

Knee replacement surgeries are one of the most common replacement surgeries in the country and the number of surgeries performed each year continues to increase. Despite being so common, it is important to understand that these procedures carry certain risks. In addition to [possible errors](#) committed during the replacement surgery itself, one of the most common risks is the need for revision surgery due to a defective knee implant. If you have suffered harm as a result of a defective knee implant, you may be entitled to compensation and should contact a Durham [personal injury](#) lawyer as soon as possible.

## Why You May Be Entitled to Compensation Due to a Defective Knee Implant

People who suffer harm as a result of a defective knee implant qualify for compensation as a result of the legal principles of product liability law. Under product liability law, product manufacturers can be held liable for any harm caused by their product if it is deemed unreasonably dangerous or somehow defective. In the case of knee implants, this could include the following:

- The implant prematurely fails
- The implant causes damage to the surrounding bones and tissues
- The manufacturer failed to disclose known risks associated with the implant
- The manufacturer failed to disclose the period of time that the implant could be expected to last

For knee implants, it can be difficult to tell whether or not the implant is defective. If you suspect that there is a problem, you should see your physician immediately. A Durham personal injury lawyer can then help you if it is determined that your implant is defective.

## Examples of Defective Knee Implants

Many knee implants were originally manufactured for the elderly and were not intended for use by younger patients. A knee implant that is designed to last only five years or 10 years would obviously need to be replaced if the patient is

only 45. The manufacturer of an implant could be held liable to a patient for failing to disclose that the implant was designed to last for only five years if that patient needs to later have the implant replaced.

Another example is the recent [Exactech](#) recall. It was discovered that their knee implants may prematurely fail due to oxidation caused by inadequate packaging. For those patients who now need those implants replaced, Exactech may be held liable for their medical expenses and other losses.

A Durham personal injury lawyer can help if you suspect that you have received a defective knee implant. They can evaluate your potential claim and help you understand what options you have for moving forward.

## Symptoms of a Defective Knee Implant

Of course, not every knee implant is defective. However, you should see your doctor if you are experiencing any of the following symptoms in your surgically repaired knee:

- Clicking or popping noises
- A grinding sensation
- Loss of stability or looseness in the joint
- Inability to bear weight
- Swelling
- Decreased range of motion
- Pain

These symptoms could indicate that your knee implant is defective. Unfortunately, the only remedy for a defective knee implant is revision surgery. Revision surgeries are complex. In addition to the replacement of the defective implant, the surgeon may also need to repair damage to the surrounding bone and tissues. If you have had revision surgery or it has been recommended, a lawyer can evaluate whether you may be entitled to compensation.

## What Your Case May Be Worth

You may be entitled to compensation if your knee implant is deemed to be defective. A Durham personal injury lawyer can seek compensation for the following losses:

- Your current and future medical expenses

- Any current or future income you have lost due to the defective implant
- Loss of earning capacity
- Loss of enjoyment of life
- Your pain and suffering

In some cases, your defective knee implant could result in a long-term or even permanent disability. As a result, your claim could be substantial and you should not make any decisions without first consulting with an experienced Durham personal injury lawyer.

## How Long Do You Have to File Your Claim?

Under North Carolina law, you have three years from the date of injury to pursue your claim. This can be challenging because it is often unclear as to when injuries occurred as a result of a defective medical device. As a result, you also have 12 years from the date of your initial surgery to pursue your claim. As a result, you can still pursue a claim even if you aren't sure when the injury occurred but it was more than three years from your initial surgery.

That said, you should take action as soon as possible if you have learned that your knee implant needs replacement. Manufacturers will try to claim that your case is time-barred and the longer you wait, the more difficult it will be to prove your case. As a result, you should contact a personal injury lawyer as soon as possible.

## Contact a Durham Personal Injury Lawyer at Martin & Jones Today

Don't jeopardize your claim by waiting – [contact us](#) today to discuss your case and the options you have. We have over 30 years of experience in helping people get fair compensation for their injuries caused by defective medical devices including defective knee implants. If you suspect that you have suffered harm as a result of a defective knee implant, call us today at 800-662-1234 to schedule a free consultation.

## Practice Groups

- [Exactech Implant Lawsuit: Hip, Knee and Ankle Implant Recalls](#)