

I. HISTORY

- A Caveat emptor
- B Privity of contract

II. PARTIES

- A Foreseeability of plaintiff
- B Role of defendant in the commercial transaction

III. WARRANTY

- A Express
- B implied

IV. NEGLIGENCE

- A Negligence in manufacture or sale of defective product
- B Reasonable anticipation of harm
- C Reasonable prudent person standard
 - 1. failure to warn
 - 2. creating or failing to discover flaw
 - 3. defective design

V. STRICT LIABILITY

- A Food intended for human consumption (privity)
- B Seller liability for products sold in a defective condition
 - unreasonably dangerous

- C disclaimer
- VI. UNREASONABLY DANGEROUS
 - A Flawed product
 - B Failure to warn
 - C Defective design
- VII. DEFENSES
 - A Contributory negligence for extreme misuse
 - B Comparative negligence
 - C Assumption of risk
 - D Misuse
 - E Disclaimer warranty
 - F Notice
 - G Statute of limitation
- VIII. CONSUMER PRODUCT SAFETY