

Practice Areas of Leezhao--- Product Quality Liability

Practice Areas:

Product quality liability is one of the characteristic practice areas of Leezhao. Leezhao provides continuous and comprehensive legal services to many multinational groups, Global fortune 500 enterprises and well-known foreign and domestic companies. With the development of clients' production and sales, product quality issues have been under the spotlight more than ever, and product quality liability cases arising from the product quality occur from time to time. Leezhao's professionals have been paying close attention to the development of new technologies and new products of various industries and various clients. By virtue of the experiences and profound social resources accumulated in years, Leezhao provides professional legal consulting services to the clients, represents clients in the contract dispute cases arising from the product quality and tort cases related to the product liability, etc., and during which, Leezhao provides the clients with all-stage and comprehensive solutions. Those cases cover industries like machinery and equipment, chemicals, medical devices, consumer electronics, household appliances, automobiles, building materials and so on.

The professional services hereof provided by Leezhao include:

1. Provide legal support for clients to establish and improve the legal risk prevention and control systems of product quality;
2. Assist clients in formulating product quality documents, including providing legal opinions and suggestions, such as review and revision, on the "three commitments", labeling, warning labels, instructions and promotional materials;
3. Provide clients with legal seminars and trainings on Product Quality Law, Consumer Rights and Interests Protection Law of PRC and international laws concerning product liability;
4. Assist clients in product recall and other matters;
5. Assist clients to communicate, discuss, negotiate with relevant parties, trade associations or other organizations, properly solve civil disputes caused by product quality, and safeguard the legitimate rights and interests of consumers and operators in a fair and equal manner;
6. Assist clients in responding to administrative enforcement measures taken by competent government authorities, communicate and negotiate with the government on issues related to product quality liability, and conduct relevant administrative reconsideration and administrative litigation on behalf of clients;
7. Assist clients in investigation, evidence collection and analysis, design litigation or arbitration strategies for clients and provide solutions;

8. Participate in the litigation or arbitration proceedings of contract disputes caused by product quality, civil infringement cases caused by product liability, and the enforcement procedures of effective judgments and awards on behalf of clients.

Achievements (Typical Cases)

Achievements of Leezhao in Product Quality Liability

Recent years, authorized by clients, some typical cases related to product quality liability include:

- On behalf of a world-renowned elevator manufacturer, we handled a series of complicated litigation cases with a number of real estate companies in Tianjin; The core dispute of the cases is whether the products in question have flaws or defects, which involves claims of ten million yuan. When handling the cases, lawyers made successful defenses on behalf of the client in the first and second instance, as well as in the retrial procedure initiated by the Supreme People's Court by virtue of profound litigation experience, rich legal knowledge, legal skills, meticulous investigation and evidence collection. Outside the courts, lawyers carried out lots of coordination and communications with the parties involved, trade associations, appraisal organizations, competent government authorities, judicial organs and so on. After four years, finally, all inter-related cases were properly resolved and the legitimate rights and interests of the client were protected to the best extent.
- On behalf of a multinational company, we handled a product liability case with a hotel located in southern China. After careful investigation and evidence collection, lawyers successfully provided evidence by using the evidence rules and with the corresponding logical reasoning and defense, finally won the support from the court. The claim that the fire accident of the hotel was caused by product defect was overruled, and huge damages to be compensated by the multinational was avoided.
- On behalf of a well-known automobile manufacturer, we handled important civil liability cases related to product liability disputes and assisted the client in the recall of relevant models and relevant batches of automotive products.
- For years, we handled product quality liability cases with the suppliers and consumers for a Global Fortune 500 company in the electronic industry, and help the client to maintain its brand image.
- On behalf of a medical device multinational company , we handled the inspection and administrative penalty initiated by the market supervision authority for the labeling issue of its imported medical devices. By means of the administrative reconsideration,

lawyers assisted the reconsideration authority to find out the facts, and the penalty against the client was successfully revoked, which prevented the client from a fine up to millions of CNY.

- We provided legal opinions and suggestions for a chemical multinational on the establishment of product quality control and quality management rules on safe environment for manufacturing bases located in China, resolved various questions during the implementation of relevant quality management rules, assisted the client to successfully pass ISO9001 quality management system certification, regularly assisted the client in internal audits and provided continuous improvement suggestions and opinions.
- We also organize regular seminars and trainings related to Product Quality Law, etc. for clients every year.