-jurisdictional approach.

CAPABILITES

Product Liability and Mass Torts

- Litigation and defense

DLA Piper is proud to feature a premier team of product liability litigation attorneys whose depth and breadth of knowledge and experience is unmatched. In jurisdictions around the world, our lawyers advise on legal responsibility for product defects, injuries sustained, and damages suffered, and assist in the collation of relevant evidence and the engagement of relevant experts.

Our attorneys are highly experienced at managing the litigation process from beginning to end, including with regards to disclosure of documents, collation of witness evidence, obtaining expert evidence, interim applications, and preparations for trial, as well as through trial and the appeals process.

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- Class actions by multiple claimants and mass torts

DLA Piper regularly represents clients in class action and mass tort lawsuits and serves as trial counsel to many of the world's leading corporations. In actions filed on behalf of large groups of claimants, our clients depend on our attorneys to anticipate emerging threats, develop streamlined, effective strategies that respond to the nuances of a particular suit, defeat class certification and/or plaintiff's claims at an early stage, and safeguard their long-term business interests. We have repeatedly brought our diversity of knowledge, talent, and experience to bear successfully defending against consumer claims of all sizes and levels of complexity including emerging forms of collective redress.

- Insurance coverage

DLA Piper advises on the availability and scope of cover (product recall, business interruption, legal costs, etc.), the form of all necessary notifications and any relevant exclusions, and will liaise with insurers/ brokers as appropriate.

Product Stewardship and Regulatory Compliance

- Product safety

Product safety forms an important part of our practice. Our lawyers have extensive experience in advising on supranational, and national/state legislation; the areas which are most likely to be of concern to manufacturers, distributors and suppliers, including materials restriction regulation, such as the EU REACH and WEEE and RoHS legislation, packaging, waste and product life-cycle management legislation, and national requirements on labelling and containers. We are intimately familiar with the US regulatory landscape as well, and advise often on issues relating to the CPSC, FDA, FTC, and other agencies.

Our lawyers advise clients on regulations and compliance when bringing a product to market, deal with issues when a product is in the marketplace including providing risk assessments and planning corrective actions.

- Product recall and crisis management

In the event of a potential recall situation, we can deploy a Crisis Management team who can act quickly and assess whether or not a recall is necessary and continually review that decision. The team can make any necessary notifications to regulators within strict timescales.

The decision to undertake a product recall, whether on ground of regulatory compliance issues or to pre-empt potential liability claims, is always a difficult one which will be determined by a number of factors. Often a recall will be the option of last resort once all other avenues have been exhausted. Factors which will be taken in to account are: the volume of product on the market place, how easily the product can be recalled, whether or not there is a safety risk and whether any statutory obligations to undertake a recall apply.

We also provide 'Rapid Response', a global crisis management hotline service, which provides 24-hour, 365-day a year access to regulatory legal advice and crises assistance.

We also have a full capability for dealing with a number of public market surveillance authorities in various jurisdictions at the same time.

EXPERIENCE

- Advising a number of large multinational firms, including a Japanese software and hardware manufacturer and a US-based speciality chemicals manufacturer, on the requirements on the EU REACH Regulations and providing detailed compliance strategies. This legislation, which provides for the registration, evaluation, authorization and restriction of chemicals, affects not only the chemicals sector but also most other significant manufacturing operations.
- Representing a major consumer electronics manufacturer in a US nationwide class action in which the plaintiffs alleged common law claims for fraudulent concealment and breach of express warranty, as well as violations of California's unfair competition

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СООТВЕТСТВУЮЩИЕ УСЛУГИ

- International Trade, Regulatory and Government Affairs
- Litigation, Arbitration and Investigations
- Corporate
- Intellectual Property and Technology

СООТВЕТСТВУЮЩИЕ ОТРАСЛИ ЭКОНОМИКИ

- Industrials
- Life Sciences
- Insurance
- Media, Sport and Entertainment

law. Before any discovery was conducted, the court granted DLA Piper's motion to dismiss and motion to strike class allegations.

- Advising a manufacturer of lighting equipment exported to more than 20 jurisdictions in Europe, Asia and beyond, of its product safety, regulatory notification and recall obligations. We represented our client with the public authorities which initiated the proceedings and used the EU RAPEX System. Our timely advice ensured that the manufacturer's all-important reputation remained intact.
- Representing a steel manufacturer on in construction claims and construction product defect cases. Recent matters involve construction claims for payment on major stadiums and arena projects, roof collapses due to snow and other overload conditions and construction injury cases including wrongful death and other serious personal injury claims.
- Working with regulatory authorities and representing and advising a client in relation to the recall of domestic and trade central heating boilers throughout the UK, Italy and Greece. Faulty flues in the boilers could have given rise to carbon monoxide poisoning.
- Advised on the pan-European (20 countries) recall of Peugeot windscreens for a tier 2 manufacturer.
- Worldwide product recall of overheating fax machines and photocopiers giving rise to a fire risk.
- Defending a Hong Kong company in a claim for supplying defective toys which breached EU safety legislation.
- Advising underwriters on coverage and recovery issues under product recall policy in connection with the shipment of defective refrigeration units from mainland China to the UK.
- Acting as co-national counsel for a leading global pharmaceutical companies in the US in the defense of more than 3,000 claims alleging neuropsychiatric and other injuries from the smoking cessation aid.
- Represented one of the world's leading oil companies in gasoline leak toxic tort claims resulting in collective jury verdicts of \$1.65 billion, which were reversed on appeal by the Maryland Court of Appeals.
- Acting as national counsel in the US for a global medical device company in approximately 175 individual lawsuits arising from injuries and damages allegedly caused by the use of the Company's "cold therapy" medical devices (used in the post-surgical setting to deliver therapeutic cold to an injured area).
- Acting as national counsel in the US for a global pharmaceutical and supplement company in concurrent putative nationwide class actions arising from challenges to advertising, allegedly in violation of consumer protection statutes.
- Serving as regional and strategic counsel for a Japan based automobile manufacturer in the US with respect to personal injury lawsuits alleging unwanted acceleration in two of the company's automobile lines.
- Representing a US home builder, in several individual claims alleging home defects, including breach of warranty, and consumer misrepresentation and fraud in its sales and marketing practices.
- Serving as national counsel for a major US motorcycle manufacturer and several automobile and tire manufacturers.

ПУБЛИКАЦИИ И МЕРОПРИЯТИЯ

Публикации

Protecting the attorney-client privilege while under quarantine: Five tips for protecting attorney-client privilege when using online collaboration tools

22 June 2020

With the increase in remote working comes an increased opportunity for attorney-client privilege issues to surface.

US CPSC advises consumers certain recall remedies may be unavailable due to COVID-19 – four key takeaways

15 April 2020

Guidance will evolve as the pandemic develops, and CPSC-regulated firms are encouraged to consider these actions.

COVID-19: Tort immunity for vaccines and antivirals – lessons from the swine flu of 1976

8 April 2020

While the common goal is to quickly develop countermeasures to combat COVID-19, it is important to consider the potential legal and reputational risks.

Coronavirus: Supplier due diligence for vetting Chinese medical suppliers for quality, safety, fair pricing and anti-corruption compliance

6 April 2020

Some key risks, and potential solutions to reduce cross-border operational risks.

Top franchise developments of 2019

30 March 2020

Two top franchise developments in 2019 stand out from the rest.

Street art raises novel copyright issues – or does it?

19 December 2019

Is street art less entitled to copyright protection than are traditional art forms?

Food safety from farm to fork: FDA publishes proposed rules aiming to ensure the safety and security of the food supply

24 JAN 2013

The proposed rules lay the foundation of the prevention-based, modern food safety system envisioned in the FSMA and have wide-ranging effects on many industries, including every link in the global food supply chain.

UK: The real risk of cyber attack

1 AUG 2011

HOBOCTИ

DLA Piper launches Aiscension to help detect and prevent cartel activity in collaboration with Reveal

15 March 2021

- New offering delivers cutting-edge technology from *Reveal* alongside DLA Piper's first-class legal know-how
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- Time and cost savings allow for companies to focus on detection
 - Faster, more effective and better value than traditional technology assisted and manual reviews
-

DLA Piper (Canada) LLP recognized by *Chambers Global 2021*

19 February 2021

DLA Piper (Canada) LLP and nine of its practitioners have been recognized in the 2021 edition of *Chambers Global*.

DLA Piper advises the Canadian group Nautel on the acquisition of radio communications innovators, Digidia and Kenta

11 February 2021

DLA Piper has advised the technology group Nautel, a specialist in the development of high-power electronic equipment and digital signal processing, headquartered in Canada, in its acquisition of Digidia and Kenta, leaders in digital broadcasting solutions, based respectively near Rennes and Quimper.

DLA Piper (Canada) LLP welcomes Partner Jerritt R. Pawlyk

4 January 2021

DLA Piper (Canada) LLP is pleased to announce that Jerritt R. Pawlyk has joined the firm as a Partner in the Edmonton office.

Jerritt has a restructuring and insolvency practice and is an experienced advocate and advisor for clients across many industries, in particular the real estate and real estate finance sector.

DLA Piper (Canada) LLP welcomes new associate Sara Pedlow

4 January 2021

DLA Piper (Canada) LLP welcomes Sara Pedlow to the firm's Vancouver office as an associate in the Tax and Estates Group.

Jordan Deering named Chair of the Canadian White Collar, Corporate Crime and Investigations practice

21 December 2020

DLA Piper (Canada) LLP is pleased to announce that Jordan Deering has been appointed Chair of the Canadian White Collar, Corporate Crime and Investigations practice.

DLA Piper shortlisted by the *Financial Times* for five FT North America Innovative Lawyers awards

8 December 2020

DLA Piper is pleased to announce it has been shortlisted by the *Financial Times* for five FT North America Innovative Lawyers 2020 awards.

DLA Piper wins TMT Finance M&A Global Telecom Deal of the Year

8 December 2020

DLA Piper is pleased to announce that they have received the TMT Finance M&A Global Telecom Deal of the Year for their representation of T-Mobile and Deutsche Telekom in the T-Mobile-Sprint merger.

Katrina Edgerton-McGhan named a 2020 Lexpert Rising Star

16 November 2020

DLA Piper (Canada) LLP is pleased to announce that Katrina Edgerton-McGhan from the firm's Calgary office has been named a 2020 Lexpert Rising Star.

DLA Piper (Canada) LLP recognized in the 2021 edition of the *Legal 500 Canada*

13 November 2020

DLA Piper (Canada) LLP and its lawyers have been recognized as industry leaders across multiple practice areas in the latest edition of the *Legal 500 Canada*.

Five DLA Piper (Canada) LLP partners named LMG Life Science Stars

5 October 2020

Five DLA Piper Canada partners have been awarded Life Science Stars in Canada by the Legal Media Guide's (LMG) 2020 Life Sciences ranking guide.

DLA Piper (Canada) LLP welcomes Partner Jordan Deering

21 September 2020

DLA Piper (Canada) LLP is pleased to announce that Jordan Deering has joined the firm as a Partner in the Calgary office. Jordan has almost 20 years of experience acting on matters involving all aspects of fraud, corruption, and white collar crime.

DLA Piper (Canada) LLP recognized by *Chambers Canada 2021*

10 September 2020

DLA Piper (Canada) LLP is pleased to see 25 of our lawyers recognized across 16 practice areas in the 2021 edition of *Chambers Canada*.

DLA Piper Canada increases rankings in 2021 edition of *Best Lawyers in Canada*

28 AUG 2020

DLA Piper (Canada) LLP is pleased to see 79 of our lawyers across 35 practice areas recognized in the 2021 *Best Lawyers in Canada* guide, resulting in our best showing with the guide since its inception.

DLA Piper (Canada) LLP welcomes Colin Brousson and Jeffrey Bradshaw to Restructuring group

21 AUG 2020

DLA Piper (Canada) LLP is delighted to welcome Colin Brousson as Partner and Jeffrey Bradshaw as Associate to our national

Restructuring group. Both Colin and Jeffrey join our Vancouver office.

DLA Piper (Canada) LLP partners shortlisted for LMG Life Science Awards

7 AUG 2020

DLA Piper (Canada) LLP is pleased to see two of our partners shortlisted for the Legal Media Guide's (LMG) 2020 Life Sciences Awards.

DLA Piper arbitration practice recognized as world leading by Global Arbitration Review

14 July 2020

DLA Piper has been recognized once again as having one of the world's leading international arbitration practices.

Law firms collaborate on industry first to accelerate tech adoption in international arbitration

2 July 2020

DLA Piper is amongst six international law firms which have developed a Protocol to help deliver a globally consistent approach to the use of online case management platforms in international arbitration.

DLA Piper patent litigators conduct Federal Court's first virtual trial

22 JUN 2020

DLA Piper's team of patent litigators made history this month by representing their client, Videotron Ltd, in the Federal Court's first virtual trial (*Rovi Guides Inc. v. Videotron Ltd.*, T-921-17). The patent infringement proceeding involved multiple patents on interactive television program guides.

Sangeetha Punniyamoorthy named Chair of the Canadian IPT Group

20 MAY 2020

DLA Piper (Canada) LLP is pleased to announce that Sangeetha Punniyamoorthy has been appointed Chair of the Canadian Intellectual Property and Technology Group.

DLA Piper announces partnership promotions for 2020

30 April 2020

DLA Piper is proud to announce that 67 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2020 in the United States and May 1, 2020 for EMEA and Asia Pacific. The promotions have been made across many of the firm's practice areas in 35 different offices throughout 13 countries.

Across the firm's practices globally, Corporate saw the largest intake of new partners with 19 promotions, followed by Litigation and Regulatory with 15. Intellectual Property and Technology and Finance and Projects had ten and eight promotions respectively, while there were six in Real Estate. Tax and Employment both had four, and there was one in Restructuring.

DLA Piper (Canada) LLP increases rankings in the 2020 *Canadian Legal Lexpert Directory*

24 APR 2020

DLA Piper (Canada) LLP is pleased to announce that we have significantly increased the number of lawyers ranked as leading practitioners in the 2020 edition of the Canadian Legal Lexpert Directory.

DLA Piper lawyers named Acritas Stars

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

DLA Piper appoints Head of Global Government Affairs team

6 March 2020

DLA Piper announces the strengthening of its Global Government Affairs team with the appointment of Richard Sterneberg who will head up the team in its Brussels office. Richard brings with him over 20 years of experience working in Brussels as a global government affairs expert.

DLA Piper (Canada) LLP welcomes three new partners

1 JAN 2020

DLA Piper (Canada) LLP welcomes three new additions to the partnership, effective January 1, 2020.

DLA Piper launches its Global Litigation Guide

3 December 2019

DLA Piper has launched its 'Global Litigation Guide', which covers aspects of civil litigation in 30 jurisdictions worldwide.

DLA Piper (Canada) LLP recommended in the 2020 edition of the *Legal 500 Canada*

14 NOV 2019

DLA Piper (Canada) LLP has been recommended across a broad range of practice areas in the latest edition of the *Legal 500 Canada*.

DLA Piper (Canada) LLP welcomes Partner Stephen Gleave

7 OCT 2019

DLA Piper (Canada) LLP is pleased to announce that Stephen Gleave has joined the firm as a Partner in the Toronto office. Stephen has a commercial litigation practice with a focus on employment litigation.

DLA Piper (Canada) LLP recognized by *Chambers Canada 2020*

20 Sep 2019

DLA Piper (Canada) LLP is pleased to be recognized as an industry leader in the 2020 edition of *Chambers Canada*.

DLA Piper (Canada) LLP welcomes new associate Simon McCleary

9 SEPT 2019

DLA Piper (Canada) LLP welcomes Simon McCleary to the firm's Toronto office as an associate in the Litigation, Arbitration and Investigations Group.

DLA Piper (Canada) LLP welcomes associate Adrienne Wong

3 SEP 2019

DLA Piper (Canada) LLP welcomes Adrienne Wong to the firm's Calgary office as an associate in the Litigation, Arbitration and Investigations Group.

DLA Piper (Canada) LLP welcomes associate Brooke Stewart

3 SEP 2019

DLA Piper (Canada) LLP welcomes Brooke Stewart to the firm's Toronto office as an associate in the Employment Group.

DLA Piper Canada lawyers recognized in 2020 edition of *Best Lawyers in Canada*

21 AUG 2019

DLA Piper (Canada) LLP is pleased to see 70 of our lawyers across 34 practice areas recognized in the 2020 *Best Lawyers in Canada* guide.

DLA Piper (Canada) LLP welcomes new associate Emma Cosgrave

24 JUN 2019

DLA Piper (Canada) LLP welcomes Emma Cosgrave to the firm's Toronto office as an associate in the Litigation, Arbitration and Investigations Group.

DLA Piper (Canada) LLP recognized as a leader in patent laws by IAM Patent 1000

12 JUN 2019

The 2019 edition of *IAM Patent 1000 - The World's Leading Patent Practitioners* has recognized DLA Piper (Canada) LLP and four members of its Intellectual Property and Technology (IPT) Group as leaders in the Canadian patent market.

DLA Piper announces launch of Artificial Intelligence practice

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks

arising from the creation and deployment of AI systems.

DLA Piper (Canada) LLP ranked in 2019 *Canadian Legal Lexpert Directory*

3 MAY 2019

DLA Piper (Canada) LLP is pleased to announce that thirty-eight of the firm's lawyers have been recognized as leading practitioners in the 2019 edition of the *Canadian Legal Lexpert Directory*.

Bretton Woods Law Canada to join DLA Piper (Canada) LLP's Montréal office

1 MAY 2019

DLA Piper (Canada) LLP is pleased to announce it has reached an agreement with the Montréal office of Bretton Woods Law Canada. Effective May 1, 2019, Bretton Woods Canada's team of four lawyers and an articling student will join DLA Piper Canada's Montréal office.
