



TORT LIABILITY IN THE STANDARDS WORLD

2007 ANSI Legal Issues Forum



ANSI Legal Issues Forum

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Panel I: The Legal Landscape

Presented by

Dan Bart (Moderator)

CTO and Advisor to TIA President

Telecommunications Industry Association (TIA)

This Panel's Focus: Tort Liability

- Legal Landscape

■ Introduction:

- **Dan Bart, Moderator**

TIA

■ Risks of Tort Liability for SDOs involved in Standard Setting

- **Creighton Magid, Esq.**

Dorsey & Whitney LLP

■ Risks of Tort Liability for Certification Bodies involved in Product Certification

- **Peter Selvin, Esq.**

Loeb & Loeb

■ Avoiding Tort Liability: What Works and What Doesn't Work?

- **Michael L. Weiss, Esq.**

King & Spalding LLP



Tort Liability

■ The Focus of Today's ANSI Legal Issues Forum

– Past Legal Issues Forums have touched on some Tort Liability issues including:

- Disclaimers in standards
- Best practices
- Reports on litigation against SDOs
- Discovery, record retention rules
- “Meeting reports” not “Minutes”
- Review by counsel before distribution
- Risk minimization
- Verifying your insurance coverage or obtaining insurance coverage before you need it



Tort Liability - Legal Landscape

■ Risks of Tort Liability for SDOs involved in Standard Setting

- An overview of key decisions addressing liability for negligent standards development, including discussion of theories of liability against SDOs.

■ Risks of Tort Liability for Certification Bodies involved in Product Certification

- A scrutiny of cases alleging negligence by certification bodies for allowing third parties to use their logo on allegedly defective products.



Tort Liability - Legal Landscape

- **Avoiding Tort Liability: What Works and What Doesn't Work?**
 - A discussion of what strategies, actions and/or defenses SDOs and conformity assessment bodies should consider in seeking to avoid tort liability.

- **Time for some answers to YOUR Questions!**

