The liability of manufacturers and specialized sellers: the Court of Appeal tightens the screw

January 1, 2007

The Court of Appeal rendered an important decision on October 31, 2006, which dealt with the liability of manufacturers and professional sellers, as well as several other related issues. More specifically, the Court of Appeal tightened the screw on the issue of manufacturers' presumed knowledge of defects, deciding that such presumption is "virtually unchallengeable". In addition, the Court seemed to limit the possibility of overturning the presumption to four cases only.The Court of Appeal further decided that the liability between the manufacturer and the professional seller is joint and several. We invite you to read our newsletter on the subject.

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