

ALLEN & OVERY



Our global
Product Liability group

2014

Introduction

The rapid globalisation of trade and complex supply chains means that ever increasing attention needs to be paid to managing product safety and liability issues across businesses. Wherever you are in the supply chain you may find yourself embroiled in regulatory investigations and customer litigation as a result of a product that you have manufactured, supplied or distributed. Managing these issues requires a broad international, legal and commercial approach with a strong focus on fast responses and practical solutions.

Our cross-disciplinary, global Product Liability group provides strategic advice and commercial assistance to all businesses in the supply chain, from designers to end users. We advise on product liability issues across a wide range of sectors covering products such as medical devices, tobacco, industrial equipment, food contact materials, electronic equipment and other consumer and business products.



What Allen & Overy can offer

- **A highly experienced team.** We offer some of the leading product specialists and litigators in their fields across the globe.
- **A long-term relationship.** We invest time to fully understand our clients' business lines and what you need from your advisers. We are committed to developing deep and long-term relationships.
- **An extensive geographical spread.** The global coverage of our group means that we can provide comprehensive advice across all the major jurisdictions.

Our global practice

Our dedicated Product Liability group includes specialist, commercially focused experts in Asia Pacific, Europe and the Americas, advising on all aspects of product liability, safety and stewardship.

Our geographic reach, including the transfer of knowledge between different offices and jurisdictions, means that we are able to keep abreast of the latest regulatory and legislative developments occurring around the globe. In addition to expertise in Allen & Overy's own offices, by virtue of our network of specialist local firms in other jurisdictions we can also ensure that you get high quality advice wherever in the world you need it.



Global product liability expertise

Allen & Overy can offer you truly global product liability expertise with resources to advise on the largest and most complex issues. Our global team provides expert advice in a wide range of product liability and regulatory areas including product recall, product safety, product liability insurance, supply chain risk management and IP-related investigations. The group's expertise focuses on a number of core areas including:

Product recall

Strict rules on product recalls in many jurisdictions means that product manufacturers and distributors are increasingly aware of the need to have in place a comprehensive product recall management process in order to protect customers and safeguard your reputation. Allen & Overy's Product Liability group has a strong record of advising a number of clients across a variety of sectors on dealing with product recalls, including developing product recall programmes, engaging with regulators, issuing notices nationally and internationally and managing procedures to address design or manufacturing faults. We will also liaise, if appropriate, with other advisors, such as PR firms in managing reputational impacts.

Product liability

Product liability is a key concern for all operators in the supply chain. Actual or alleged product defects can have significant commercial and reputational impacts. We have extensive experience of all aspects of product liability claims and investigations across a range of jurisdictions. This includes advising on regulatory investigations and third-party claims relating to defective products, product safety programmes, appropriate documentary evidence of production processes, contractual protection in the supply chain and advising on insurance for product failure.

'I find that in addition to them being very aware of the law, they are paying attention to emerging issues and helping clients understand the strategy for dealing with what's on the horizon.'

Chambers UK 2014

Product safety

Good design and regulatory compliance are cornerstones of a robust product safety programme, whether this be complying with essential design and labelling requirements or documenting product safety testing. Allen & Overy's Product Liability group is well placed to advise on all aspects of product safety including product design, safety and testing programmes, national and international design and marketing requirements (such as product conformity and labelling), producer responsibility and compliance with substance use restrictions such as the European RoHS regime.

Product liability insurance

Manufacturers and distributors are increasingly aware of the need to minimise commercial risk from product recalls and civil product liability claims through insurance. Our Product Liability group has insurance specialists with extensive experience of advising on insurance packages for specialised products, which may require bespoke negotiation and drafting. We also frequently advise on the legal and practical impacts of handling insurance claims for defective products.

Supply chain risks

Complex supply chains can make the management of product liability issues more challenging when they arise. Suppliers are increasingly being asked to give product certifications over a range of issues including the use of certain restricted hazardous substances in products. We advise clients on how to identify and minimise risks in the supply chain, through comprehensive due diligence, supported by robust contractual protections.

IP-related investigations

Our Product Liability group contains leading IP specialists with wide experience of advising our clients on IP issues in product safety and liability-related investigations. This highly specialised advice is combined with a practical, commercial approach to ensure that IP is appropriately protected throughout any investigation. We are well versed in working closely with regulators during and beyond formal investigations.

Product stewardship

Our group includes some of the leading environmental lawyers who have deep knowledge of wider product-related regulation. We work closely with clients on issues such as product labelling and packaging, CE marking, product licensing/accreditations, substance restrictions, energy efficiency and safe product disposal. We also advise clients on how to manage supply chain risks ranging from contractual matters to human rights issues.

Medical devices

The development, marketing and use of medical devices are subject to a number of specific regulatory requirements. In Europe, the CE marking system has been one of the main regulatory tools for ensuring the safety of these products. However, an overhaul of the European regime is expected in the coming years. Our lawyers have deep expertise in the medical devices sector and of advising on the local regulatory requirements (including approvals needed to place devices on the market).

Food contact materials

In many jurisdictions there are strict requirements imposed on products that will come into contact with food and drink. These often impose restrictions on substance to product migration and strict testing requirements. This remains a developing area as regulators look to bring greater controls on, and scrutiny of, food contact products. Our team has advised on the full range of issues from material testing, substance migration, thresholds, regulatory investigations and product recall.

Your key global product liability contacts

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About Allen & Overy

At a time of huge change in the legal industry, we are determined to continue leading the market as we have throughout our 83-year history.

We'll do that by staying one step ahead and by constantly challenging ourselves to bring new and original ways of thinking to the most complex legal challenges our clients face.

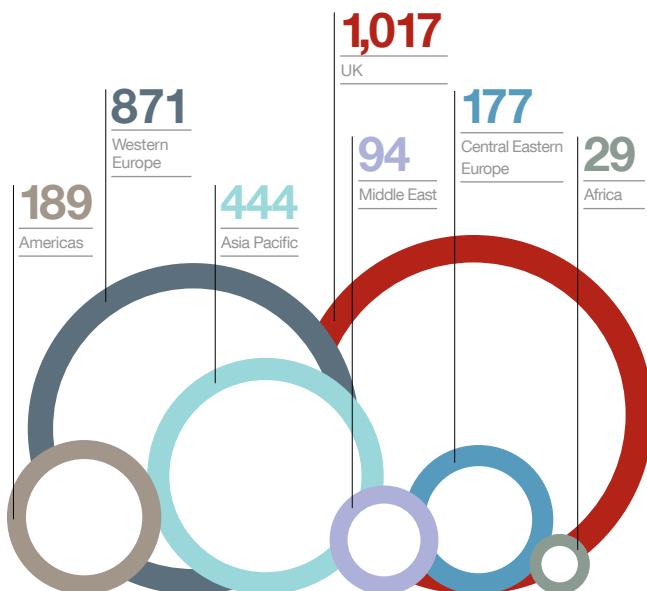
We are able to build on the foundations of our long heritage to attract the most talented people and develop the high-performance culture necessary to innovate and change the face of business.

Our commitment to help our clients deliver their global strategies has seen us build a truly global network now spanning 46 offices in 32 countries. We have also developed strong ties with relationship law firms in more than 100 countries where we do not have a presence.

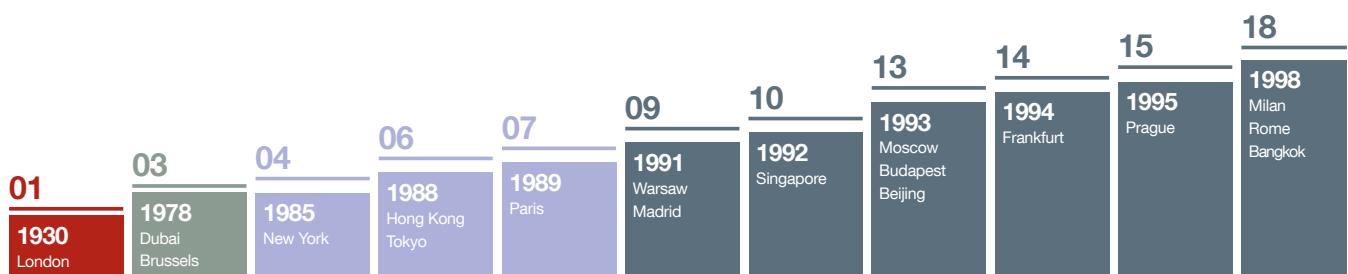
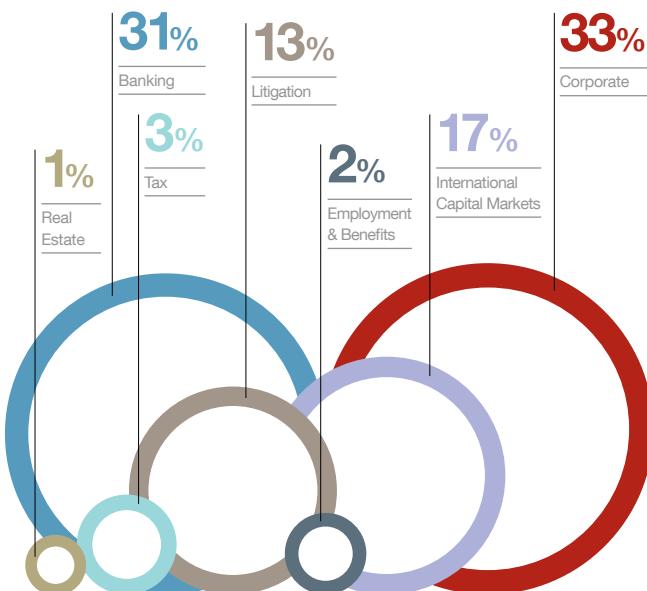
This network has allowed us to become one of the largest and most connected law firms in our peer group with a global reach and local depth that is simply unrivalled.

So when we talk about global coverage, we're not just talking about having offices in some important cities around the world. We mean being able to combine our international resources and sector expertise to work on cross-border transactions directly in the markets and regions important to our clients.

GEOGRAPHIC SPLIT BY TOTAL NUMBER OF LAWYERS



DISCIPLINARY SPLIT BY TOTAL NUMBER OF LAWYERS



Most Innovative Law Firm in Europe

Winner FT Innovative Lawyers Awards 2007, 2011, 2012 and 2014



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Johannesburg	Beijing	Antwerp	Doha
	Hanoi	Athens**	Dubai
	Ho Chi Minh City	Barcelona	Riyadh*
	Hong Kong	Belfast	
	Jakarta*	Bratislava	
	Perth	Brussels	
	Shanghai	Bucharest*	
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