

Highlights for 2026 Update to Law of Product Warranties

New features and recent developments in this 2026 edition include:

- A seller's statements constituted consistent additional terms under the parol evidence rule and did not contradict or undermine the written warranties. **[4:28]**
- A federal court took an unusual stance in holding that New Jersey courts permit breach of implied warranty of merchantability without the buyer establishing a defect in the good. **[5:5]**
- A Wisconsin appellate court upheld a finding that the implied warranty of fitness for a particular purpose was breached by the seller in connection with its Facebook Marketplace sale of a used boat with a 20-year-old motor. **[6:5]**
- A New Jersey federal court applying Georgia law indicated that pre-suit notice is required for breach of express warranty claims but not breach of implied warranty claims. **[9:1]**