

ARTICLE

The Weakness of *Weeks*—Blazing the Wrong Trail in Pharmaceutical Liability

Bloomberg BNA's Toxics Law Reporter
September 25, 2014

The Alabama Supreme Court's recent decision in *Wyeth v. Weeks*, 2014 BL 227432, Ala., No. 1101397, 8/15/14, holding that pioneer/branded drug manufacturers may be held liable for injuries caused by generic imitations of their products adds another strand of complexity and irrationality to the already tangled web of liability rules for prescription pharmaceutical injuries. The pursuit of legal remedies for pharmaceutical injuries is complicated by the interplay of Food and Drug Administration (FDA) regulation and state law and the incremental *ad hoc* accretion of judge-made remedial doctrines that have created needless inequities and expenses without making any significant contribution to patient safety. [Click here to read the full article.](#)

(Reproduced with permission from *Toxics Law Reporter*, 29 TXLR 849, 09/25/2014. Copyright © 2014 by The Bureau of National Affairs, Inc. (800-372-1033) <http://www.bna.com>.)

Authors

Bert W. Rein
Founder
202.719.7080
brein@wiley.law

Practice Areas

Food & Drug