

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IAN KANTER, individually and behalf  
of all others similarly situated,

Plaintiff,

v.

SONY CORPORATION OF  
AMERICA, and SONY  
ELECTRONICS INC.,

Defendants.

Case No. \_\_\_\_\_

**CLASS ACTION COMPLAINT**

**JURY TRIAL DEMANDED**

**CLASS ACTION COMPLAINT**

Plaintiff Ian Kanter (“Plaintiff”) files this Class Action Complaint (“Complaint”) bringing this consumer class action for himself and on behalf of those similarly situated (excluding purchasers in California) who purchased Sony WH-1000XM5 headphones (the “Headphones”). The Headphones were designed, manufactured, distributed, and sold by Defendant Sony Corporation of America and/or Defendant Sony Electronics Inc. (collectively “Sony” or “Defendants”). This action seeks to remedy violations of law in connection with Defendants’ design, manufacture, marketing, advertising, selling, warranting, and servicing of the Headphones. The following allegations are based on personal knowledge as to Plaintiff’s own conduct and on the investigation conducted by his counsel and upon information and belief.

**INTRODUCTION AND SUMMARY OF ACTION**

1. Unbeknownst to consumers, the Headphones are designed and manufactured with a common inherent defect in that, over time, the Headphones’ swiveling hinges prematurely and unexpectedly break and fail at their poorly secured mounting points and eventually detach the earcups from the frame (the “Defect”).

2. One of the essential attributes of a pair of headphones is noise isolation provided by over-the-ear cups and portability. The ability to store headphones in a carrying case or fold the cups to make headphones more compact is a differentiating feature among manufacturers. Increased headphone portability is contingent on a swiveling hinge design that connects the earcup to the frame, or headband, allowing the cups to fold flat against a surface. A headphone's universal design consists of a headband that rests on top of the user's head, a hinge that connects the ear cups to the headband, and the ear cups themselves, which can rest on the ears or, as is the case here, fully covers the ears.

3. The Headphones are doomed to fail before the end of their useful lives due primarily to the use of fragile plastic constructing the hinge. The plastic used is prone to cracking and breaking, particularly at the point where the hinge meets the earcup. Regular and expected use accelerates the deterioration of the plastic. Thus, over a relatively short amount of time, simple use of the Headphones fractures and deforms this plastic, causing the swiveling hinge to detach from the earcups.

4. The result of these defects in materials and workmanship is that the swiveling of the earcups places undue stress on the hinge mechanism, causing the internal plastic to fracture, deform, separate, break, or otherwise fail and become inoperable. Therefore, in the absence of an adequate fix, the Defect only worsens as time progresses. Once the swiveling hinges' internal plastic fails, the corresponding hinge will not re-seat without repair.

5. When a swiveling hinge fails, the Headphones become functionally inoperable. The swiveling hinge provides the connecting point and support that allows the earcups to rest over the user's ears. When the swiveling hinge fails, the earcups detach from the headband that rests atop

the listener's head, such that the earcups can no longer remain over the user's ears. Without a functional hinge, the earcups dangle from the headband, rendering the Headphones unusable.

6. As shown below, in some cases, the Defect causes the earcups to completely detach from the headband.



***Figure 1: Fully Detached Swiveling Hinge Due to Defect.<sup>1</sup>***

7. The Defect thus impacts the user's ability to (1) set and keep the earcups over the users' ears, and (2) set the earcups flat to transport the Headphones. The Defect renders the Headphones partially or wholly unusable and, consequently, not fit for their intended purpose as functional, compact, portable headphones.

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<sup>1</sup> Sony XM5 Broken Hinge, Reddit.com, available at [https://www.reddit.com/r/SonyHeadphones/comments/17vngjd/sony\\_xm5\\_broken\\_hinge/](https://www.reddit.com/r/SonyHeadphones/comments/17vngjd/sony_xm5_broken_hinge/) (last accessed Nov. 11, 2025)

8. Sony has long been aware of the Defect in the Headphones. Despite its knowledge of this issue stemming from (1) its own quality control and internal testing, (2) repair and warranty data, including orders for replacement hinges, (3) complaints made directly to Sony in person, over the phone, and online submissions, (4) complaints posted online and on its own forums, (5) complaints of broken hinges in previous headphone iterations of the same series, and (5) online reputation management. Sony's headphones are covered by a limited warranty (the "Limited Warranty"), which warrants that the Headphones are free of defects in material and/or workmanship and that Sony will repair the product. If it is unable to repair the product, Sony warrants that it will replace or refund the purchase.

9. The Defect manifests both inside and outside of the Limited Warranty period. Notwithstanding its longstanding knowledge of the Defect, Sony has never publicly acknowledged the issue and routinely has refused to remedy the Defect or repair damaged Headphones without charge within or outside of the Limited Warranty period.

10. According to Plaintiff and other owners of the Headphones who have experienced the Defect, the Defect is not a result of dropping the Headphones, using it roughly, or other user error. Rather, owners report that the Defect becomes suddenly apparent by way of detached earcups that cannot rest on the user's ears, in the course of normal and intended use.

11. Thousands of users from across the globe have reported this issue directly to Sony and on forums on Sony's website. There are hundreds or thousands of customer posts on Defendants' own online forum complaining of the hinge issue described above in the Headphones.

12. These complaints describe the Defect, the accompanying detached earcups, and resulting inability to use the Headphones.

13. Many consumers complaining to Sony about the Defect were told that the issue was caused by user error and that Sony refused to provide complementary repair under the Limited Warranty. Many consumers who have attempted to secure replacements or repairs have been rebuffed by Sony and are often asked to pay \$100 out of pocket for repairs or to secure replacements without Sony's assistance. Others who have secured repairs or replacements from Sony have quickly experienced the problem reappearing on the repaired or replaced Headphones, or in the next iteration of Headphones purchased.

14. Despite being aware of the cause of the Defect, Sony and its representatives have often engaged in, or directed frustrated customers to engage in, ineffective repair methods. Many customers who attempted to exercise their rights under the warranty were told the swiveling hinge problems were the result of user error, which precluded warranty coverage. Despite Sony's warranty stating that it covers defects in materials or workmanship, Defendants regularly dismisses warranty repair requests by asserting that the Headphones suffered physical or accidental damage that is not covered by the warranty. And when Sony accepted Headphones for repair under warranty, it replaced the swiveling hinges with the same part. None of these purported repairs remedied the hinge issues because none addressed the Defect. But all Headphone purchasers paid premium prices for these warranty services, the value of which was reflected in the market price of the Headphones at the point of sale. As such, all Headphones purchasers paid more for their Headphones than they would have, had the inefficacy, delay, and cost of using Defendants' warranty repair program been disclosed to consumers.

15. The Defect is material to consumers as it prevents the Headphones from being used as portrayed in Sony's advertising materials. Sony concealed, failed to disclose, or otherwise engaged in deceptive marketing with respect to the Defect. As a result, many consumers

purchased Headphones that became practically unusable after just months of use, if not within the span of their useful lives.

16. Despite their knowledge of the Defect, Defendants represented to consumers that the Headphones were of premium build quality, featuring an “elegant design with stepless slider, seamless swivel and hanger, and silent joints,” making the Headphones “a pleasure to wear.”<sup>2</sup> In fact, regarding product quality, Defendants represented that “in order to give customers that place their trust in the Sony brand the smoothest possible experience, Sony requires relevant departments, including original equipment manufacturer (OEM) and original design manufacturer (ODM) companies, to comply with group-wide quality standards. Compliance with these standards is also tested at the end of the design process.” Defendants assured consumers that “[r]ecognizing the importance of parts and determined to manufacture products built for long-term use, Sony carefully selects key parts independently for each of its major product categories and is pursuing focused efforts aimed at increasing the reliability of the parts it uses through cooperation among relevant departments and the development of new reliability evaluation technology.”<sup>3</sup> Likewise, Defendants claimed that “[i]n the effort to ensure that Sony does not receive, manufacture or ship anything with quality-related problems, Sony adheres to a policy of workmanship at all of its manufacturing sites that ensures customers can use Sony products with confidence.”<sup>4</sup>

17. Sony uniformly represented to consumers that it had years of experience manufacturing headphones and was in effect an expert in manufacturing, design, and use of headphones.

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<sup>2</sup> <https://electronics.sony.com/audio/headphones/headband/p/wh1000xm5-b> (last accessed Nov. 5, 2025).

<sup>3</sup> [https://www.sony.com/en/SonyInfo/csr/library/reports/SustainabilityReport2023\\_quality\\_E.pdf](https://www.sony.com/en/SonyInfo/csr/library/reports/SustainabilityReport2023_quality_E.pdf) (last accessed Nov. 5, 2025).

<sup>4</sup> *Id.*

18. Plaintiff and Class members saw or heard these representations about the Headphones from Defendants prior to purchasing their Headphones.

19. Sony concealed from and/or failed to disclose to Plaintiff and the Class the defective nature of the Headphones and failed to remove the Headphones from the marketplace or take adequate action to remedy the Defect. Rather, Sony sold and serviced the Headphones even though it knew, or was reckless in not knowing, that the Defect impacted the functionality of the Headphones and would ultimately result in Plaintiff's and Class members' inability to use their Headphones for their intended purpose.

20. Sony engaged in a business practice of refusing to repair or replace defective Headphones pursuant to its Warranty, by asserting that user-caused physical or accidental damage, rather than the Defect, was to blame.

21. As a result of Sony's unlawful, unfair, fraudulent, misleading, and deceptive practices, Plaintiff and other consumers purchased the Headphones under the mistaken belief that they possessed high quality, functional hinges that were capable of normal use without damaging the device.

22. Had Plaintiff and the Class known the facts regarding the Defect in the Headphones, those facts would have been material to them and to any reasonable consumer in their decision to purchase the Headphones at the price they paid for them.

23. Indeed, had Plaintiff and the Class known about the Defect at the time of purchase, they would have paid substantially less for their Headphones. Alternatively, they would not have purchased the Headphones at all, avoiding the significant out-of-pocket costs they have or will incur to repair or replace their Headphones once the Defect manifests.

24. As a direct and proximate result of Sony's unfair, deceptive, and fraudulent business practices, owners of the Headphones, including Plaintiff, have suffered injury in fact and actual damages including: (1) an ascertainable loss of money and/or property and/or value, including that their Headphones are unreliable and/or unusable for their intended purposes; (2) out-of-pocket expenditures for the replacement and attempted repairs of the Headphones; (3) time wasted attempting to repair the Defect; and (4) the failure to receive the benefit of the bargain in their purchases of the Headphones.

25. Sony has not provided a remedy for the Defect. Plaintiff and Class members have also incurred, and will continue to incur, out-of-pocket unreimbursed costs and expenses related to the Defect. Sony's unfair and deceptive trade practices were conducted in a manner giving rise to substantial aggravating factors. As a result of the Defect and the monetary costs associated with attempting to repair the damage stemming from the Defect, Plaintiff and Class members have suffered injury in fact, incurred damages, and otherwise have been harmed by Sony's conduct.

26. In furtherance of the public interest, and in order to remedy Sony's wrongful conduct, Plaintiff brings this action as a class action and assert claims on behalf of himself and a class of similarly situated persons seeking money damages, equitable relief, and injunctive relief for Defendants' conduct described herein.

27. Because of the relatively small size of the typical individual Class members' claims, it is unlikely that individual Class members could afford to seek recovery on their own. This is especially true in light of the size and resources of Defendants. A class action is, therefore, the only reasonable means by which Class members can obtain relief.

28. Accordingly, Plaintiff brings this consumer class action seeking monetary damages and injunctive relief for Plaintiff and members of the Class (defined below) to redress Sony's



violations of the New York General Business Law §§ 349 and 350, and other statutes and common law obligations.

### **PARTIES**

29. As explained below, Plaintiff is an individual citizen of the United States and brings this action on behalf of himself and all members of the putative class.

30. Defendant Sony Corporation of America is the U.S. headquarters of Sony Group Corporation, based in Tokyo, Japan, and which earned approximately \$86 billion in revenues worldwide, as of November 2025. Sony Corporation of America is a New York corporation whose headquarters is located at 25 Madison Ave., 26th Floor, New York, New York 10010. Sony Electronics Inc. is a wholly-owned subsidiary of Sony Group Corporation, with its headquarters located in 16535 Via Esprillo, San Diego, California 92127.<sup>5</sup> Sony is “a leading provider of audio/video electronics and information technology products for the consumer and professional markets.”<sup>6</sup>

31. Sony Corporation of America may be served through its registered agent, Corporation Service Company, located at 80 State Street, Albany, NY 12207-2543.

32. Defendant Sony Corporation of America utilizes the website <https://electronics.sony.com/> and its related webpages, as well as resellers, to market and sell the Headphones and related products directly to consumers throughout the United States. Sony does business in New York and other states across the country.

### **JURISDICTION AND VENUE**

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<sup>5</sup> Alternatively, Sony Electronics, Inc. is responsible for the above conduct in conjunction with Sony Corporation of America and/or Sony Corporation of America is solely responsible for the above conduct.

<sup>6</sup> [https://www.sony.com/en\\_us/SCA/who-we-are/overview.html](https://www.sony.com/en_us/SCA/who-we-are/overview.html) (last visited Nov. 5, 2025).

33. This Court has personal jurisdiction because Sony Corporation of America is headquartered in New York and otherwise intentionally avails itself of the markets within New York through the promotion, sale, marketing, and distribution of the Headphones in New York. Additionally, Sony Corporation of America maintains a website that serves its U.S. customers and ships its products to New York. These elements render the exercise of jurisdiction by the Court proper and necessary as Sony is “at home” in New York.

34. This Court has subject matter jurisdiction over all of Plaintiff’s claims under 28 U.S.C. § 1332(d)(2) because (a) there are 100 or more class members, (b) at least one Class member is a citizen of a state that is diverse from Defendant’s citizenship, and (c) the matter in controversy exceeds \$5,000,000, exclusive of interest and costs.

35. Venue is proper in this District under 28 U.S.C. § 1391 because a substantial part of the events giving rise to the Class’s claims occurred in this District.

### **PLAINTIFF’S SPECIFIC ALLEGATIONS**

#### **A. Plaintiff Ian Kanter**

37. Plaintiff Ian Kanter (“Plaintiff Kanter”) is a citizen of Nevada and resided in Dayton, Nevada, at the time of purchase.

38. In or around November 20, 2022, Plaintiff Kanter purchased the Sony WH-1000XM5 Headphones from a Best Buy located in Carson City, Nevada, for \$372.71.

39. Plaintiff Kanter’s decision to purchase the Headphones was, in part, due to his anticipated use of them as study aids while he completed his degree. Defendant advertised that the Headphones provided best-in-class noise cancelation, which would be useful for Plaintiff Kanter’s studying in noisy and distracting environments.

40. Moreover, Plaintiff Kanter had had positive experiences with other of Sony's products, such that he turned down competitors' headphone offerings, such as Apple's AirPods Max headphones and Bose's QuietComfort 45 headphones. Unlike Sony's offering, neither offered best-in-class ambient noise cancelation.

41. Plaintiff's Kanter's usage of the headphones revolved around studying and would fluctuate depending on his course load. The Headphones could be used anywhere between 8 hours a day, to a couple of times weekly, but were frequently used throughout the ownership period.

42. Plaintiff Kanter's experienced the Defect in or around September 2025, when he noticed stress fractures or cracks on the plastic portion of the headband. The swivel hinge no longer connected the ear cup to the headband.



*Figure 1: Plaintiff Kanter's Headphones with manifestation of Defect.*



*Figure 2: Plaintiff Kanter's Headphones with the Defect showing separation between the headband and ear cup.*

43. The manifestation of the Defect was especially troubling for Plaintiff Kanter because he used the Headphones in a careful manner. The Headphones had not sustained fall damage or damage from impacts. In addition, when the Headphones were not actively being used, on top of his head, they were stored in the included carrying case. Plaintiff Kanter took care of his Headphones because he enjoyed using them and wanted them to last at least through the duration of his program. Due to the Defect, Plaintiff Kanter's Headphones cannot be safely transported without storing them in the carrying case, but in any event, they have been rendered wholly unusable as portable headphones because they can no longer be secured atop his head, as intended.

44. Plaintiff Kanter promptly contacted Sony Service and Support via email on September 12, 2025. Defendant confirmed Plaintiff Kanter's outreach, assigned a case number,<sup>7</sup> and requested proof of purchase and pictures of the product, all of which Plaintiff provided.

45. Sony Service and Support replied on September 15, 2025, to inform Plaintiff that it refused warranty service because Defendant asserted, without investigation or support, that the

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<sup>7</sup> Case #10636719, Sony National Customer Relations.

“unit has sustained physical damage[.]” He received offers to buy additional Sony products at discounted prices, and was referred to out-of-warranty repair servicers.

46. Then on September 22, 2025, Sony Service and Support followed up once more to reiterate that “we found physical damage to the unit,” and further determined that Plaintiff Kanter was not eligible for any discount to buy other Sony products.

47. Plaintiff Kanter used and maintained his headphones in a careful manner, but otherwise typical of a reasonable consumer.

48. Plaintiff Kanter was unaware of, and lacked a reasonable means of discovering, the Defect.

49. Had Plaintiff Kanter been told of the Defect and the deceptive manner in which Sony (a) concealed the Defect and (b) misrepresented the quality, durability, and portability of the Headphones, and (c) either refused to honor its written Warranty or imposed unreasonable costs or barriers to prevent Mr. Kanter from availing himself of the Warranty, he would not have purchased the Headphones.

### **STATEMENT OF FACTS**

#### **A. Sony’s Misleading Marketing of the Headphones**

57. The Headphones were released on or about May 24, 2022, as the latest offering in Sony’s WH-1000X series of headphones. Like previous offerings, the Headphones share and suffer from the same inherent defects in material and/or workmanship as described in detail below.

58. Defendants marketed, promoted, and sold the Headphones as portable and durable, premium, noise-canceling, over-ear headphones.

59. Defendants' marketing materials repeatedly emphasized the premium audio features, portability, and durability of the Headphones. For example, Defendants made the following representations about the Headphones:

- "Premium noise cancelation optimized to you"
- "Magnificent Sound, engineered to perfection"
- "Crystal clear hands-free calling"
- "Up to 30-hour battery life with quick charging"
- Ultra-comfortable, lightweight design with soft fit leather"
- "Redesigned collapsible case made for easy storage in a bag"
- Expanding on the "Premium noise cancelation," Sony states: "From airplane noise to people's voices, our WH-1000XM5 wireless headphones with 8 microphones for noise cancellation keep out more high and mid frequency sounds than ever."
- Regarding the sound quality that the Headphones offer, Sony states: "The WH-1000XM5 supports High-Resolution Audio and High-Resolution Audio Wireless, thanks to LDAC, our industry-adopted audio coding technology. LDAC transmits approximately three times more data than conventional Bluetooth audio for exceptional High-Resolution Audio quality."
- Touting its "All day comfort with an elegant design," Sony states: "These lightweight headphones are beautifully finished in newly developed soft fit leather. This material fits snugly around the head with less pressure on the ears while keeping out external sounds. Our elegant design with stepless slider, seamless swivel and hanger, and silent joints, makes WH-1000XM5 a pleasure to wear."

60. In a nod to sustainability, Defendants also highlight that the Headphones “use[] recycled plastic materials from automobile parts.”

61. Defendants’ advertising is mirrored on the online storefronts of its authorized third-party sellers, such as Best Buy and Amazon.

62. What Defendants fail to disclose is the structural fragility or weakness of the swivel hinge that connects the headband to the ear cups. As the below forum post reveals, which was posted on Sony’s website and gathered 48.35K views, purchasers have long complained of broken hinges not only with the Headphones, but also with previous iterations, such as the WH-1000XM4, the precursor model to the Class Headphones:

WH-1000XM4 hinge broken from normal use?

Headphones · User16195527089117444534 · April 27, 2021 at 2:51 PM

48.35K 28 134

*Figure 3: User made community post on Sony's website, viewed over 48,000 times.<sup>8</sup>*

63. Defendants marketed, promoted, and warranted that the Headphones were premium over-ear headphones capable of portable use, able to provide best-in-class noise cancelation, and otherwise able to perform all of the basic functions of similar Headphones in its class.

64. Plaintiff and Class members purchased their Headphones for a premium audio experience like that portrayed by Defendants in their marketing materials for the Headphones.

65. Because the defective materials are fully enclosed within the Headphones and the Defect is only revealed by regular use, reasonable consumers could not discover the Defect prior to purchase.

<sup>8</sup> [https://us.community.sony.com/s/global-search/Sony%20WH-1000XM4%20hinge?language=en\\_US](https://us.community.sony.com/s/global-search/Sony%20WH-1000XM4%20hinge?language=en_US) (last accessed Nov. 11, 2025).

66. The Headphones will be used or purchased by unsuspecting members of the putative class, and injunctive relief could prevent harm to those who remain unaware of the Defect, which can render the Headphones useless. Further, potential Class-wide notice may inform Class members of potential remedies that they may not be aware of.

67. As the Defect results from the defects in material and/or workmanship of the Headphones—i.e., the use of unsuitable plastic material to mount the swivel hinges—replacing the broken hinges with identical ones is unlikely to fully remedy the Defect.

68. Plaintiff and Class members saw or heard these representations from Defendants about the Headphones prior to purchasing their Headphones.

69. During the Class Period, Sony designed, manufactured, marketed, sold, and distributed the Headphones to tens of thousands of consumers throughout the United States and disseminated marketing materials from its headquarters in New York.

## **B. The Defect**

70. Contrary to how they are portrayed in Sony's marketing materials, the Headphones contain a common inherent defect that, over time, causes their hinges to fail.

71. One of the essential attributes of premium headphones is the ability to provide an enhanced audio experience that is made possible through ambient noise cancelation which makes the desired audio clearer to hear. This ability is contingent on the ear cup's being securely pressed against the user's head, so that outside noise is kept out. A headphone's universal design consists of a headband, hinge, and ear cups that contain drivers, microphones, and other critical components. The hinge provides a connection between the headband and ear cups and allows the wearer to keep the Headphones atop their head, as well as the ear cups firmly covering the users' ears.



72. The Headphones suffer from a serious and inherent defect in design and materials. The Headphones are doomed to fail after a short number of use cycles due primarily to the use of fragile plastic mounting points that connect the earcups to the headband via the hinge. The swiveling hinge provides the ear cup with the movement that allows the Headphones to be stored flat against the included case.



*Figure 4: Included case to store the Headphones.*

73. Thus, over a relatively short amount of time, swiveling the ear cups of the Headphones fractures and deforms this plastic, causing the ear cup to detach from the headband via the hinge.

74. According to Plaintiff and other owners of the Headphones who have experienced the Defect, the common hinge problem is not a result of dropping or otherwise handling the Headphones roughly. Rather, the Defect becomes apparent when the earcup has detached from the headband. The ear cup dangles because it loses the support provided by the hinge and it becomes impossible for a user to press the ear cup against their ear, as intended.

75. Because the Defect compromises the Headphones' hinges, it impairs the Headphones' portability and functionality.

76. As a result of the Defect, many consumers purchased headphones that became practically unusable after just months of use.

77. Damage caused by the Defect renders the Headphones unsuitable for their essential purpose of providing personal audio. When the Defect manifests, it dramatically impairs the user's ability to leave the ear cups pressed to their ears, making it difficult or impossible to use the headphones' noise canceling features, let alone leave the Headphones secured to the user's head. Thus, the Defect renders the Headphones partially or wholly unusable as a portable device.

78. Consequently, the Headphones are not fit for their intended purpose as functioning, compact, portable, or flexible personal audio devices and cannot satisfy the representations Sony made in its marketing materials and warranties.

79. Repairing the damage caused by the Defect is a difficult and costly undertaking. Repairs cost \$100 or more. Moreover, affected customers have stated that, although breakages occurred well during the one-year warranty period, Sony nevertheless refused service by dismissing the Defect as "physical or accidental damage."

80. Many Headphone owners have communicated with Sony's employees and agents to request that Sony remedy and/or address the Defect and/or resultant damage at no expense. Sony has failed and/or refused to do so.

81. Had Plaintiff and Class members known about the Defect at the time of purchase, they would not have bought the Headphones, or would have paid substantially less for them.

82. The Defect manifests both inside and outside of the warranty period. As discussed herein, Defendants are unable to adequately fix the Defect during the warranty period and routinely refuses to repair the Defect free of charge inside and outside of the warranty period.

**C. Sony's Exclusive and Early Knowledge of the Defect**

83. Prior to releasing the Class Headphones for sale, Sony was in a superior position to know and did in fact know of the Defect, the resultant hinge failures, and the effects thereof on the quality, reliability, and functionality of the Headphones.

84. Plaintiff and those similarly situated did not, and could not, unravel Sony's pattern of deception and public silence.

85. Sony owed Plaintiff and all those similarly situated a duty to disclose the Defect because Defendants knew that the Headphones possessed defective hinges that were susceptible to failure before they were released to the market. Defendant did not, however, disclose this information to consumers who were making their purchasing decisions. A reasonable consumer would assume that a pair of headphones marketed as portable, premium, and reliable would be able to withstand ordinary use without hinge failure.

*i. Sony's Knowledge of the Defect Prior to Release*

86. Sony knew or should have known about the Defect due to its extensive quality controls and pre-release testing processes, as well as its experience with ongoing hinge issues in the Headphones.

87. With regards to its quality control measures, Sony has stated that it "has configured its quality management system by defining quality management mechanisms across all processes, from product planning, development, design and manufacturing to sales and customer service."<sup>9</sup>

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<sup>9</sup> [https://www.sony.com/en/SonyInfo/csr/library/reports/SustainabilityReport2023\\_quality\\_E.pdf](https://www.sony.com/en/SonyInfo/csr/library/reports/SustainabilityReport2023_quality_E.pdf) (last accessed Nov. 11, 2025)

88. Sony “formulates and administers quality standards applicable to Sony’s electronics products and related customer service, focusing on criteria such as product safety and performance, labeling, customer service, usability and accessibility. These standards are updated continuously to reflect technological advances, changes in applicable legal and regulatory requirements, and social changes, with the aim of ensuring Sony’s ability to deliver quality and services that exceed the expectations of customers.”<sup>10</sup> Additionally, “Sony has also obtained certification under ISO 9001 for all sites manufacturing electronics products.”<sup>11</sup>

89. Regarding its customer service, Sony states that it “makes active use of customer feedback to improve its products and customer service. Sony customer information centers promptly and accurately collate customer opinions, reports of malfunctions after purchase, questions regarding use, and other feedback.”<sup>12</sup> Sony additionally “analyzes customer feedback on social media.”<sup>13</sup>

90. Sony gathers quality issues information “from a broad range of sources in Japan and overseas” that is then weekly reported to headquarters, “quality management and technical specialists. Based on the reported information, Sony ascertains whether or not issues in the marketplace have been addressed appropriately. In addition to ensuring that such issues are thoroughly addressed, Sony is accelerating its quality improvement performance by promoting measures to prevent recurrence and proactive measures in relation to quality issues.”<sup>14</sup>

91. When responding to quality control issues, Sony states that it “responds swiftly in the event of a quality-related issue, with the relevant departments working together to investigate

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<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

facts and take appropriate action on a global scale. When such an issue arises, Sony decides upon the need for public announcements and market action for customers, and implements any needed steps after undertaking various studies of the issue, following a process common to all Sony products.”<sup>15</sup>

92. Resolution of recognized problems “starts with the gathering of information from customer service centers worldwide and collaboration with concerned local parties to ensure an accurate grasp of the issue. Based on the information collected, Sony then works to determine the correct response by identifying the cause of the issue, implementing countermeasures and promptly verifying the effectiveness thereof, and reviewing the issue from the customer’s perspective.”<sup>16</sup>

93. Sony conducted extensive testing on the Class Headphones and each of its components, including the hinges. Sony designed, engineered, and extensively tested each of its Class Headphones’ parts purportedly to ensure the highest quality, safety, and reliability.

94. Defendants’ pre-release testing would have revealed the Defect. For example, tests to simulate consumer experience, including real-life user studies and reliability-growth tests, would have revealed the Defect. Because the Defect manifests during foreseeable normal consumer use, Sony’s purportedly rigorous testing and quality control measures, including its quality reporting measures, would have revealed that the Class Headphones suffer from the Defect during normal and foreseeable use by consumers.

95. Additionally, Sony was aware of the Defect because its Headphones have been plagued by similar quality control issues, including hinge issues, since at least the WH-1000XM3.

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<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

Although Defendants have refused to publicly acknowledge the Defect, they have implemented design changes attempting—and failing—to remedy the Defect.

96. Though the hinge design has changed between the Sony WH-1000XM3, Sony WH-1000XM4, and the XM5 Headphones, customers have consistently complained about quality issues, including hinge issues, even on Sony's own website.

Cracked headband on WH1000XM3 headphones

Headphones · mgjj21.5646800179109224E12 · August 1, 2019 at 3:47 PM

36.98K 26 195

*Figure 5: User made community post on Sony's website, viewed approximately 37,000 times.<sup>17</sup>*

97. Owners of the Sony WH-1000XM4 have also put Defendants on notice as to their faulty hinge design, as evidenced by the below post that has been viewed 48,000 times:

WH-1000XM4 hinge broken from normal use?

Headphones · User16195527089117444534 · April 27, 2021 at 2:51 PM

48.35K 28 134

*Figure 6: User made community post on Sony's website, viewed approximately 48.35k times.<sup>18</sup>*

98. The author of this post detailed his experience, including the denial of a warranty repair or replacement, as seen below:

<sup>17</sup> [https://us.community.sony.com/s/global-search/Sony%20WH-1000XM3?language=en\\_US](https://us.community.sony.com/s/global-search/Sony%20WH-1000XM3?language=en_US) (last accessed Nov. 11, 2025).

<sup>18</sup> [https://us.community.sony.com/s/global-search/Sony%20WH-1000XM4%20hinge?language=en\\_US](https://us.community.sony.com/s/global-search/Sony%20WH-1000XM4%20hinge?language=en_US) (last accessed Nov. 11, 2025).



User16195527089117444534 asked a question.

April 27, 2021 at 2:51 PM

## WH-1000XM4 hinge broken from normal use?

I have a pair of WH-1000XM4 headphones. They worked well for a few months, and sounded great the whole time. I always would put in them in their case, and carry them in my bag, etc., and used them normally. But today The hinge of the right part of the headphone broke all of a sudden while I was putting my headphones on. Part of the plastic which forms the cup side of the hinge design broke, as seen in the attached image. The headphones, being less than a year old, are still under warranty, but I contacted customer support and was told that these could not be covered since this is only "cosmetic damage". Despite this, the headphones are practically unusable (since they cannot be actually worn, since the right cup, while still connected by wire, is completely detached from the hinge and cannot be reconnected). What can I do? Since I am in Canada, It was suggested to me that I send this to a service centre in Toronto (I am in Montreal), in order to repair it out of warranty (beginning at \$65 just to look at it, and not even repair it), but this seems to me to be a classic case of what the 1-year warranty for the WH-1000XM4 covers: "issues cause by defects in material or workmanship during ordinary consumer use".



### Headphones



Like



Answer



Share

134 answers · 48.35K views

Figure 7: User created post on Sony's website, regarding the Sony WH-1000XM4.<sup>19</sup>

99. XM4 purchasers who encountered faulty hinges complained both on Sony's website, as well as on the websites of third-party sellers, like Best Buy, that Sony monitors:

<sup>19</sup> [https://us.community.sony.com/s/question/0D54O00006tvLpwSAE/wh1000xm4-hinge-broken-from-normal-use?language=en\\_US](https://us.community.sony.com/s/question/0D54O00006tvLpwSAE/wh1000xm4-hinge-broken-from-normal-use?language=en_US) (last accessed Nov. 14, 2025)

★☆☆☆☆ too complicated and useless for me

✔ **Verified Purchase** | Posted 4 years ago. Owned for 1 month when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Seam to break easily because of the delicate construction.

Did not pair with our new Samsung QLED80A TV. The store told me that they don't pair well after I returned them.

Charging is a hassle.

Also didn't pair with my laptop.

They seem to be geared towards air travelers.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)

✗ No, I would not recommend this to a friend

20

★☆☆☆☆ Nice until the earpiece swivel breaks -

✔ **Verified Purchase** | Posted 4 years ago. Owned for 10 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

These were ok while they lasted - not as good as you would expect for the price, especially not the microphones for use in Zoom.

But I was very shocked today to find out that when the swivel on the right ear piece broke that the repair would not be covered by warranty. Granted, I did use these almost every working day for 9 months but I can't believe that this is not covered.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)

✗ No, I would not recommend this to a friend

★☆☆☆☆ Beware of cheap plastic and terrible support.

✔ **Verified Purchase** | Posted 4 years ago. Owned for 8 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Make no mistake, these should have been the best of headphones. A long battery life and fast recharging, the noise cancelling is exceptional as is the sound quality. My issues begin with simply taking them off my head after a meeting and hearing two parts hit the ground. The plastic and u clip holding the right ear cup was now on the floor and the earpiece was dangling via the wire, floppy and dead like the brick they had become. I contacted support and was told that they won't replace them because of "physical damage" These headphones have never been dropped, miss treated in any way, they are treated with the respect that spending 350 bucks should have earned them. I won't be buying anymore Sony headphones and I certainly regret recommending them to colleagues.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)



✗ No, I would not recommend this to a friend

<sup>20</sup> Complaints were gathered the week of November 17<sup>th</sup>, 2025



★☆☆☆☆ **Terrible build quality**

Posted 4 years ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I bought the WH-1000XM3 headphones from best buy and in less than a 10 months of light usage the plastic housing on the left side came apart at the seam. I call Sony and they told me that is cosmetic and wouldn't honor any warranty service. It is not cosmetic that part holds headrest in so it doesn't come out when adjusting the fit. These headphones have the same plastic housing so be aware.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)

✗ No, I would not recommend this to a friend

Helpful (1) | Unhelpful (0) | Report

**Brand response from SonyListens**

Posted 4 years ago.

Hi rajc,

This is not the experience that we want you to have. Sony takes all feedback seriously. Rest assured that this will help us improve our products.

We would like to know more about what happened and review your file. Please email the below information to [socialsupport@am.sony.com](mailto:socialsupport@am.sony.com). Apologies if you disclosed some of this information in your review and to customer service, we just want to ensure that we have your accurate details at the time of communication.

★☆☆☆☆ **Poor Quality Design**

✔ **Verified Purchase** | Posted 4 years ago. Owned for 1 year when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I've had the Sony M4s for about a year and this is the second time that they broke at the hinge. It practically fell apart just as I was about to wear them. I have never once dropped them and took great pride in caring for my product as they are quite expensive. As a bass lover, the sound is impeccable and features are great, but overall the quality of the product is flawed for the hinge to break twice in just under a year. For the price point, the quality is very underwhelming and for this reason, I would not recommend.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Great features, lacking in durability.**

✔ **Verified Purchase** | Posted 3 years ago. Owned for 1.5 years when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

The sound quality and noise canceling features are top notch on these headphones. I use them mostly when I travel, which is usually 3-4 times a year.

On my flight today, I took the headphones out of the case and a piece fell off. The other side is cracking, and ready to do the same thing. I am so disappointed as I have only had them for two years, and use them maybe 4 times a year. Durability is poor. Couldn't imagine what would have happened if I used them more frequently.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Buyer Beware**

Posted 3 years ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I bought the 1000XM4 at Best Buy on June 30, 2022. I didn't feel that the insurance by Best Buy was necessary for this expensive headphones. They worked great until... Last week, fewer than 4 months later, the right earpiece fell off through no fault of my own. I just picked up the headphones, and FLOP. Sony's limited "warranty" doesn't cover the repair. BTW it appears to me that the XM5 uses an entirely different earpiece attachment design; perhaps I'm not the only person who experienced what I think is a flaw in the XM4 design.



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Waste of Money**

🔒 **Verified Purchase** | Posted 3 years ago. Owned for 11 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

After having this product for less than a year, the hinge on one of the ear cuffs broke as I was folding it as it was designed to fold. I contacted Sony customer support regarding a warranty, and they don't cover poor craftsmanship on their part for their products falling apart. These were good headphones, but as a word of caution, spend your money on sturdier products, and also with companies that will cover design flaw issues as part of their warranty.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)



✗ No, I would not recommend this to a friend

★☆☆☆☆ **not quality for price**

🔒 **Verified Purchase** | Posted 3 years ago. Owned for 7 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

The hinge broke as I was taking it off my head not even 6 months after purchase. I do not recommend this product or Sony's support and poor customer service. Buy Bose or Apple for better customer service and quality product.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)

✗ No, I would not recommend this to a friend

★★☆☆☆ **Great Sound, Trash Quality**

Posted 3 years ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I've had these for a few months and the sound and noise canceling features are Outstanding.

Today I removed the headphones and one of the ear cups broke and dangled by the internal wire. Sad to toss \$300+ in the trash.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)

✗ No, I would not recommend this to a friend

★☆☆☆☆ **So sad and Disappointed**

Posted 3 years ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Great sounding headset however a bracket by swivel is weak and it broke on me I saw a picture of another person who reviewed and had the same problem I guess it's a common occurrence for these headsets again Is a shame because they very Good sound quality

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)

✗ No, I would not recommend this to a friend

★☆☆☆☆ **Broken after less than 4 months of use**

Posted 3 years ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

While adjusting the headphone on my head the earphone broke off of the headphone. The warranty is no help to solve this issue. Very unhappy.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Silver](#)



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Don't buy these headphones**

🕒 **Verified Purchase** | Posted 3 years ago. Owned for 11 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I have been using the WH-1000X4s for under a year and the right hinge cracked. I called customer service for a repair, but couldn't due to "cosmetic damage" to the item. Multiple people have reported the same issue, however, Sony does not want to be liable for the defect in their product

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Silver](#)

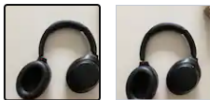
✗ No, I would not recommend this to a friend

★☆☆☆☆ **Beware - Not Worth the Investment**

Posted 3 years ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I purchased these less than 6 months ago for sole use as my office headphones. I only used them while working and made sure to keep them protected in their case while not in use. A few weeks ago, plastic at the right the ear cuff joint began snapping off and the piece has continued to disintegrate. It is now unwearable and functionally useless. I immediately contacted Sony and although the product is within warranty, they refuse to cover "physical damage". There was never an incident that would have caused this damage, so I'm very disappointed in these headphones and am now researching alternatives! I now know that there are many Reddit threads about this exact damage occurring. This was a terrible first experience with Sony customer service and I will be avoiding their products moving forward.



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Do NOT buy these headphones!**

Posted 3 years ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Do NOT buy these headphones. I purchased 2 of these headphones, one for office and one for home use. BOTH headphones broke from extremely easy use. A small plastic piece breaks along the headphones swivel joint. It is obviously a design flaw. What makes things worse is that Sony refuses to admit that this is a design flaw even though many many people are reporting the same problem. Google it. Shame on you Sony.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)

✗ No, I would not recommend this to a friend

★☆☆☆☆ **It broke**

Posted 3 years ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

It hasnt even been a year and it broke on me. I cant even return it cause i dont have a warranty thinking its a durable product. Smh! What a waste of money!!

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Not a reliable brand when it comes to headphones**

Posted 3 years ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I would not give a 1 star had there been an option for "0 stars". Not a reliable brand at all. I had a different model of Sony headphones, and it broke by the hinge. Reached out to both US and Japan headquarters about the issue. Received a reply email stating that the Sony engineers agree that there is a defect with the product, but they cannot exchange it because it was out of warranty. If a product has a defect, and company admits it, then why does not matter what the purchase date it. Anyway I highly recommend to stay away from sony headphones in general.

✗ No, I would not recommend this to a friend

Helpful (1) Unhelpful (1) Report

★☆☆☆☆ **Terrible Build Quality**

✔ **Verified Purchase** | Posted 3 years ago. Owned for 5 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

These headphones started creaking 4 months after I bought them. It's very loud since they are meant to isolate noise so the creak sounds like an old door closing right next to your ear. Just go to the store and handle them to see just how bad the sound is from plastic rubbing, of course they have been handled by many customers in the store, but it'll give you an idea of what to expect over time. Sony says it was my fault and will not cover under warranty, they claim I damaged them or dropped them. Just do a Google search to see all the people reporting this issue.

This review is from [Sony - WH-1000XM4 Wireless Noise-Cancelling Over-the-Ear Headphones - Black](#)

✗ No, I would not recommend this to a friend

★★★★★

Piece of crap

Mike38

3 years ago

They were the best phones I owned until I flew to on a plane. Both headphones snapped at their respective joint as I tried to put them on my ears. Not sure if it was cabin pressure or a poor quality build. I should have bought the Bose QC45 instead of being out of pocket £250

Sony products owned 1

☒ No, I do not recommend this product.
Originally posted on [WH-1000XM4 Wireless Noise-Canceling Headphones](#)Helpful? (2) (3) [Report](#)

Design



Ease of Use



Sound Quality



★★★★★

For the price, it could be of better quality.

Javier G

3 years ago

The sound quality is very good, and the noise isolation is excellent. However, I expected better quality in certain parts of the headphones, which break with normal use in less than two years.

translated by Google

[Show original review](#)
☒ About this translation

Sony products owned 2-5

☒ No, I do not recommend this product.
Originally posted on [WH-1000XM4 Wireless Noise-Canceling Headphones](#)

Design



Ease of Use



Sound Quality



100. Sony cannot credibly claim that it was unaware of these issues. As stated previously, Sony gathers, reports on, and investigates, quality control issues for customer service and product improvement purposes. Sony monitors and responds to posts made on its website, among other places, which includes the post immediately above, as seen here:

User17430199452869696238, User17170925157547368190, and 26 others like this.

More answers

10 of 134



[Hailey \(Moderator\)](#)

2 years ago

Hi ThommyChloster,

Apologies if Sony is unable to proceed with your warranty claim due to the broken hinge. That is something not covered by warranty. Sony's statement stands as it is.

Sincerely,  
Hailey

*Figure 8: Response made by a Moderator on Sony's customer service forum.<sup>21</sup>*

*ii. Sony's Knowledge of the Defect After Release*

101. Defendants knew or should have known about the Defect due to post-release failure analyses, internet reviews, consumer complaints, warranty claim data, repair data, and replacement part sales data.

102. Sony, like other hardware companies, collects, reviews, and analyzes detailed information about repairs requested or made on Headphones still under warranty at its retail locations, repair centers, and third-party service centers, including the type and frequency of such repairs. Complete data on such repairs is exclusively within Sony's control and unavailable to Plaintiff without discovery.

103. Though Sony's repair data is not publicly accessible, it is apparent from publicly available data that a significant percentage of Headphone owners have sought repairs for the

<sup>21</sup> [https://us.community.sony.com/s/question/0D54O00006tvLpwSAE/wh1000xm4-hinge-broken-from-normal-use?language=en\\_US](https://us.community.sony.com/s/question/0D54O00006tvLpwSAE/wh1000xm4-hinge-broken-from-normal-use?language=en_US) (last accessed Nov. 11, 2025).

Defect. After receiving high quotes for repairs from Sony, even while under warranty, consumers have also sought out repairs from other servicers.

104. Defendants would have been made aware of the Defect due to the large number of repairs or repair requests made during the Headphones' warranty period.

105. On information and belief, Defendants also monitor the internet for articles, comments, and posts made about the Defect. At a minimum, Sony review on a weekly basis the comments posted to its own website (the us.community.sony.com forum) for problems with Sony devices.

106. Online reputation management ("ORM") is now a standard business practice among most major companies, including Sony, and entails monitoring consumer forums, social media, and other sources on the internet where consumers can review or comment on consumer services. "Specifically, [ORM] involves the monitoring of the reputation of an individual or brand on the internet, addressing content which is potentially damaging to it, and using customer feedback to try to solve problems before the damage to the individual's or brand's reputation."<sup>22</sup>

107. Thus, Sony reports on social media data reflecting negative consumer data, has a strong presence on various popular platforms, and carefully curates the reputation of its brand and products.

108. Sony is aware that consumers provide feedback about its products not only on Sony forums, but also on popular social media sites such as X, YouTube, and Reddit. Sony is also aware that consumers provide feedback about its products on the sites of authorized third-party sellers, such as Best Buy, because it directly responds to customer complaints, as seen below:

---

<sup>22</sup> *Online Reputation*, WebSolutions, available at <https://websolutions-maine.com/online-reputation/> (last accessed Nov. 12, 2022).

DanielV

Pros mentioned: Battery life, Sound quality

★☆☆☆☆ Read this before you purchase the XM5s

Verified Purchase | Posted 2 weeks ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I have had these headphones for a year and a half, and I loved them. They had great audio quality, battery life, solid software, and features.

Now I come to the reason for my one-star rating, and this is the part you should be aware of before purchasing this product. I came home one day and went to put on my headphones, and realized that the left hinge had almost completely snapped off. The product was never dropped, damaged, or misused in any way, and yet the hinge broke. I checked if other users have had this issue and was surprised to find that this was a known issue with the XM5s. I contacted Sony support and spoke to both their customer service and customer relations teams. Still, they said Sony would not cover this issue because it is physical damage, and offered a "low-cost" repair for \$100. This directly conflicts with Sony's policy, which should cover "defects in materials or workmanship under normal use".

I am extremely disappointed in the resolution to this issue because the product itself is great, but for a known issue resulting from inadequate manufacturing, to receive neither a proper recall nor a replacement/repair initiative is unacceptable.

I am now stuck between either paying an extra \$100 and spending multiple weeks to get the product repaired, essentially making the headphones cost \$450, or selling them at a significantly reduced rate and eating up the cost of buying new headphones after 2 years.

This defect and the resolution by Sony have been so dissatisfactory that I will likely never purchase a Sony product again.

TL;DR: Sony headphones' hinge broke under normal use due to a known manufacturing defect. Sony's customer service denied any under-warranty repair/replacement option, citing physical damage in contrast to their policy. Offered me a long wait, \$100 repair option. If you choose to buy the XM line of headphones, be aware that there are known product issues that likely won't get resolved even under warranty, and you should probably look to Sennheiser and Bose for better product/company satisfaction.



✗ No, I would not recommend this to a friend

*Figure 9: Best Buy customer review left by user DanielV.*

#### Brand response from SonyListens

Posted 1 week ago.

Hi DanielV,

Thank you for taking the time to share your detailed feedback and experience with the Sony WH-1000XM5 headphones. We truly appreciate your recognition of their sound quality, battery performance, and features.

We are very sorry to hear about the issue with the hinge and can certainly understand how frustrating this must be, especially after you've been enjoying the product for some time.

While our warranty covers defects in materials and workmanship under normal use, it does not cover physical or accidental damage. This is why we offered a low-cost repair option, as it is the most practical way to resolve the problem for you.

Please know that your feedback regarding the hinge and overall experience has been shared with our product and support teams for review. We're continuously working to enhance the quality and durability of our products and appreciate you taking the time to let us know about this situation.

Thank you again for sharing your experience with us and for considering Sony!

Regards,  
Dominick



*Figure 10: Sony's response on Best Buy to the customer review left by DanielV.<sup>23</sup>*

109. Sony thus accounts for consumer online behavior in its ORM strategy.

110. As discussed below, numerous online reviews and posts discussing the Defect made or should have made Defendants aware of the Defect.

<sup>23</sup> <https://www.bestbuy.com/site/reviews/sony-wh-1000xm5-wireless-noise-canceling-over-the-ear-headphones-black/6505727?rating=1> (last accessed Nov. 14, 2025). The date stamp of the user's post reflects that it was posted on October 30, 2025. Sony's response followed on October 31, 2025.



111. First, Sony was or should have been aware of the Defect from the complaints posted to its own website. In the us.community.sony.com forums there are several threads of comments from customers complaining about the impact of the Defect on their Class Headphones.

112. The top five results on Sony's own website reflect that they have been viewed tens of thousands of times between them. The thread titles are excerpted below:

**WH-1000XM5 hinge broken and customer support refuses to honor warranty**

Headphones · User16846415326213813678 · May 20, 2023 at 11:31 PM

✓ Answered · 18.69K · 7 · 45

**WH-1000XM5 hinge broken and customer support refuses to honor warranty (Another one)**

Headphones · User1700413825626187406 · November 21, 2023 at 2:06 PM

3.31K · 5 · 31

**Do you think the XM5 "hinge issue" has been blowing out of proportion?**

Headphones · SonyTechnologyEnthusiast · November 23, 2023 at 5:34 PM

7.63K · 4 · 28

**WH-1000XM5 Hinge issue**

Headphones · Nikko · January 9, 2024 at 1:35 AM

✓ Answered · 797 · 2 · 12

**Sony WH-1000XM5 hinge broken, is this a design flaw?**

Headphones · User17102939154681368564 · March 16, 2024 at 7:13 PM

2.24K · 2 · 7

*Figure 11: Top five results for user-reported hinge issues experienced with the Class Headphones.*

113. Excerpted below is the lead post made in the first thread posted above, which has been viewed 18.69K times, followed by Sony's response. Like the owner of the WH-1000XM4 headphones, the user details that the Defect manifested through no fault of their own. Sony nevertheless denied warranty coverage:



User16846415326213813678 asked a question.

May 20, 2023 at 11:31 PM

### WH-1000XM5 hinge broken and customer support refuses to honor warranty

I was gifted a pair of WH-1000XM5 headphones that were purchased back in December of last year in the US through Amazon. I unpackaged them out of the box for the first time this week and used them normally for a few days.

All was going great, but a few days ago, the hinge on the right side of the headphones that connects to the swivels suddenly popped out and broke. According to a quick search on Reddit, Amazon, and Sony forums, this is a common manufacturing defect with the WH-1000XM5's (XM4's as well), and Sony customer support refuses to honor their warranty for this product and offer any sort of recourse. Even after explaining in detail to several different customer support reps over both chat and phone of the issue, giving them my serial number, and how it isn't my fault but instead, a manufacturing defect, they refuse to do anything, citing physical damage is not covered.

This is absolutely ridiculous and all I can say is this product and Sony customer service is a joke. I definitely expected more from a flagship product like this. As a last ditch resort, I am posting here, hoping for an opportunity for a repair or replacement. Otherwise, I will be going out of my way to avoid Sony for the foreseeable future.



Headphones

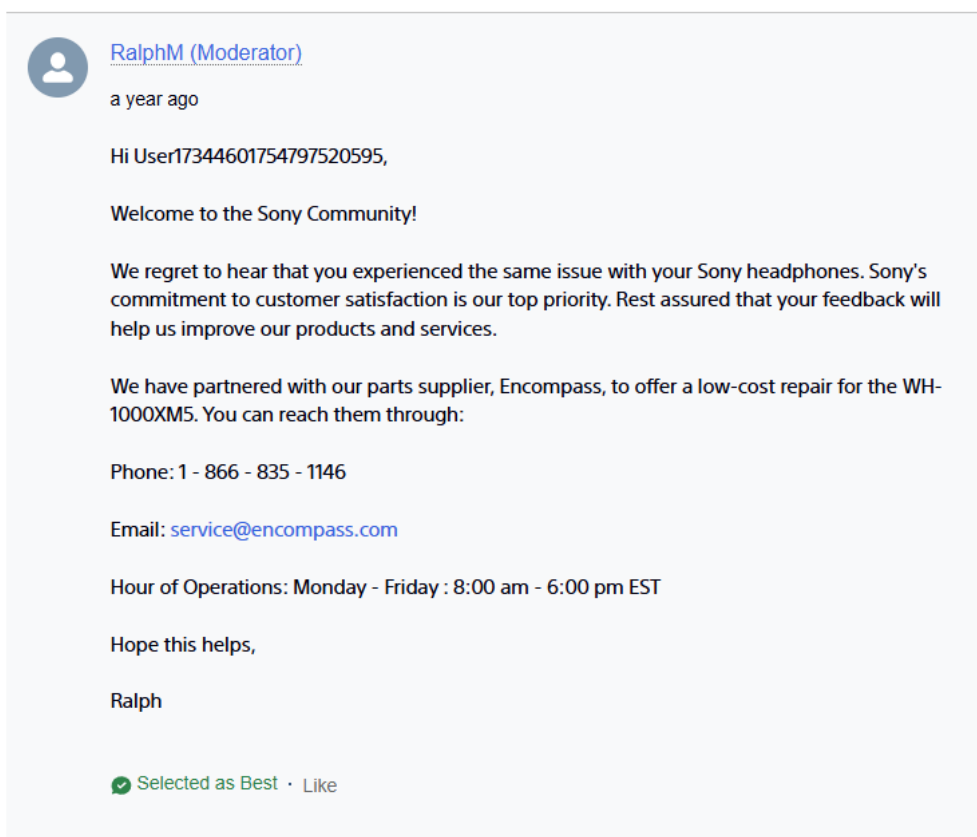
Like Answer Share

45 answers · 18.69K views

Figure 12: Post created by User16846415326213813678, on Sony's forum.<sup>24</sup>

<sup>24</sup> [https://us.community.sony.com/s/question/0D5Dp00000RQ1txKAD/wh1000xm5-hinge-broken-and-customer-support-refuses-to-honor-warranty?language=en\\_US](https://us.community.sony.com/s/question/0D5Dp00000RQ1txKAD/wh1000xm5-hinge-broken-and-customer-support-refuses-to-honor-warranty?language=en_US) (last accessed Nov. 14, 2025).

Top Rated Answers



*Figure 13: Sony's top-rated answer "Selected as Best"*

114. Many similar threads containing consumer complaints about the Headphones exist on the Sony forum, as seen below:

★★★★★

Broke in less than two months.

cmodeg

3 years ago

The headphones were good while they worked. They broke in less than two months.

Level of expertise Advanced

Where purchased Online

Sony products owned 2-5

☒ No, I do not recommend this product.

Helpful? (1) (1) [Report](#)

Design



Ease of Use



Picture Quality



Sound Quality




Performance



Build Quality



 Response from Sony:

3 years ago

**Sony North America Customer Support**

Hi cmodeg, We're sorry to hear about this. This is usually not the case for our headphones nor the experience we want you to have. We would like to know more about what happened to your Sony WH-1000XM5 so we can better assist you.

May we contact you to help and get more information? If so, please email the below information to [socialsupport@am.sony.com](mailto:socialsupport@am.sony.com). Apologies if you disclosed some of this information in your review and to customer service, we just want to ensure that we have your accurate details at the time of communication.

Full Name:

Username:

Telephone Number:

Sony Model Number:

Additional Information regarding your experience with the WH-1000XM5:

25

★★★★★

Build Quality Issue Not Covered By Warranty

ShoHo

 VERIFIED PURCHASER

2 years ago

I have been using BOSE headphones for about a decade now, but decided to try the Sony brand to switch things up and see what else was out there. I bought the WH-1000XM5 headphones in March 2023. Within 2 months, the seam on the bridge of the headphones ripped right at the very end. Now, the underlying cushion is pushing out, and as times goes buy the issue will only get worse. I called Sony customer support to resolve the issue, but was told that it was a "cosmetic" issue and not covered by the warranty. I was not rough with the headphones, nor was there any trauma to the headphones, which I explained to the Sony representative. Now I am stuck with a ticking time bomb that currently looks unsightly, and eventually will rip the entire cushion off the bridge of the headphones. I would certainly not recommend these headphones, and will likely never buy a Sony headphone again. I payed over 400 dollars for these headphones, and Sony won't even own up to a design/production issue. Looks like it is back to the BOSE all metal headphones. I would post a picture, but the Sony website is not letting me.

Level of expertise Intermediate

Where purchased Online

Sony products owned 2-5

☒ No, I do not recommend this product.

Helpful? (0) (0) [Report](#)

Design



Ease of Use



Performance



Build Quality



Features



Sound Quality



<sup>25</sup> Complaints were gathered the week of November 17<sup>th</sup>, 2025

★★★★★

**No Durability**

sultmar13

✓ VERIFIED PURCHASER

2 years ago

Yes, this is one of the greatest headphones ever, but it's not that durable, as the earcups is dangling off. I would rather spend my money on the xm4. Don't buy this. Not a great product.

Level of expertise Intermediate

Where purchased In person

Sony products owned 1

☒ No, I do not recommend this product.
Helpful? (1) (3) [Report](#)

Design



Ease of Use



Performance



Build Quality



Features



Sound Quality



Response from Sony:

2 years ago

**Sony North America Customer Support**

Hi Sultmar13,

Thank you for reaching out to us with your concern. While we're glad you like the exceptional noise cancelling and sound quality, we're sorry to hear about what happened with your headphones. This is definitely not the experience we'd like to hear from you.

The WH-1000XM5 were tested and build to last. These lightweight headphones are beautifully finished in newly developed soft fit leather. This material fits snugly around the head with less pressure on the ears while keeping out external sounds. Our elegant design with stepless slider, seamless swivel and hanger, and silent joints, makes WH-1000XM5 a pleasure to wear.

★★★★★

**Great sound and battery, until it broke**

Rocco P

2 years ago

Headphones are extremely flimsy and one side snapped off in just 3 months.

Level of expertise Intermediate

Where purchased Online

Sony products owned 2-5

☒ No, I do not recommend this product.


Originally posted on WH-1000XM5 Wireless Noise Canceling Headphones

Helpful? (4) (1) [Report](#)

Design



Performance



Build Quality



Features



Sound Quality



Response from Sony:

2 years ago

**Sony North America Customer Support**

Hi Rocco P,

While we are glad to hear your satisfaction with the exceptional sound quality and long-lasting battery life of our WH-1000XM5, we are really sorry if you are having an issue with the one side of the headphones. This is definitely not the experience we wanted you to have. Based on your previous review, it seems like you already contacted our product support team. May we contact you to help and get more information? If so, please send us an email at socialsupport@am.sony.com. Apologies if you disclosed some of this information in your review and to customer service, we just want to ensure that we have your accurate details at the time of communication.

★★★★★

Right earphone cracked - not covered by warranty

Klapper949

✓ VERIFIED PURCHASER

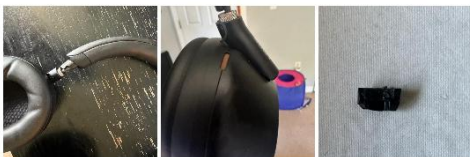
2 years ago

I bought this product less than 6 months ago. I took it off to put on my nightstand, then when I picked it up, the right headphone where it connect to the slider cracked and is dangling. Now the right headphone doesn't even press against my ear. Also a wire is exposed. I contacted Sony customer support, and then told me that was 'physical damage' and not covered by warranty.

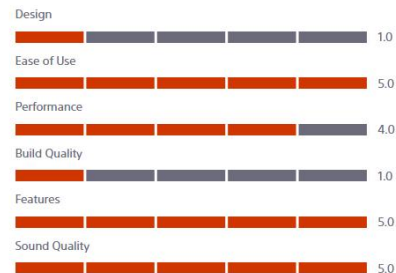
Level of expertise Advanced

Where purchased Online

Sony products owned 2-5

☒ No, I do not recommend this product.


Helpful? (0) (4) Report



★★★★★

Regrettable Purchase

KMG1

2 years ago

Bought these in November the poor build quality ment that the inexpensive plastic used degraded after less than 7 months of very light use having only being removed from the supplied case on a handful of occasions during long trips. What followed has singularly been the worst customer service experience I have everhad as for the sound quality it's good but cheaper more robust headphones I own can compete and another brand well known for noise cancelling outperforms the noise cancelling abilities of the sonys. However the main reason to avoid these is in case you have the misfortune to have to contact Sonys customer service!

Sony products owned 1

☒ No, I do not recommend this product.


Originally posted on WH-1000XM5 Wireless Noise Canceling Headphones

Helpful? (32) (11) Report



★★★★★

Great sound and battery, until it broke

Rocco P

✓ VERIFIED PURCHASER

2 years ago

These headphones are outstanding for sound, noise cancelling, and battery life. Unlike all previous headphones I have owned, these cannot be used while charging. This can be a little annoying if the battery dies when I have 10 minutes left in a movie. Fortunately, they charge very quickly. It is disappointing that the app only works on a cell phone. I use these primarily with my computers and TV, so I cannot take advantage of all the features that might be available through a phone. The build quality is rather flimsy. The padding on the headband started peeling off at 2 months, and the right unit snapped off at 3 months (today), making them useless. As one of the most expensive headsets in this category, I expected something a little more sturdy. I will contact Sony about this tomorrow to see if they stand behind their products, and then I will revise my review as needed.

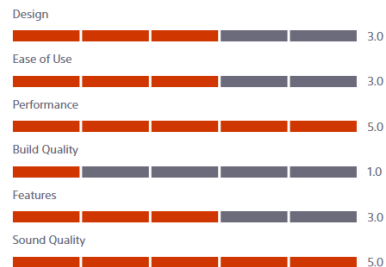
Level of expertise Intermediate

Where purchased Online

Sony products owned 2-5

☒ No, I do not recommend this product.


Helpful? (0) (0) Report



★★★★★

**Very bad engineered**

jlacen19

✓ VERIFIED PURCHASER

2 years ago

Extremely bad engineered. Very cheap build even though they cost 300 plus! Everyone has the same problem with the swivel popped out! Another thing is very bad instructions for finding the serial number and model number.

Level of expertise Intermediate

Where purchased In person

Sony products owned 1

✘ No, I do not recommend this product.

Helpful? (0) (0) [Report](#)

Design



Ease of Use



Performance



Build Quality



Features



Sound Quality



★★★★★

**Great Headphones but get the the MX4**

BrayG

✓ VERIFIED PURCHASER

2 years ago

I bought these for in December and they broke after 4 months. The band has a weak spot above the ear muffs and breaks apart. I purchased the protection plus plan from Sony, which states that it covers accidents and manufacturers defects. These broke easily and it will be hard to proved it wasn't an accident. It appears to be a design flaw, so thank goodness I bought the Sony Protection Plus Plan

Level of expertise Beginner

Where purchased In person

Sony products owned 2-5

✘ No, I do not recommend this product.



Helpful? (1) (0) [Report](#)

Design



Ease of Use



Performance



Build Quality



Features



Sound Quality



★★★★★

**Terrible**

Chaybird

a year ago

After a year of use, the plastic hinge on my headphones broke, still under warranty. Contacted customer support for a replacement, but the worn-off serial number from usage posed an issue and fall off during my attempt to locate it. Despite explaining the situation, they refused replacement, claiming the serial barcode doesn't just fall off. Sent the headphones, got them back after warranty expiration. Disappointed with the customer service, won't buy again

Sony products owned 2-5

✘ No, I do not recommend this product.



Originally posted on WH-1000XM5 Wireless Noise Canceling Headphones

Helpful? (1) (0) [Report](#)

Design



Ease of Use



Sound Quality



★★★★★

**Broken after a week**

Kunjo

a year ago

The right side hinge got broken after a week of use. I have used it with great care. Still the product is broken. It is definitely a design flaw.

Sony products owned 2-5

No, I do not recommend this product.

Originally posted on WH-1000XM5 Wireless Noise Canceling Headphones

Helpful? (5) (2) [Report](#)

Response from Sony:

a year ago

**Sony Support Team**

Hello,

Thank you for your review.

We're sorry to hear that your Sony WH-1000XM5 headset right side hinge got broken.

Having read your feedback about this issue, we would like to be able to offer some assistance, so please don't hesitate to contact us using the details here: <https://bit.ly/2VBclwW>

Mazen @ Sony Support UK

Design



Ease of Use



Sound Quality



★★★★★

**Great product, poor customer service**

unoforever

a year ago

I was in love with this headphones until the hinge broke. The product was in warranty period but Sony refused to repair it for free.

Sony products owned 2-5

No, I do not recommend this product.

Originally posted on WH-1000XM5 Wireless Noise Canceling Headphones

Helpful? (0) (0) [Report](#)

0 Comments

[Add Comment](#)

Design



Ease of Use



Sound Quality



★★★★★

**Amazing headphones but construction needs improvem**

Anonymous

VERIFIED PURCHASER

a year ago

I bought these and by far the most amazing headphones I've ever had but the construction is bad they broke after just 2 months of owning it

Level of expertise Advanced

Where purchased In person

Sony products owned 2-5

Helpful? (1) (0) [Report](#)

Design



Ease of Use



Performance



Build Quality



Features



Sound Quality





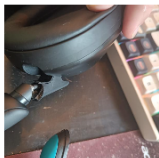
★★★★★

**Lasted 1 year and then the plastic broke.****A Fin**

a year ago

Just like the Sony WH-1000XM4 that i owned before the XM5, the plastic headband lasted for almost exactly one year and then cracked apart. To be fair my use of anc headphones is probably heavier than average, as i use them everyday all day, so i do believe for the vast majority of people these headphones will last longer than one year. That being said i do feel that headphones of this price range should be able to last for more than one year of everyday use. The ANC is excellent and sound quality good, so i would gladly get Sony again, if the plastic was replaced with a more durable material. The App is good as well, though it does revert the talk to chat feature from the off position back to the on position on its own about once a week which was a little annoying. For the time being i'm switching to a competitor who has an aluminium band on the part that breaks in the Sony's and hope that they will last longer than the XM5.

👎 No, I do not recommend this product.

Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)Helpful? (0) (0) [Report](#)

Design



Ease of Use



Sound Quality



★★★★★

**poor build quality for the price****Bob9393**

a year ago

I've had these headphones for less than 9 months and they're already falling apart. A rattle developed in both cups within a couple of months making them unlistenable in any non-stationary situation. The "speak to chat" gimmick keeps turning itself on on its own accord meaning the music I listen to randomly stops every time I cough or clear my throat. Every time I turn this feature off in the app, it only takes a day or so before it turns itself back on. The touch panel on the side is also annoying if you have a hood on or leaning your head against your arm. I learned that I much prefer good old fashioned buttons. Additionally the arm for the right ear cup sometime comes competently out of the head strap - very poor. I previously had a similarly priced pair from one of the other big brands, which lasted me 9 years with absolutely no issues whatsoever. I will be going back to that brand very shortly me thinks!

👎 No, I do not recommend this product.

Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)Helpful? (1) (1) [Report](#)

Design



Ease of Use



Sound Quality



★★★★★

**Sound is fantastic but overall build quality poor****Ben60696969**

a year ago

Sound is fantastic best in class for wireless headphones but the hinges are incredibly weak and break easily just Google the issue! Feel super flimsy and no IP rating

👎 No, I do not recommend this product.

Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)Helpful? (2) (0) [Report](#)

Design



Ease of Use



Sound Quality



Response from Sony:

a year ago

**Sony Support Team**

Hey,  
Thank you for your feedback.

We highly appreciate your valued feedback about WH-1000XM5; we are always delighted to hear from our customers and are always working to develop our products to suit your needs. We have flagged your feedback as a voice of customer to the concerned team for future consideration.

If you require any assistance, you can contact us using this link: <https://cutt.ly/heoRCKdW>

Maryam @Sony Support UK

★★★★★

**Right earcup stopped working after a year**

ssmi20994

11 months ago

Was great for about a year when the right earcup stopped working, the touchpad still works however. I've also heard that there are many other issues with this product such as the hinges breaking. Overall, they were great while they worked but quite disappointed with the longevity of the product

Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)Helpful? (1) (0) [Report](#)

Design



Ease of Use



Sound Quality



★★★★★

**Everything is great about them except the design**

Ada2

11 months ago

I had them for 2 years, but then one day the hinges broke out of nowhere. Happen to my wh-1000xm4 too. The sound is fantastic. If u guys fix the issues with the hinges become to delicate over time, they would be fantastic. They also feel uncomfortable if u have to wear glasses. I will be buying another pair cuz they are still amazing even with this one flaw.

Level of expertise Intermediate

Where purchased Online

Sony products owned 2-5

☒ Yes, I recommend this product.
Helpful? (1) (0) [Report](#)

Design



Ease of Use



Performance



Build Quality



Sound Quality



★★★★★

**Not as great as I would think they'd be**

sonyuser123098

10 months ago

I upgraded to these headphones from my £30 Sony headphones, so compared to them I was expecting a massive difference. Apart from comfort on the ears and noise cancellation, they don't really offer THAT much of a difference... they are extremely flimsy and I am worried they'll snap anytime as that has happened to many users with the XMS.

☐ No, I do not recommend this product.
Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)Helpful? (2) (0) [Report](#)

Design



Ease of Use



Sound Quality



Response from Sony:

10 months ago

**Sony support team**

Hi

Thank you for your review.

We are sorry to hear that you're not satisfied with the features and the design of your WH-1000XM5. Yet, we're glad to hear that you're happy with fit and the noise cancelling feature.

To ensure you get the most out of them and enjoy long-lasting sound quality, you need to avoid dropping, bending or twisting the headphones excessively. Also, when not in use you can store them in the original case to prevent any physical damage.

You can also take a look at the precautions here: <https://cutt.ly/KeMiiyHc>

If you need further assistance, you can contact us using this link: <https://cutt.ly/leABWCVC>

Ahmed @Sony Support UK

★★★★★

**Concerned with the hinge but overall it is good**

AC Gura

VERIFIED PURCHASER

10 months ago

I have been seeing a lot of online reviews regarding how fragile the hinges are, especially the one that rotates. It is one of the major concerns of the community that has not been addressed until now.

Originally posted on [WH1000XM5/BME](#)Helpful? (0) (0) [Report](#)

0 Comments

[Add Comment](#)

Design



Ease of Use



Sound Quality



★★★★★

**Great sound, flimsy build****Onteo**

9 months ago

Sound quality is great for a Bluetooth, getting close to cable cans once you custom an equalizer profile. The Bluetooth connection is also very strong. I can walk away from my desk and listen to our meetings while walking two floors down in my kitchen, zero interference unlike the previous version of this model. The ANC is also lovely, to the point of neutralizing mechanical keyboard typing from other office workers. Microphones are also a bit better than the XM4s, the voice isolation is just clearer and voices sound organic. Now, the big down... The build of this cans is undeserving. I can see I'll have to be very careful with the hinges, never open the cans when taking them off and be extremely wise while using them. They are not folding, unlike my previous set of XM4 that I passed on to my daughter so she can have her online piano lessons. They are very comfortable to wear and the ear up is an improvement over the previous version. This would be such a 5 star ★ review but the build just falls miserably so... 3 stars for me. The carry on case... Also a downgrade

👎 No, I do not recommend this product.

Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)

Helpful? (0) (0) [Report](#)

Design



Ease of Use



Sound Quality



★★★★★

**Good headphones poor structural design****Mb016**

8 months ago

Bought 2 months ago. Great sound and the overall everything was good. But I burnt my hand, so I try to remove the headphones with one hand and it instantly break even though I tried to be cautious.

Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)

Helpful? (0) (1) [Report](#)

Design



Ease of Use



Sound Quality



★★★★★

**Great sounding headphones, beware the thin plastic****Tobias42**

8 months ago

I purchased these in September 2024 and they have been the best sounding headphones I have ever had the pleasure of trying on. Everything sounds better with these on. And the noise canceling is unbelievable. That being said, there is a weak point on these headphones, Where the headband connect to the earpiece, they keep breaking. I thought it was me at first, like maybe my head was too big, both sides have now broken where the headband enters into the earpiece. I purchased some plastic adhesive to fix them, but the fit is not the same. I checked on a price for repairing them, and it's basically send them off, cover all of the shipping cost and pay \$100+ and they will fix and ship to you. Not sure I want to do that, since it will probably happen again. It happened on my XM4 also, that's why I purchased the xm5. I would recommend these highly for the sound alone, but craftsmanship and what seems like cheap plastic will possibly keep me from purchasing from Sony again. They are expensive, they have expensive sound, but they have dollar store construction. Or maybe I just got defective set, who know, but it's happened twice.

Level of expertise Advanced

Where purchased Online

Sony products owned 2-5

👎 No, I do not recommend this product.

Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)

Design



Ease of Use



Performance



Build Quality



Sound Quality



★★★★★

**Sony Let Me Down—Not Buying Again****Anonymous**

✓ VERIFIED PURCHASER

7 months ago

Just over a year after purchase—right past the factory warranty—the swivel connection cracked. I carefully superglued it, but that only extended its life by a month. A repair costs \$150 to \$200, nearly the same as the current sale price. I'm extremely disappointed in the build quality and Sony's refusal to offer assistance, especially considering my original \$400 investment. If you want great Bluetooth features and sound, you're better off putting your money into the more durable WH-1000XM4. As for me, I'll be looking beyond Sony for my next purchase.

Level of expertise Intermediate

Where purchased Gift

Sony products owned 6+

👎 No, I do not recommend this product.



Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)

Design



Ease of Use



Performance



Build Quality



Features



Sound Quality



★★★★★

Poor Build!!!

Rlooo

7 months ago

XM5 Sounds Great, but XM4 Is the Smarter Buy The Sony WH-1000XM5 delivers excellent sound and some of the best noise cancellation available today. Audio is clean and immersive, ANC is top-tier, and battery life holds up well. It nails the core audio experience. But after using it for over a year, the build quality just doesn't justify the premium. The non-foldable design is less practical for travel, and worse, my hinge became loose shortly after the warranty expired — a serious issue for such an expensive product. The lightweight plastic feels delicate, and long-term durability is questionable. In contrast, the WH-1000XM4 offers comparable sound and ANC, folds for better portability, and has a proven track record for reliability. It may lack a few minor features like the XM5's updated mic array, but what it loses in minor tech upgrades, it makes up for in practicality and build. Unless you're specifically after the new design or slightly better call quality, the XM4 is the smarter choice — better value, sturdier, and more travel-friendly. Verdict: Buy the XM5 for sound only. Buy the XM4 if you want a more balanced, durable, and travel-ready experience — and save money while you're at it.

★★★★★

Broken headpiece

Nono608

 VERIFIED PURCHASER

6 months ago

I've bought two pairs of these however both have cracked on the joint between the headband and earphone very nice sound but crappy build

Level of expertise Intermediate

Where purchased Online

Sony products owned 6+

☒ Yes, I recommend this product.
Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)

Helpful? (0) (0) Report

Design



Ease of Use



Performance



Build Quality



Features



Sound Quality



★★★★★

Good &amp; Bad

Nikos5875

6 months ago

The XM5s deliver outstanding audio quality, impressive battery life, and excellent Bluetooth range, making them one of the best wireless headphones on the market. However, all these top-tier features are let down by disappointing build quality—specifically the hinge. After just four months of careful use, the left cup hinge has broken, revealing what seems to be either cheap plastic or a poor design flaw. It's frustrating that such a premium product can be compromised by something so basic.

☒ No, I do not recommend this product.

★★★★★

Not worth it.

TayaM

5 months ago

I've had these for about a year now. The sound is AMAZING but they kept shutting off and recently they just fell apart??? I mean literally. I go to put them on and one ear piece falls out of the head piece part. Come to find out I wasn't the only one so I contacted support. The only solution they gave me was to spend 100 dollars go get it fixed. 400 dollar headphones and you don't cover physical damage that seems to be on the manufacturers part??? You can't be serious. Save the money and don't buy them. They're not worth it because now they're just sitting there unusable. Money down the drain

Level of expertise Intermediate

Where purchased In person

Sony products owned 2-5

☒ No, I do not recommend this product.
Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)

Helpful? (3) (0) Report

Design



Ease of Use



Performance



Build Quality



Sound Quality



★★★★★

**Fragile Earmuff Stems**

1aws1



VERIFIED PURCHASER

a month ago

Have not owned more than 7 months and one of the earmuff stems broke. Called for Warranty and they said not covered.

Level of expertise Intermediate

Where purchased Online

Sony products owned 2-5

✘ No, I do not recommend this product.

Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)Helpful? (0) (0) [Report](#)

Design



2.0

Ease of Use



4.0

Performance



4.0

Build Quality



1.0

Features



4.0

Sound Quality



4.0

★★★★★

**They were great until they weren't**

TMedina



VERIFIED PURCHASER

2 days ago

The headphones worked flawlessly for about 22 months. I was very happy with the sound quality, the battery life and the comfort. I'd use these at my desk daily for work and the microphone was great for conference calls. Then after less than 2 years the headset just snapped. They weren't dropped or thrown or anything more than just placed back on the table and snapped. I was shocked that this expensive of headphones would fall apart in that short of a time period. My older XM3 and XM4 models lasted much longer than these.

Level of expertise Intermediate

Where purchased Online

Sony products owned 6+

✘ No, I do not recommend this product.

Originally posted on [WH-1000XM5 Wireless Noise Canceling Headphones](#)Helpful? (0) (0) [Report](#)

Design



2.0

Ease of Use



5.0

Performance



5.0

Build Quality



1.0

Features



5.0

Sound Quality



5.0

On January 19, User17047814149046836780 posted a question regarding hinge issues on their WH-1000XM5 headphones. Are there any new updates regardi...

**Headphones** · User17074257509246758608 · February 8, 2024 at 4:00 PM

👁 440 👍 1 💬 12

Broken Sony WH-1000XM5 hinge less than a year after purchase?!

**Audio** · User17600547557759021152 · October 9, 2025 at 7:09 PM

👁 89 👍 2 💬 2

Sony WH-1000XM5 Hinge Broke & Customer Relations won't help

**Customer Relations** · Harun Said · January 6, 2025 at 1:03 PM

👁 1.18K 👍 1 💬 3

WH-1000XM5 hinge issue not covered under warranty

**Customer Relations** · User17201088936347364847 · July 4, 2024 at 11:25 AM

✅ Answered 👁 370 👍 0 💬 3

WH-1000XM5 hinge broken and customer support refuses to honor warranty

**Customer Relations** · User16846415326213813678 · May 20, 2023 at 11:27 PM

👁 870 👍 0 💬 5

Install replacement hinge swivel Sony wh-1000xm5

**Headphones** · User17228041558959568508 · August 6, 2024 at 6:35 PM

👁 388 👍 1 💬 3

Please fix my headphones

**Headphones** · User17002048138763269723 · October 18, 2025 at 10:14 PM

👁 89 👍 0 💬 4

WH-1000XM5 broken hinge

**Audio** · User17500913340841899491 · June 16, 2025 at 11:37 AM

👁 164 👍 0 💬 1

*Figure 14: Forum posts on Sony's website regarding broken hinges experienced with the Class Headphones.<sup>26</sup>*

<sup>26</sup> [https://us.community.sony.com/s/global-search/Sony%20WH-1000XM5%20hinge?language=en\\_US](https://us.community.sony.com/s/global-search/Sony%20WH-1000XM5%20hinge?language=en_US) (last accessed Nov. 14, 2025).

Flagship Premium Headphones, the Sony WH-1000XM5, had a hinge pop out, essentially e-waste.

Audio · ageorgeff · July 31, 2023 at 12:46 PM

418 0 2

XM5 Right hinge suddenly broke. My xm5's hinge broke. I always keep it very well. I got it on 2023 black Friday. It is only 2 years. However, today...

Audio · User17629733959501317231 · November 12, 2025 at 1:51 PM

✓ Answered 23 0 1

Why is it Sony's position that it's normal for headphones to break after less than 2 years with normal wear and tear? (XM-5)

Audio · User1762982933817159952 · November 12, 2025 at 4:41 PM

✓ Answered 21 0 1

DON'T BUY THEIR HEADPHONES...I have purchase 3 pairs from them and EACH TIME..the hinges snap, because it's considered external hardware it's not c...

Headphones · User17589211648219935127 · September 26, 2025 at 4:15 PM

60 0 1

FIRST BROKEN XM6 ALREADY?!?!?

Headphones · SonyTechnologyEnthusiast · July 13, 2025 at 1:54 PM

786 5 11

For those with the WH-1000XM5, did yours break at the hinge?

Headphones · SonyTechnologyEnthusiast · November 13, 2023 at 8:19 PM

1.07K 1 14

Wh1000mx5 Hinge Broken

Headphones · User17176782344621171019 · June 6, 2024 at 7:53 AM

278 0 3

WH-1000XM4 hinge broken from normal use?

Headphones · User16195527089117444534 · April 27, 2021 at 2:51 PM

48.35K 28 134

*Figure 15: Continuation of forum posts available on Sony's website regarding broken hinges on the Class Headphones.<sup>27</sup>*

<sup>27</sup> *Id.*



Harun Said asked a question.

January 6, 2025 at 1:03 PM

### Sony WH-1000XM5 Hinge Broke & Customer Relations won't help

I purchased my Sony WH-1000XM5 headphones brand new from Best Buy in March. Last Friday, while wearing them during regular use, the right hinge unexpectedly cracked. I immediately reached out to Sony customer service for assistance, knowing that my headphones were still under the 1-year manufacturer's warranty.

Unfortunately, my experience with customer service has left me deeply disappointed. Without requesting photos, my serial number, or proof of purchase, the representative classified the issue as "physical damage" and directed me to your third-party repair partner, Encompass, to pay for repairs myself.

Hoping for a fairer review, I requested to escalate my case. However, the customer relations team repeated the same response, again, without considering any detailed information until I insisted on sending photos.

Today (Monday), I received a call informing me that the engineering team had reviewed the photos and determined it was physical damage that would not be covered under warranty. When I asked for an explanation regarding how they reached this conclusion, the representative provided no specifics and again referred me to Encompass.

Numerous users on this forum and across the internet have reported identical hinge failures with the WH-1000XM5 headphones. This pattern strongly suggests a design or manufacturing flaw, not isolated cases of user damage. I chose Sony for its reputation for quality and exceptional support, and I believe that this widespread issue warrants further investigation and action from your team.

I've never encountered such a dismissive approach to warranty claims. For example, my Beats headphones had previously experienced wear and tear, and their support team promptly repaired or replaced the device without hesitation.

I am not looking for anything unreasonable, just a fair resolution that reflects Sony's commitment to its customers. I am more than willing to provide any additional documentation or details that might assist in resolving this matter.

In the past, I have purchased several Sony products and have always had positive experiences. That is why I trusted your brand when I invested in these headphones over other premium options. However, this experience has shaken my confidence. I still believe that Sony is a company that values its customers and will do the right thing in this case.

I respectfully request that my case be escalated for a thorough and fair review. I would also appreciate any insights into the review process and what additional information I can provide to assist in this matter.

I really hope to continue my positive relationship with Sony and am confident you can help resolve this issue in a manner that reinforces your commitment to customer satisfaction.

Customer Relations

*Figure 16: User created post on Sony's forum.*





[User16824345856205324350](#) asked a question.

April 25, 2023 at 10:04 AM

## WH-1000XM5 Headband/Slider Issues

I have two pairs of XM5s that have failing sliders on the right side. They are about 3 months old and have never been abused or heavily used. Sony claims any headband issues are not covered under warranty. For headphones that cost \$400 new, I'd expect better support for something that appears to be a manufacturing defect/failure. I've had previous generations that didn't have issues like this. Does anyone have suggestions on how to get them covered under warranty? This seems to be a known failure on these headphones and I don't feel I should have to pay more money to have them repaired when they're only a few months old.

Audio



Like



Answer



Share

15 answers ·



2.25K views

*Figure 17: User created post on Sony's forum.*



[User17102939154681368564](#) asked a question.

March 16, 2024 at 7:13 PM

## Sony WH-1000XM5 hinge broken, is this a design flaw?

Like many other XM5 users, recently my headphones had same issue like many others. Is this a design flaw? Tried reaching out to Sony support didn't get much help. Were any others helped on this issue?



Headphones



Like



Answer



Share

7 answers ·



2.24K views

*Figure 18: User created post on Sony's forum.*



[User17589211648219935127](#) asked a question.

September 26, 2025 at 4:15 PM

**DON'T BUY THEIR HEADPHONES...I have purchase 3 pairs from them and EACH TIME..the hinges snap, because it's considered external hardware it's not covered. DO NOT BUY THE Sony WH-1000XM5 Premium Noise Canceling Headphones, Auto NC Optimizer**

Headphones



Like



Answer



Share

1 answer · 62 views

*Figure 19: User created post on Sony's forum.*

115. Despite Defendants' awareness of the Defect and the wealth of information provided by disgruntled customers, Sony has failed to reveal, repair, prevent, or adequately respond to the Defect.

116. Sony was also put on notice of the Defect because of reviews left on the websites of third-party sellers, such as Best Buy, which it monitors, as seen below:

★★★★☆ **Great Sound and Noise Cancelling, Poor Quality**

Posted 2 years ago. Owned for 7 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I've had a few pairs of headphones in the \$200-400 price range over the past few years. This is among the best in terms of sound quality (Sennheiser Momentum 4 is about the same to slightly better at a lower price) and the best in terms of noise cancelling.

However, these headphones are made very cheaply and are not built to last. Immediately when taking out of the package I could feel they were made out of a cheap plastic and had concerns about their durability. I enjoyed them for about 7 months until they broke at the rotation point.

If you are willing to pay this price and buy the geek squad protection plan these are good headphones but if you don't get the plan or expect to keep these for many years beyond the length of the plan I would stay away from these. It's disappointing they can't spend a bit more to make these right considering the price.

✗ No, I would not recommend this to a friend

---

<sup>28</sup> Complaints were gathered the week of November 17<sup>th</sup>, 2025

★☆☆☆☆ **Broke after only 9 months**

✔ **Verified Purchase** | Posted 2 years ago. Owned for 8 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Terrible product. Headband broke after only 9 months of use. They wont cover it under the warranty so I'm out almost 400 bucks.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Silver](#)



✖ No, I would not recommend this to a friend

★☆☆☆☆ **Do not buy these headphones. They are cheaply made**

✔ **Verified Purchase** | Posted 2 years ago. Owned for 9 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I liked these headphones and used them daily for 9 months. Today the earpiece came off the frame. Customer support called it a cosmetic issue. I think a \$400 product should last longer than 9 months.

✖ No, I would not recommend this to a friend

Helpful (4) | Unhelpful (2) | Report

★☆☆☆☆ **Good Sound, Poor Design, NOT for frequent use.**

✔ **Verified Purchase** | Posted 2 years ago. Owned for 6 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I upgraded to this set from my WH1000XM3 which I had for 4 years. The 3 had great sound and noise canceling ability. I used them frequently and wore them out. I was happy to get this pair in January of 2023. by August the earpiece connection had broken. Its not considered a warranty item even though it is under warranty. Repair would cost nearly as much as a new pair. The redesign of the connectors (much thinner than the 3 and the 4) has built in accelerated obsolescence. If you plan to use these often you would be better with the better designed 4 version. This is a waste of money unless you only use them occasionally.



✖ No, I would not recommend this to a friend

Helpful (18) | Unhelpful (0) | Report

★☆☆☆☆ **Broke after 4 months design flaw.**

✔ **Verified Purchase** | Posted 2 years ago. Owned for 6 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

These broke after just 4 months of use. The swivel broke so Sony would not cover the repairs as they say its cosmetic but they are useable.

✖ No, I would not recommend this to a friend

★☆☆☆☆ **Not worth the price. Low quality. Disappointed**

✔ **Verified Purchase** | Posted 2 years ago. Owned for 1 year when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Was very excited to buy these Headphones. Got them the first day they came out. May 17, 2022. I figured these would be able to work with my Sony PS5 but no luck :/. Was concerned at the beginning that they felt a little light and flimsy. Now after only 1 and 5 months. One of the earphones has broken and is now hanging by the wire. Think I have an average sized head and it always felt a little tight even with the headphones fully extended. Called Customer Service and they wouldn't help in any way. Totally not worth the money. They also said they haven't run into this before, which I totally doubt.



✗ No, I would not recommend this to a friend

★★★★☆ **Poor made comfortable and good sounding headphone**

✔ **Verified Purchase** | Posted 2 years ago. Owned for 1 year when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

**Pros**

Great sound quality  
Very comfortable and lightweight  
Good looking

**Cons**

Poorly made  
Too many accidental touches on the touch mechanism of ear head  
Speak to Hear is one of the worst feature which is auto on when. Need to install the app to turn it off for every device you connect  
Poorly made hinge. Sony has some problem with all their previous headphones where the hinges brake. And they dont want to do anything about it. \$400 headphone poor made hinges not covered in warranty.  
Not worthy to buy.  
Luckily I bought it from bestbuy with GeekSquad warranty. So happy that I bought it from bestbuy

✗ No, I would not recommend this to a friend

★★★★☆ **Great but fragile**

✔ **Verified Purchase** | Posted 2 years ago. Owned for 3 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Great product, but I went to put it on and the right headphone broke away from the headband. I was not being rough with it.

This occurs just beyond the 90 day warranty period. Very disappointed.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)

✗ No, I would not recommend this to a friend

★☆☆☆☆ **BEFORE BUY IT GO TO YOUTUBE AND PUT HINGE BROKE XM**

🕒 **Verified Purchase** | Posted 1 year ago. Owned for 5 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

This product is extremely poorly made! Go to YT !!

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



✗ No, I would not recommend this to a friend

★★★★☆ **Great Quality, Bad build**

🕒 **Verified Purchase** | Posted 1 year ago. Owned for 4 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Great look, great QUALITY.... But terrible design. Not even 6 months into my purchase and the hinges on the headphones cracked, and Sony will NOT fix them, nor with Best Buy without Insurance. I would go for the XM4s which are better built to withstand wear and tear.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)

✗ No, I would not recommend this to a friend

★★★★☆ **Save your money**

🕒 **Verified Purchase** | Posted 1 year ago. Owned for 1 year when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

The headsets kept jumping into voice recognition. Anything that I was listening to with automatically stopped when a voice in the room was heard. Also, I don't like that they don't fold like the previous ones. I'm sitting as Best Buy as we speak replacing them because they broke in my hand as I was trying to put them onto my ears. Not worth the 400+ dollars I paid for it. Last model was so much better. And these when you turn them, mom won't even tell you that they're on like the last pair/model.



✗ No, I would not recommend this to a friend

★★★☆☆ **Broke after 7Mo and Sony says it's normal**

Posted 1 year ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

They were awesome for 7months yep! You read that right. I'm a Developer in my mid 40's with Autism so I wore them all the time. I was meticulous with how I cared for them as I do with all my things but especially my precious headphones. They broke at the joint where the cup meets the headband for no reason. By that I mean I wasn't stretching them, laying in them, I didn't drop them, smash them I just picked them up off the desk and the cup dangled. They still work. But here's the best part. My "warranty" would be considered manufacturer because it's been less than a year and Sony says they don't cover "cosmetic defects as a result of normal wear" is that so!? So that's normal?? Then they told me it's because I did something which I did not. I have \$20 Amazon headphones for 3-4 years give me a break. Then the Sony rep said "they are not designed to last very long we can give you a one time \$50 discount on a new pair" What a joke!! You can buy them if you can afford what others have called poor craftsmanship because this plastic is cheap crap! And because of how Sony treated me I have wanted to let everyone everywhere know what you are getting into with this product and company. I was loyal for years now never again will they get a penny of my money. 7 months you guys! 7 months!! But that sound awesome for the time

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



✗ No, I would not recommend this to a friend

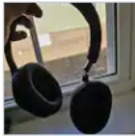
★☆☆☆☆ **Could be sturdier**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 7 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Sound quality is rely good,the plastic is flimsy and they broke withing 6 months of having them

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Not worth it all.**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 8 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Don't bother buying the side hinge is plastic and will break off a couple months in, sad because I'm still paying them off. Best Buy will give you the runaround tell you to come in, only to give you Sony's contact who then says they can't do anything about it and to call United Radio who will flat out be rude expecting your call is because Sony gave you the run around and say there's nothing they can do about it even with their 1 yr warranty.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)

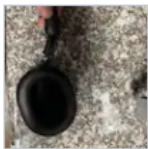


★☆☆☆☆ **Plastic component breaks**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 1 year when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Shortly after a year the plastic breaks where it connects to the headband plastic piece.



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Broke after just over a year**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 1 year when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I have had them for a little over a year when they started breaking on one of the hinges. Theyre still workable with a little bit of glue but I would only recommend that if you know what youre doing. Overall, Sony can do better with better materials.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Silver](#)

✗ No, I would not recommend this to a friend

★☆☆☆☆ **Do not purchase XM5 - Massive Design Flaw**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 4 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Massive design flaw, just with a normal use for 3 months of use, right hinge on the headphones was broken, when reached out to Sony, they do not cover it under warranty and the repair cost is almost the same price of the headset \$300. I have XM4 for over couple of years and they work absolutely fine. These new ones are bad and sony customer service is even more bad.

✖ No, I would not recommend this to a friend

Helpful (1) Unhelpful (0) Report

★☆☆☆☆ **Pricey investment with a short lifespan!**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 1 year when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

After a year of use here we are, broken headphones! These are primarily used by a hearing-impaired adult for TV viewing, and initially, they changed the way TV was enjoyed by him. He could hear the program with having to blast his wife with the sound bar volume. These headphone have superb sound quality. The operation might be easy for a younger person but is a little difficult for the older generation (small buttons and having to use an app). However, they seemed like the perfect solution. Until now!

These headphones spend their time resting on a table next to the user's chair when not in use. Despite such gentle handling, a significant flaw emerged: the headphones broke at the hinge. This appears to be a widespread issue, as my online research revealed.

I'll admit, I haven't reached out to Sony yet, but reading other users post, suggest that seeking a replacement may prove fruitless. Considering the price tag of these headphones, encountering such a fundamental flaw is deeply disappointing.

With that said, while the Sony WH-100xm5 headphones offer exceptional performance, their fragility casts a shadow over their overall value proposition. Should you choose to invest in them, be prepared for potential durability issues.

✖ No, I would not recommend this to a friend

★☆☆☆☆ **don't buy**

Posted 1 year ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

they were good until they weren't. one of the hinges broke. terrible quality for the price tag

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Silver](#)

✖ No, I would not recommend this to a friend

★☆☆☆☆ **Pretty nice while they last.**

Posted 1 year ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

So these are ok. While they last. Bass is alright but if you like heavy bass look elsewhere. Noise canceling is nice. Comfortable.

BUT. I've owned these about 17 months now. With about 30 days total use. And they just snapped on me mid flight. Wonderful. From other reviews I've seen. This seems like a common issue. I won't be using Sony again for headphones.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



✖ No, I would not recommend this to a friend



★☆☆☆☆ **Broken Hinge**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 1.5 years when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

The overall sound quality and noise cancellation is pretty great and the battery . However, these are very poorly designed headphones for durability and have fairly frequent software related issues. I bought them in May 2022 and as of today they are no longer usable because of the very common hinge defect.

- 3 months in the headphone band no longer kept its position, it would just slide around freely
- 2 years in the hinge broke and is unable to be fixed so they are now completely unusable
- Beside the two physical issues, I frequently encountered software issues ranging from random disconnections to being told I sound like a robot once a week while on calls. Note: I updated the software on the headphones frequently, so this was an ongoing thing.

As a comparison, I \_still\_ have the XM3's and used them for 8+ hours a day for over 3 years before I "upgraded" to the XM5s. Those headphones are still going strong, my wife has been using them since I got the XM5s and there are no issues there at all.

I strongly recommend looking somewhere else if you want to purchase a \$450 (incl. tax) pair of headphones that will last a long time.

✗ No, I would not recommend this to a friend

★☆☆☆☆ **Buyer beware! Buy at your own risk!**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 6 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Horrible design! Do some basic google search before buying this headphones. Hinges that connect the headphones to the overhead band break easily. I will report back if BBY does right by me!

✗ No, I would not recommend this to a friend

Helpful (2) | Unhelpful (0) | Report

★☆☆☆☆ **XM-5: Great features but poorly constructed**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 9 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

o preface, I had the XM-3 & XM-4 and was ecstatic when I heard I heard the next generation was going to come out. I had great experience with the previous two headphones and the new design looked phenomenal. It just past my birthday and I decided to upgrade, so I purchased the XM-5 in the navy color way. The performance is incredible and I love how well the new noise cancellation works. Now I barely used them due to having no time with work and life. Recently I started to use them a little more, now that I have some free time and I found a big flaw. I just took them out my drawer and put them on my head like normal and the hinge that allows the headphones to go up and down broke. Mind you, I have no more than 10 hours on these headphones since I like to rotate with some other ones I have. I felt devastated since these headphones did feel a little bit more delicate than the previous generations. After some research I found this was quite common and a big issue with this model. I reached out to sony customer service and was told there was nothing they could do even with this being a common issue. For more context, I have had them for less then a year and fall under the warranty period. This tarnished the image I had of this model & company since I was such a big fan and couldn't recommend these headphones enough to all my peers. I have reach out to a few of my friends that recently purchase a pair and warned them of this issue. I wish Sony would revise this design and fix this flaw with any up and coming models. Unfortunately I will be switching over to a different brand, since I felt that Sony didn't care about its consumer. After having 3 generations of their headphones, they have finally started to degrade their products.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)





## ★☆☆☆☆ Andy bee

✔ **Verified Purchase** | Posted 1 year ago. Owned for 4 months when reviewed.  
 This reviewer received promo considerations or sweepstakes entry for writing a review.

Bought this sony trash and broke after 4 months , i should have listen to the customers reveiw who experienced same situation, i was blaming them for misuse or bad handling. I bought sony and bose head phone , i returned the bose and kept the sony. My experienced to sony , you can not wear hoodie over sony headphone , the hoodie interfeer with every function going on by touching the sensitive button. The build up quality is poor . Attach a picture.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Silver](#)



✗ No, I would not recommend this to a friend

## ★☆☆☆☆ Don't waste your money

✔ **Verified Purchase** | Posted 1 year ago. Owned for 7 months when reviewed.  
 This reviewer received promo considerations or sweepstakes entry for writing a review.

Do not waste your money only had 6 months and the hinge broke. Bought the extra warranty and sony does not cover what they call physical damage. Even tho it is a poor design and many others have the same issue

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



✗ No, I would not recommend this to a friend

## ★☆☆☆☆ Designed Flawed

✔ **Verified Purchase** | Posted 1 year ago. Owned for 1 year when reviewed.  
 This reviewer received promo considerations or sweepstakes entry for writing a review.

The XM3 have lasted me for 4 years and these broke within 1 year through the same use. Hinge is very weak design one wrong move and they will break.

✗ No, I would not recommend this to a friend

## ★☆☆☆☆ Broken after 1.5 years

✔ **Verified Purchase** | Posted 1 year ago. Owned for 1.5 years when reviewed.  
 This reviewer received promo considerations or sweepstakes entry for writing a review.

After only a year and a half of owning these the headphones have broken at the hinge point. I'm very disappointed in the quality and durability for the price I paid. My Bose headphones lasted for well over 8 years with the same regular wear, but I thought I would try something new since I liked Sony's technology and they seemed to be on par with the sound quality of Bose, my mistake. Would not buy these again. 6 months out of warranty, and I'm out \$400 and another piece of technology is headed to the trash. Don't get these, go with Bose.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Silver](#)

✗ No, I would not recommend this to a friend

★★★★☆ **Good sound, not so good housing**

☑ **Verified Purchase** | Posted 1 year ago. Owned for 5 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

I have had these for roughly six months and have used them virtually everyday. I love the sound they produce and the adaptive noise cancelling. I usually used them in transparency mode and would occasionally have to remove a earmuff if the person was speaking too softly.

Unfortunately, I had to send them in to get repaired because the plastic housing broke. They were never dropped and essentially lived in the case when they weren't on my head. So I'm kind of at a loss as to how they broken. That being said, I have a sizable head (7 5/8 hat size) so maybe daily use did it. Either way I would recommend these to a friend with a smaller head. I do wish they had some metal in the housing to make it a bit more durable.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



★★★☆☆ **Great sound quality, garbage product - run away!**

☑ **Verified Purchase** | Posted 1 year ago. Owned for 1 year when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

I decided to purchase the Sony wh-1000xm5 headphones due to its extremely high ratings and rave reviews from tech websites. I paid \$450 for them, and 14 months later, the hinge broke, and they are now useless. Evidently, this is - and has been - a major manufacturing defect on not just these but the previous model. They are comfortable, sound quality is excellent, but I am positively livid due to having been totally ripped off, and will never again purchase a Sony product. This is inexcusable. (BTW, it's virtually impossible to repair the hinge - I tried three times, three different ways, to no avail).

✗ No, I would not recommend this to a friend

★☆☆☆☆ **DO NOT BUY THESE CHEAP HEADPHONES**

☑ **Verified Purchase** | Posted 1 year ago. Owned for 6 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

I loved mine at first, but after 6 months they are already broken... I would understand if I dropped them or sat on them, however, the plastic that connects the headband to the earphones is so cheap and breaks after a few months. It will cause the earpiece to dangle out of the headband.... The manufacturer (sony) claims there is a 1 year "warranty" that comes with them, however they are refusing to fix them! Don't buy these!!!! ... They will break after a few months and you will be out \$400

✗ No, I would not recommend this to a friend

★★★★☆ **Good Sound Quality and Comfort, Horrible Build Qua**

☑ **Verified Purchase** | Posted 1 year ago. Owned for 7 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

The overall sound quality and comfort while wearing the headphones is great, however in good faith I could never recommend anyone spending the premium price tag these headphones carry as the build quality is terrible (all the hinges are thin plastic). The build quality would not be as big of an issue if Sonys warranty covered this very common issue but they refuse and charge a premium to fix it.

✗ No, I would not recommend this to a friend

★★★☆☆ **Broken Right Hinge-- like a lot of other people**

☑ **Verified Purchase** | Posted 1 year ago. Owned for 1.5 years when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Great sound quality and battery life means nothing if the right earpad is dangling loose. I tried to figure how I could possible have broken these so quickly, then I found all the other customer complaints. The connection between the headband and the earcup broke at the rotator. (And there's no self-help way to glue or tape it back to function.)

I got a Bose headset as replacement, and it working great... with parts falling off.

This is a product defect. It is a shame because the Sony sound and function were great ...for a few months.

For me, this was a waste of money. NOT BestBuy's fault by the way. This is a Sony product defect.

(Model: WH1000XM5/B, SKU:6505727, purchased 12/21/2022)

✗ No, I would not recommend this to a friend

★☆☆☆☆ **Common break issue**

✓ **Verified Purchase** | Posted 1 year ago. Owned for 9 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Not even a year and the headphones naturally Broke. Searched it up and its a common issue on these. All that money and bad quality.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)

✗ No, I would not recommend this to a friend

★☆☆☆☆ **Poor design/quality**

✓ **Verified Purchase** | Posted 1 year ago. Owned for 5 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I've only had the headphones for 6 months and the plastic on the headband portion is peeling, the plastic/metal that connects the headphone to the headband is broken rendering the left side useless and the speak to chat option will randomly turn on causing my music/sound to stop playing whenever it picks up me speaking or outside noise. Battery life is horrible, dies very quickly even after charging. Meanwhile I had my Bose headphones for 2 years with no problems. I regret changing to Sony, the only reason I did is because the cushion fell off of my Bose (I didn't know they were replaceable) and I didn't like the design for the new Bose that came out. However due to this extremely poor experience with Sony I will be going back to Bose!



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Inferior quality - expecting Sony to recall**

Posted 1 year ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Do not buy these headphones "WH1000XM5", the physical quality of these headphones do not match the high price. I got the Sony - WH1000XM5 6 months ago and the sound quality was always great though the headphones themselves felt flimsy when compared to WH1000XM4. That is, up until recently when the plastic of the right swivel piece cracked and a piece fell off, rendering the headphones unusable. I would understand if this was due to rough handling, this was from normal use leading to the right swivel breaking and the right speaker being left dangling by the wire (please see the attached pictures). Many others who've purchased this product have had the exact same issue with the exact same piece, suggesting a definite manufacturing defect. But Sony refuses to either recall or cover the damages, despite the headphones being under warranty, just a simple Google search "wh1000xm5 broken hinge issue" will show the exact same issue occurring all across the globe. When contacting customer support they simply referred me to a separate repair shop and said there was nothing they could do. All in all a terrible experience and would not purchase headphones from Sony again, you're much better off purchasing from a brand such as Bose or Apple where the product is sturdy and they stand behind their products whether it is good or bad, providing ample and just customer support. Being a loyal Sony customer, purchasing everything from their Sound System, to TV's to Playstation, my expectation is that Sony, as a flagship product, needs to step up and do a recall. This will set the right brand image for Sony backing their reputation.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Don't Recommend - Poor QC and Customer Service**

Posted 1 year ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

The quality control on this is abysmal. Within a few months of owning, they snapped at the hinges. I can not longer wear them, as the headphone just dangles off when I try to put them on. I took very good care of them, didn't work out in them, and only ever transported the headphones in their provided case. Look online, and you will see that snapping at the hinge is a common problem. Despite only owning them for a few months, and the fact that they snapped out of the blue while I was wearing them, Sony refused to help. They claimed their warranty doesn't cover "accidental or physical damage". This is a known problem, and I am so disappointed with how Sony handled this. I am now out several hundred dollars. I wouldn't recommend this product until they get their QC under control (or at least until their warranty actually covers anything...).



✗ No, I would not recommend this to a friend

★★★★☆ **XM5 review**

🔒 **Verified Purchase** | Posted 1 year ago. Owned for 1 year when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Great quality headphones with good sound quality however the plastic connecting the headbands and the earcups is weak and broke after a year.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)

✓ I would recommend this to a friend

★★☆☆☆ **Sony WH1000XM5**

🔒 **Verified Purchase** | Posted 1 year ago. Owned for 6 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

They sound great but they have cracked by the speakers and are no longer wearable. Sony says the aren't covered by the warranty. Wont buy anymore of these had them 7 months



✗ No, I would not recommend this to a friend

★★☆☆☆ **Delicate, Dainty Users Only**

🔒 **Verified Purchase** | Posted 1 year ago. Owned for 6 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I've had these for 5 months and by far have been the best headphones I've purchased considering the sound quality and comfort but the hinge on the right ear cuff snapped with little effort and cannot be repaired by Sony even though it's still under warranty and a known issue. Buy at your own risk.

✗ No, I would not recommend this to a friend

★☆☆☆☆ **Flawed construction**

Posted 1 year ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I absolutely loved these headphones until a plastic component broke on the left earphone, rendering them useless. I wore them daily, they charged ultra fast, their sound quality was fantastic, and their noise cancellation was perfect for what I needed. \*BUT\* their shoddy cheap construction didn't make it halfway into the warranty period. Extremely disappointing. Do not buy these.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Cheaply Made and Broke Fast - Do not Buy**

☑ **Verified Purchase** | Posted 1 year ago. Owned for 3 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

These headphones broke in less than 4 months. Randomly broke on this super cheap and thin plastic piece that connects one ear to the band when I was laying down, didn't even drop them or anything. Do not recommend to purchase unless you buy the warranty. For such expensive headphones you'd think the hinges would be made of metal. I would not recommend to buy them when they're so expensive. Best buy could not do anything to help.

✗ No, I would not recommend this to a friend

★☆☆☆☆ **Broken Headband within a few months**

☑ **Verified Purchase** | Posted 1 year ago. Owned for 2 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I had the xm3 I believe gifted to me and I loved the sound quality. It ended up breaking and when I contacted customer service they said it was "cosmetic damage" and they could not fix it. So I ended up buying a new pair and they just broke. I swear to you I did not do anything unusual. I did not sleep with them. I always used the case. I legit had them on and I myself fell. (the headphones did not) and the hinge part just broke off. I paid over 300 dollars for this to say I am disappointed would be an understatement.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)

✗ No, I would not recommend this to a friend

★☆☆☆☆ **Good Sound, for a Short Time**

☑ **Verified Purchase** | Posted 1 year ago. Owned for 5 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

After less than 60 days of use, these headphones failed at the joint above the earcup during normal use. I contacted Sony, who declared the issue was "cosmetic or accidental" despite them being unwearable. It was not covered under warranty, and Sony refused to provide a contact or means to escalate the issue. This is a known issue on their own community forums and other platforms.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Silver](#)



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Sony won't warranty them.**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 5 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Lasted all of 6 months. The left side swivel joint cracked and Sony won't cover "Physical, Cosmetic, or Water" damage even though the damage is from a design defect.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Hinges suck**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 2 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Don't buy hinges are stupid the brittle and break easy.



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Useless if you can't wear them.**

✔ **Verified Purchase** | Posted 1 year ago. Owned for 8 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Obviously, it is a faulty product, as it pertains to durability, not even a year, and just like everyone else problem with it, the hinge broke. For an expensive product it is held together by cheap material. Even with a product alert and in-warranty you will have to pay \$99.99 (discount by the way) to get it fixed, because it doesn't cover damage. How it broke, I picked them up one day, and they just snapped on the left side.

If you choose to buy this, get the Geek Squad Protection, Sony's warranty won't help you.

✗ No, I would not recommend this to a friend

★☆☆☆☆ **DO NOT BUY SONY HEADPHONES!**

Posted 1 year ago.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

They sound fine, but there is a known flaw in the engineering of the headphones. After 10 months of use, the hinge randomly cracked, and now the headphones are unusable. This is such a known issue that they have collaborated with another company to repair the headphones at the customer's expense. While online it is allegedly listed for those whose break happens "out of warranty," when you actually seek a warranty repair, they say it constitutes physical damage and is not covered. THEY WILL NOT STAND BEHIND THE PRODUCT OR HONOR THE WARRANTY. Buy literally any other brand- these are not worth it.



✗ No, I would not recommend this to a friend

★☆☆☆☆ Hinge broke

✔ **Verified Purchase** | Posted 11 months ago. Owned for 3 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Same problem HINGE BROKE, so disappointed 😞 will not recommend, I complete loss 400 bucks !



✗ No, I would not recommend this to a friend

Helpful (2) Unhelpful (1) | Report

★☆☆☆☆ Sony XM5

✔ **Verified Purchase** | Posted 11 months ago. Owned for 2 weeks when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Was amazing until one of the hinges started getting wiggly/loose. Just a simple search on google can show that the XM5 has a reoccurring problem with these hinges.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Smoky Pink](#)

✗ No, I would not recommend this to a friend

Helpful (0) Unhelpful (0) | Report

**Brand response from SonyListens**

Posted 11 months ago.

Hi Mango,

Thank you for reaching out to us with your concern. We appreciate your positive feedback on the majority of the features, but we regret to learn about the issue you encountered with your headphones. This is definitely not the quality or durability we aim to deliver to our customers. Sony commitment to customer satisfaction is our top priority and the WH-1000XM5 were tested and build to last.

Please note we have a customer hotline that is happy to assist you and help troubleshoot any concerns you have, and your headphones has a 1-year warranty from the date of purchase.

...

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★★☆☆☆ Not worth it

✔ **Verified Purchase** | Posted 11 months ago. Owned for 5 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Was good for a couple of months, but by the 5th month it started disconnecting by itself all the time and by the 6th month the left side just cracked off as i grabbed it. Ive owned a 85\$ of sony headphones pair for 3 years prior to these ones without a problem other than the shedding of material. Disappointed

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Silver](#)



✗ No, I would not recommend this to a friend



★☆☆☆☆ **Amazing sound, horrible build quality**

✔ **Verified Purchase** | Posted 11 months ago. Owned for more than 2 years when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

These headphone sound amazing, have great noise cancelling, and are extremely comfortable. I've spent entire workdays with them on and never felt like I needed to take them off. Unfortunately, the weak hinge snapped on me out of nowhere and the headphones have become unusable. Apparently, this is an incredibly common issue with these headphones that Sony refuses to acknowledge. I wanted to love these headphones, but it's not worth the money for less than two years of usage. Sony needs to fix this build issue on their next headphones and acknowledge the mistake on the XM5s.

✗ No, I would not recommend this to a friend

★★★★☆ **Headphones quality**

✔ **Verified Purchase** | Posted 10 months ago. Owned for 1.5 years when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

It's a amazing headphones but over time the rotating part may break off I had my for only 5 months and it broke.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)

✔ I would recommend this to a friend

★☆☆☆☆ **Manufacturer defect/Sony wont honor warranty**

✔ **Verified Purchase** | Posted 9 months ago. Owned for 7 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Been using the Sony XM models since 2018 with the XM3's. Eventually to the XM4's and now the XM5's. I used my headphones roughly 8 hours a day pretty much every day and every pair held up just fine until the XM5's. This is my second pair of XM5's that have broken due to manufacture defect in the hinge. This hinge problem is a well known issue by Sony with hundreds of posts on various websites. Their own sony support forums has a post with over 12000 views for the hinge issue. For reference the rest of their posts only have a few hundred views, maybe breaking 1000 on one or two. The first pair of XM5's lasted 1 day after the warranty. The most recent pair only lasted 6 months. The only thing that has happened with these headphones is they go from my head to my desk to charge then back on my head the next day.

Sony refuses to honor their 1 year warranty for manufacturer defects. Instead of fixing their mistake they will try to charge you \$100 to fix their defect. If you look at any of the other broken headphone posts on bestbuy or wherever. ITS ALWAYS at the hinge. This is a clear defect and Sony like all large corporations try to play innocent. check the pictures in the post. got one of both pairs and then the most recent pairs break

I really don't want to leave a one star review because these headphones sound AMAZING. and their battery life is fantastic and on top of that they charge quickly. 10-15 minutes and they are good to go usually. So if you are a minimum use headphone user these are probably okay if you got cash to spend, but i cannot recommend these. For \$400 dollars a pop they should last more than a year.



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Do Not buy!!**

✔ **Verified Purchase** | Posted 8 months ago. Owned for 2 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Bought a pair in December 23 2024 three months later the frame broke. Just taking them off and on. Under warranty you would think no warranty. They work great but are not meant to last poor craftsmanship.

✗ No, I would not recommend this to a friend



★☆☆☆☆ **Broke after a few months**

☑ **Verified Purchase** | Posted 8 months ago. Owned for 4 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Broke after 4 months.... Manufacturer warranty doesn't cover the break wanted 100 bucks to send it in and repair it



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Sony Let Me Down—Not Buying Again**

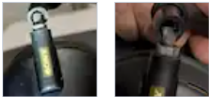
☑ **Verified Purchase** | Posted 7 months ago. Owned for 1.5 years when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Just over a year after purchase—right past the factory warranty—the swivel connection cracked. I carefully superglued it, but that only extended its life by a month. A repair costs \$150 to \$200, nearly the same as the current sale price.

I'm extremely disappointed in the build quality and Sony's refusal to offer assistance, especially considering my original \$400 investment. If you want great Bluetooth features and sound, you're better off putting your money into the more durable WH-1000XM4.

As for me, I'll be looking beyond Sony for my next purchase.



✗ No, I would not recommend this to a friend

Helpful (1) | Unhelpful (0) | [Report](#) | [Comment](#)

★☆☆☆☆ **Poor hinge design causes it to snap off**

☑ **Verified Purchase** | Posted 7 months ago. Owned for 1 year when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I used to love these headphones. I wore them very often, but I was always really gentle with them. I purchased them about a year and a 3 months ago. One day the hinge just snapped off. I wasn't doing anything strenuous. It just broke randomly because of the poor hinge design. The warranty is only one year (for the price it should be longer!), so I can't get a replacement, but it's not even covered by the warranty because they don't include physical damage. As much as I love these headphones for their comfort and sound quality, they are not the investment I thought they would be. Plenty of other better quality headphones that will last longer for this price.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Silver](#)



✗ No, I would not recommend this to a friend

★★★★☆ **They're great, need improvements**

🕒 **Verified Purchase** | Posted 7 months ago. Owned for 1.5 years when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I've had these for about two years now. The sound is AMAZING but they kept shutting off and recently they just fell apart??? I mean literally. I go to put them on and one ear piece falls out of the head piece part. Now I have to get new headphones. I would be great if they improved these issues.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Silver](#)

✗ No, I would not recommend this to a friend

Helpful (0) | Unhelpful (0) | Report | Comment

★★★★☆ **Poor design but decent sound**

🕒 **Verified Purchase** | Posted 6 months ago. Owned for 1 month when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Poor quality. Ive returned and purchased 5 different times. Headphones always break in the swivel joint. Sounds are good. Person on other end of call sometimes complain about me sounding muffled especially when in a loud environment like the datacenter i work in.

✓ I would recommend this to a friend

★☆☆☆☆ **Awful.**

🕒 **Verified Purchase** | Posted 6 months ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Like all of the one star reviews, the hinges on this thing broke. These headphones are so expensive and yet, no quality control whatsoever and no way to replace due to their awful warranty. Stay far away from these.

✗ No, I would not recommend this to a friend

Helpful (0) | Unhelpful (0) | Report

★☆☆☆☆ **Poor Construction**

Posted 6 months ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I bought my set in july 2024. I am very careful with my audio gear. After 8 months, the right piece broke off. A little gorilla glue and it was reattached. 2 weeks later, the left unit broke off. Sony wont fix it and the Allstate extended warranty is impossible to communicate with. So, do I spend another \$400 to replace them? Would you?



✗ No, I would not recommend this to a friend

★☆☆☆☆ **DO NOT BUY**

✔ **Verified Purchase** | Posted 6 months ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I have never been so disappointed in a company than I am with Sony over these headphones. Sound quality is good. But they make them with cheap parts then charge you top tier pricing. I had the xm4 headphones, they broke. So I upgraded to the xm5 thinking its a new model so they fixed the issue. Nope, they have the same issue with these. When I called Sony and told them that my new headphones broke in less than 5 months. They told me it wasn't covered and gave me a link to spend another \$100 to get them fixed. What terrible customer service and what kind of company sells a product they know is faulty and then doesn't even have the decency to replace them when they break due to a known issue. Disgusting

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



✖ No, I would not recommend this to a friend

★☆☆☆☆ **Failed in under 1 yr and Sony refused warranty**

Posted 6 months ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Product has a high failure rate for the hinge joint between the head "strap" and the ear cup (see other 1 star reviews). Mine failed in after approximately 9 months of regular use (Aug-2024 thru May-2025).

This defect is a systemic issue which can be found anecdotally in numerous places online. Similar issues have been acknowledged by Sony with other products such as the WH-ULT900N.

While it should have been covered under warranty, which covers 1 year for "hardware components packaged with the product" from "issues caused by defects in material or workmanship during ordinary customer user", Sony refused to cover my claim and indicated I would have to pay out of pocket for repairs.

The product is has a faulty design that is common across Sony products and the refusal to acknowledge the warranty has put me off other Sony products in general.

With little other recourse, I've written this review and submitted a ticket to the Better Business Bureau.



✖ No, I would not recommend this to a friend

★★☆☆☆ **Design Flaw**

✔ **Verified Purchase** | Posted 6 months ago. Owned for 7 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

with the time I had with these headphones I can say that they are a really good pair of headphones in terms of noise cancellation and amazing sound quality, however this product does have its fair share of drawbacks. The material that it is made out of makes it easy to break, although I have not broke my pair of headphones, there has been a design flaw that I have unfortunately come across. The design flaw are the hinges that connect the headband to the headphone cups and they tend to break easily without any external factors that caused it to break. I have researched about this problem on the internet, and this is a common issue that has not yet been resolved. There are numerous complaints about these headphones and their poor durability. I only had them for about 6 months, I put them on and then all of a sudden they are broken. I am actively trying to get them replaced, fixed, or refunded because this is not any of my fault rather Sony's fault and they are being difficult. If you are having the same issue file a complaint with the BBB (Better Business Bureau) and explain the situation. If you took the time to read this, please reconsider buying this headphone there are plenty of other options available, thank you!

✖ No, I would not recommend this to a friend

Helpful (0) | Unhelpful (0) | Report | Comment

★☆☆☆☆ **Buyer beware!**

Posted 5 months ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

In the beginning I loved these headphones! Then the headband pulled away and they are useless! Look at others reviews and you will see the same issue! I even purchased a warranty, which they of course said didn't cover this issue! They are very expensive, and now I can't afford to replace them! I called support and sent all my info and they rejected my warranty. Buyer beware!



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Horrible**

Posted 5 months ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Nothing but constant issues since I bought them and even after having them replaced. The notorious hinge issue finally happened to me last month as well. I wish I never purchased them and they were definitely overrated. It makes me nervous to try the xm6 even though theyre supposed to be better, and the hinge issue is supposed to be fixed.

✗ No, I would not recommend this to a friend

Helpful (0) Unhelpful (0) | Report

**Brand response from SonyListens**

Posted 5 months ago.

Hi Courtney, thank you for taking the time to share your feedback with us. We sincerely apologize for the ongoing issues you've experienced with your WH-1000XM5 headphones and we appreciate your honesty regarding your concerns.

To assist you further, we would like to gather some additional information about your situation. Please reach out to us at [socialsupport@am.sony.com](mailto:socialsupport@am.sony.com) and include the following details:

- Full Name:
- BestBuy Username:
- Telephone Number:...

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★☆☆☆☆ **Do not purchase. These are not built to last**

Posted 5 months ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

These broke while on my head. The part that connects the band to the earpiece is so flimsy it just snapped while I was taking it off. Sony has a one year warranty but was unwilling to help and bestbuy didn't want to help either. Huge waste of money these are not built to last I haven't even had them for a year. I still have the box to prove it(see photos) awful product



✗ No, I would not recommend this to a friend

Helpful (0) Unhelpful (0) | Report

## ★☆☆☆☆ Cheap material.

🕒 **Verified Purchase** | Posted 5 months ago. Owned for 6 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

When you buy something this expensive it should last at least a year, if not more. It lasted less than 7 months. A plastic piece near the headset broke randomly. I won't waste my money on another headset from this company.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)



✗ No, I would not recommend this to a friend

## ★☆☆☆☆ Stay away from Sony XM5's!!!

🕒 **Verified Purchase** | Posted 4 months ago. Owned for 11 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Very flimsy design. TONS of reviews regarding the right ear piece breaking and Sony not standing behind the warranty. Funny though, they've now changed the design on the WM6. While Sony usually makes decent products, their customer support and lack of playing well outside of their ecosystem is completely frustrating. I will probably never buy another Sony product and wish I had gone Apple or Bose, instead

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Blue](#)

✗ No, I would not recommend this to a friend

Helpful (0) | Unhelpful (0) | Report

**Brand response from SonyListens**

Posted 4 months ago.

Hi CraigdR, thank you for sharing your concerns regarding the WH-1000XM5 headphones. We sincerely apologize for any frustration you've experienced with the design and our customer support. Please know that your comments will be taken into consideration as we work towards enhancing the quality and reliability of our offerings.

Thanks for considering Sony products. We appreciate your feedback and hope to have the opportunity to restore your confidence in our brand.  
Sincerely,  
Estefany

★☆☆☆☆ **HeadPhones. Fell apart in 6-weeks. ZERO Warranty**

🕒 **Verified Purchase** | Posted 3 months ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Best Buy order #BBY01-8070576244640 5/8/25

WH1000XM5 BLACK Headphones

Ear piece feel off 6/15/25. ZERO Warranty Coverage



✗ No, I would not recommend this to a friend

Helpful (2)

Unhelpful (0)

Report

Comment

★☆☆☆☆ **Don't waste your money**

🕒 **Verified Purchase** | Posted 3 months ago. Owned for 2 months when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

Product is poorly made. Plastic on swivel arm broke in less than 2 months and the Sony warranty does not cover the repair.

✗ No, I would not recommend this to a friend

Helpful (0)

Unhelpful (0)

Report

**Brand response from SonyListens**

Posted 3 months ago.

Hi MICHAELR,

Thank you for your feedback regarding the WH-1000XM5 headphones. We sincerely apologize for the inconvenience you are experiencing with the broken swivel arm. We understand how disappointing it can be when a product does not fulfill your expectations.

While we wish we could do more to assist you, please be aware that the warranty terms limit our ability to cover repairs for this specific issue. We appreciate your understanding in this matter and are dedicated to ensuring our products uphold the high standards our customers expect.

Thanks for considering Sony products and for sharing your feedback.

Sincerely,...  
[Read More](#) ▾

[Comment](#)

### ★★★★☆ Great Sound and Tech, Questionable Build Quality

✔ **Verified Purchase** | Posted 3 months ago. Owned for 7 months when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

I have owned these headphones for roughly 6 months and they have roughly 50 hours of use. I grabbed them to use them for their 51st'ish hour of use and the left ear piece snapped off as I was putting them on. I do not have a large head. I have owned and bought for others: XM2s, XM3s, and now these XM5s. I think Sony got it wrong with the structural change.



✗ No, I would not recommend this to a friend

### ★★★★☆ WH-5000XM5 REVIEW

✔ **Verified Purchase** | Posted 3 months ago. Owned for 1.5 years when reviewed.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Although the sound quality and noise cancelling are unbeatable in the modern day over-ear headphone league, the XM5's began to deteriorate very quickly and the hinges began to break after normal wear. I believe that for \$400 it should at least last 5 years, but only managed to survive 2.

This review is from [Sony - WH-1000XM5 Wireless Noise-Canceling Over-the-Ear Headphones - Silver](#)

✗ No, I would not recommend this to a friend

### ★☆☆☆☆ WH1000XMH Headband Prone to Break

✔ **Verified Purchase** | Posted 2 months ago.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

Do not buy! The sound quality is good, the features smart, and the connectivity fairly solid. However, it all means nothing if the headband is prone to break at the hinge, at the cup. Then they are useless. I had the original hinge break, and then paid for a replacement. It just broke too. I did not sit on it, twist it, or abuse it. It just wore out, cracked, and then broke clean through. Now, useless. It is a known and notorious problem for this model, as is Sony's indifference. Google it. Skip this model, buy something else. You're welcome! Ratings based on holding one earcup to your head.



✗ No, I would not recommend this to a friend

### ★☆☆☆☆ Cheaply made trash

✔ **Verified Purchase** | Posted 2 months ago.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

After less than three months of normal usage one of the flimsy plastic earcups snapped and one headphone is dangling by a wire. So now my headphones don't fit at all and the noise canceling is useless even if I tape it up. The build quality on these is horrible for how expensive this piece of junk is.

Even my WH1000XM4s lasted way longer, they redesigned these to be even more fragile. No wonder they push protection plans on us, it's because of shoddily made overpriced stuff like this. Can't believe how much money I wasted on this.

✗ No, I would not recommend this to a friend

### ★☆☆☆☆ Beware Known Design Flaw

✔ **Verified Purchase** | Posted 1 month ago.  
This reviewer received promo considerations or sweepstakes entry for writing a review.

What's the point of best-in-class sound quality, noise cancelling, general features, sleek aesthetics, etc. if there's a known design flaw regarding the weak hinges? I had the XM5s for less than three months, coddled the heck out of them, and they still broke. I don't trust the XM5s anymore. Even if they were to be fully replaced for free by Sony. Or if I had to pay "only" \$99 to get them replaced by a Sony authorized repair company. I am gonna switch to the XM4s, and I pray to all things holy I don't have any similar issues. Making flagship headphones (with flagship prices) is meaningless if they don't actually last. At least my WH-CH700N "mid-range" headphones have some semblance of sensible design + craftsmanship.

✗ No, I would not recommend this to a friend

★☆☆☆☆ **Read this before you purchase the XM5s**

✓ **Verified Purchase** | Posted 2 weeks ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I have had these headphones for a year and a half, and I loved them. They had great audio quality, battery life, solid software, and features.

Now I come to the reason for my one-star rating, and this is the part you should be aware of before purchasing this product. I came home one day and went to put on my headphones, and realized that the left hinge had almost completely snapped off. The product was never dropped, damaged, or misused in any way, and yet the hinge broke. I checked if other users have had this issue and was surprised to find that this was a known issue with the XM5s. I contacted Sony support and spoke to both their customer service and customer relations teams. Still, they said Sony would not cover this issue because it is physical damage, and offered a "low-cost" repair for \$100. This directly conflicts with Sony's policy, which should cover "defects in materials or workmanship under normal use".

I am extremely disappointed in the resolution to this issue because the product itself is great, but for a known issue resulting from inadequate manufacturing, to receive neither a proper recall nor a replacement/repair initiative is unacceptable.

I am now stuck between either paying an extra \$100 and spending multiple weeks to get the product repaired, essentially making the headphones cost \$450, or selling them at a significantly reduced rate and eating up the cost of buying new headphones after 2 years.

This defect and the resolution by Sony have been so dissatisfactory that I will likely never purchase a Sony product again.

TL;DR: Sony headphones' hinge broke under normal use due to a known manufacturing defect. Sony's customer service denied any under-warranty repair/replacement option, citing physical damage in contrast to their policy. Offered me a long wait, \$100 repair option. If you choose to buy the XM line of headphones, be aware that there are known product issues that likely won't get resolved even under warranty, and you should probably look to Sennheiser and Bose for better product/company satisfaction.



✗ No, I would not recommend this to a friend

★☆☆☆☆ **Don't do it.**

✓ **Verified Purchase** | Posted 1 week ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

They only lasted 6 months before the band broke. These were expensive for the band to just break when I was adjusting the headset.

✗ No, I would not recommend this to a friend

Helpful (1) | Unhelpful (0) | Report

★☆☆☆☆ **Awesome sound cheaply made**

✓ **Verified Purchase** | Posted 1 week ago. Owned for 1 year when reviewed.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I would not recommend these they kept breaking on me the headphones iPad kept snapping off cheaply made in my opinion sound quality was great, but they need to make it better quality material.

✗ No, I would not recommend this to a friend

★☆☆☆☆ **Snapped after less than 2 years**

✓ **Verified Purchase** | Posted 2 days ago.

This reviewer received promo considerations or sweepstakes entry for writing a review.

I was very happy with these headphones, but they snapped after 22 months. These unfortunately lasted less than my XM3 and XM4 pairs. It feels like the prices continue to increase while the build quality decreases. Aside from breaking much sooner than they should've they had fantastic battery life and sound quality.



✗ No, I would not recommend this to a friend



117. Defendants knew that functionality, mobility, maneuverability and portability were, and continue to be, material factors for consumers purchasing the Headphones.

118. Sony concealed from and/or failed to disclose to the public at large—including the Plaintiff and the Class—the defective nature of the Headphones and failed to remove the Headphones from the marketplace or take adequate action to remedy the Defect. Rather, Sony sold and serviced the Headphones even though it knew, or was reckless in not knowing, that the Defect impacted the portability, mobility, and functionality of the Headphones and would ultimately result in Plaintiff’s and Class members’ inability to use their Headphones for their intended purpose.

119. Moreover, Defendants’ omissions are accompanied by affirmative misrepresentations as to the Headphones’ features and portability, detailed above.

#### **D. Defendants’ Limited Warranty Fails to Remedy the Defect**

120. Sony sold the Class Headphones with a standard one-year written express warranty, which covers defects in materials and workmanship.

121. Sony’s Limited Warranty warrants the Headphones against defects in materials and workmanship for 12 months from the original date of purchase. Sony states that, “**In the event of a defect, these are Your exclusive remedies.**”<sup>29</sup> (Bold in original). Its terms further state that “Sony will, at its option, repair or replace with a new, recertified, or refurbished product or part, any product or part determined to be defective.”<sup>30</sup>

122. Excluded from the warranty is “any damage arising from a failure to operate the product within its intended uses, or otherwise follow the owner’s manual and safety instructions relating to the product’s use and installation.”

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<sup>29</sup>

<https://www.sony.com/electronics/support/res/manuals/4599/f75dbb32881eb73e5992b1ecf3c36af2/45991063M.pdf> (last accessed Nov. 14, 2025).

<sup>30</sup> *Id.*

123. Sony then reiterates that “This Limited Warranty only covers product issues caused by defects in material or workmanship during ordinary consumer use.”

124. Sony provides the Limited Warranty to buyers after the purchase of the Headphones is completed.

125. Plaintiff was a beneficiary of the Limited Warranty.

126. None of the types of damage excluded from the Limited Warranty encompass damage caused by the Defect.

127. Nevertheless, Sony has refused to recognize the Defect as a defect covered by the Limited Warranty and regularly forces Headphone purchasers to pay for repair of damage caused by the Defect.

**E. Defendants’ Inadequate Warranty Performance.**

128. Sony imposes unreasonable and expensive requirements on its customers who attempt to invoke the Limited Warranty for repair of their Headphones.

129. Sony regularly attempts to disclaim warranty coverage, including by asserting that the damage caused by the Defect was actually physical or accidental damage caused by the user. Even when Defendants do make repairs to the Headphones, the repairs do not remedy the Defect and may in fact cause repeat failures.

130. Sony discloses none of the deficiencies in its warranty repair program, which are material to reasonable consumers. Most consumers who purchase Headphones that come with a warranty for repair services do not expect that the repairs will be inadequate, that their requests for repairs will be ignored, that they will be charged to send their Headphones for repair, or that using the repair service will require them to go without their Headphones for weeks on end. Accordingly, the market price of the Headphones at the point of sale is higher than it would be if these

deficiencies were disclosed by Sony, and all consumers were overcharged by paying the retail price of the Headphones.

### **FRAUDULENT CONCEALMENT ALLEGATIONS**

131. Absent discovery, Plaintiff is unaware of, and unable through reasonable investigation to obtain, the true names and identities of those individuals at Sony who are responsible for disseminating false and misleading marketing materials regarding the Headphones. Sony necessarily is in possession of all of this information. Plaintiff's claims arise out of Sony's fraudulent concealment of the Defect and the failures and malfunctions it causes, and Defendants' representations about the premium quality, features, and durability of the Headphones themselves. To the extent that Plaintiff's claims arise from Sony's fraudulent concealment, there is no one document or communication, and no one interaction, upon which Plaintiff bases his claims.

132. Plaintiff alleges that at all relevant times, including specifically at the times they purchased their respective Headphones, Sony knew, or was reckless in not knowing, of the Defect; Sony was under a duty to disclose the Defect based upon its exclusive knowledge of it, and its concealment of it; and Sony never disclosed the Defect to Plaintiff or the public at any time or place or in any manner.

133. Plaintiff makes the following specific fraud allegations with as much specificity as possible absent access to the information necessarily available only to Sony:

134. **Who:** Sony actively concealed the Defect from Plaintiff and Class members while simultaneously touting the quality and portability of the Headphones, as alleged herein. Plaintiff is unaware of, and therefore unable to identify, the true names and identities of those specific individuals at Sony responsible for such decisions. As such, Defendants are alleged to have engaged in the same wrongful conduct.

135. **What:** Sony knew, or was negligent or reckless in not knowing, that the Headphones contain the Defect, as alleged herein. Sony concealed the Defect and made

representations about the premium quality, reliability, and features, and other attributes of the Headphones, as specified above.

136. **When:** Sony concealed material information regarding the Defect at all relevant times and made representations about the superior quality and durability of the Headphones, at the introduction of certain models of Headphones to the market, continuing through the time of sale, and on an ongoing basis, and continuing to this day, as alleged above. Sony still has not disclosed the truth about the Defect in the Headphones to anyone outside of Sony. Sony has never taken any action to inform consumers at large about the true nature of the Defect in the Headphones. And when consumers brought their Headphones to Sony complaining of the Defect, Sony denied any knowledge of or responsibility for the Defect, and in many instances (as detailed above), actually blamed the customer for causing the Defect.

137. **Where:** Sony concealed material information regarding the true nature of the Defect in every communication it had with Plaintiff and Class members and made representations about the premium quality, reliability, and features of the Headphones. Plaintiff is aware of no document, communication, or other place or thing, in which Sony disclosed the truth about the Defect in the Headphones to anyone outside of Sony. Such information is not adequately disclosed in any sales documents, displays, advertisements, warranties, owner's manuals, or on Sony's website.

138. **How:** Sony concealed the Defect from Plaintiff and Class members and made representations about the premium quality, reliability, and features of the Headphones. Sony actively concealed the truth about the existence and nature of the Defect from Plaintiff and Class members at all times, even though it knew about the Defect and knew that information about the Defect would be important to a reasonable consumer. Sony promised in its marketing materials that Headphones have qualities that they do not have.

139. **Why:** Sony actively concealed material information about the Defect in the Headphones for the purpose of inducing Plaintiff and Class members to purchase and/or lease Headphones, rather than purchasing or leasing competitors' Headphones, and made representations about the premium quality, reliability, and features of the Headphones. Had Sony

disclosed the truth, for example in its advertisements or other materials or communications, Plaintiff and Class members (all reasonable consumers) would have been aware of it and would not have bought or leased the Headphones or would have paid less for them.

### **TOLLING OF STATUTE OF LIMITATIONS**

140. Any applicable statute(s) of limitations have been tolled by Sony's knowing and active concealment and denial of the facts alleged herein. Plaintiff and the members of the Class could not have reasonably discovered the true, latent nature of the Defect until shortly before this class action litigation was commenced.

141. In addition, even after Plaintiff and Class members contacted Sony for Headphone repairs concerning the effects of the Defect, they were routinely told by Sony that the Headphones were not defective and that a breakdown of the hinge on the Headphones was the result of physical or accidental damage caused by the user.

142. Sony was and remains under a continuing duty to disclose to Plaintiff and the members of the Class the true character, quality, and nature of the Headphones. As a result of Sony's active concealment, any and all applicable statutes of limitations otherwise applicable to the allegations herein have been tolled.

### **CLASS ACTION ALLEGATIONS**

143. Plaintiff brings this lawsuit on behalf of himself and all other persons similarly situated, pursuant to Federal Rules of Civil Procedure 23(a), 23(b)(2), 23(b)(3) and/or 23(c)(4). Specifically, the classes consist of:

#### **Nationwide Class**

All persons in the United States who purchased the Headphones.

#### **New York Subclass**

All persons in the state of New York who purchased the Headphones.

#### **Nevada Subclass**

All persons in the state of Nevada who purchased the Headphones.

144. Plaintiff and Class members reserve the right to amend the Class definitions as discovery proceeds and to conform to the evidence. Excluded from the Class are: (a) any Judge presiding over this action and members of their families; (b) Defendants and its subsidiaries and affiliates; and (c) all persons who properly execute and file a timely request for exclusion from the Class.

145. **Numerosity:** Members of the Class are so numerous that their individual joinder is impracticable. Moreover, the Class is composed of an easily ascertainable, self-identifying set of individuals and entities who purchased Headphones. The precise number of Class members can be ascertained through discovery, which includes Defendants' records. Plaintiff estimates the number of Class members to be in at least the tens of thousands. The disposition of their claims through a class action will benefit both the parties and this Court.

146. The proposed classes are ascertainable because they are defined by reference to objective criteria. In addition, the names and addresses of all members of the proposed class can be identified in business records maintained by Defendants.

147. **Commonality:** There are questions of law and fact common to the Class that will materially advance the litigation, and these common questions predominate over any questions affecting only individual Class members. Among the questions common to the Class are:

- a. Whether the Headphones suffer from a defect that causes the hinges to fail;
- b. The origins and implementation of, and the justifications for, if any, Sony's policies and technology relating to the Defect and its manifestation in the Headphones;
- c. When Sony became aware of the Defect in the Headphones and how it responded to that knowledge;

d. Whether Sony actively concealed and/or failed to notify consumers of the Defect in the Headphones;

e. Whether Defendants knew of the Defect but failed to disclose the problem and its consequences to their customers;

f. Whether a reasonable consumer would consider the Defect and its consequences to be material;

g. Whether Defendants' conduct violates state consumer protection laws as asserted herein;

h. Whether Defendants' sale of Headphones containing the Defect is an unfair, false, misleading, or deceptive act in the conduct of any trade or commerce;

i. Whether Defendants breached the implied warranty of merchantability by selling the Headphones containing the Defect;

j. Whether Plaintiff and the other Class members overpaid for their Headphones as a result of the Defect herein;

k. Whether Defendants' warranty service program is deceptive or unlawful, unfair, or fraudulent, within the meaning of New York General Business Law §§ 349-350 *et seq.*;

l. Whether Plaintiff and Class members would have purchased their Headphones, and whether they would have paid a lower price for them, had they known that they contained the Defect at the time of purchase;

m. Whether Plaintiff and the Class are entitled to compensatory damages, including, among other things: (i) compensation for all out-of-pocket monies expended by members of the Class for replacement or repair of the Headphones; (ii) the failure of consideration in connection with and/or difference in value arising out of the variance between the Headphones as

merchantable in the absence of the Defect, and as actually manufactured and sold possessing the Defect; and (iii) whether Plaintiff and the Class are entitled to all costs associated with repair and replacement of their Headphones; and

n. Whether Plaintiff and the other Class members are entitled to equitable relief, including, but not limited to, restitution or injunctive relief.

148. **Typicality:** Plaintiff's claims are typical of the claims of the members of the Class, as all such claims arise out of Defendants' conduct in manufacturing, marketing, advertising, warranting, selling, and/or designing the Headphones. All of Plaintiff's claims are typical of the claims of the Class because Plaintiff and all Class members were injured in the same manner by Defendants' uniform course of conduct described herein. Plaintiff and all Class members have the same claims against Defendants relating to the conduct alleged herein, and the same events giving rise to Plaintiff's claims for relief are identical to those giving rise to the claims of all Class members. Plaintiff and all Class members sustained monetary and economic injuries including, but not limited to, ascertainable losses arising out of Defendants' wrongful conduct as described herein. Plaintiff is advancing the same claims and legal theories on behalf of himself and all absent Class members.

149. **Adequate Representation:** Plaintiff will fairly and adequately protect the interests of the members of the Class and has no interests antagonistic to those of the Class. Plaintiff has retained counsel experienced in the prosecution of complex class actions including, but not limited to, consumer class actions involving, *inter alia*, breach of warranties, product liability, product defects, and state consumer fraud statutes.



150. **Predominance**: This class action is appropriate for certification because questions of law and fact common to the members of the Class predominate over questions affecting only individual members.

151. **Superiority**: A class action is superior to other available methods for the fair and efficient adjudication of this controversy, as individual joinder of all members of the Class is impracticable. Given the amount at issue for each Class member, individual suits would not be economically viable; however, should individual Class members bring separate actions, this Court would be confronted with a multiplicity of lawsuits burdening the judicial system while also creating the risk of inconsistent rulings and contradictory judgments. In contrast to proceeding on a case-by-case basis, in which inconsistent results will magnify the delay and expense to all parties and the court system, this class action presents far fewer management difficulties while providing unitary adjudication, economies of scale and comprehensive supervision by a single court.

152. **Manageability**: Plaintiff is unaware of any difficulties that are likely to be encountered in the management of this action that would preclude its maintenance as a class action.

**COUNT I**  
**VIOLATION OF THE NEW YORK GENERAL BUSINESS LAW § 349,**  
**N.Y. GEN. BUS. LAW § 349, *et seq.***  
**(On Behalf of the New York Subclass)**

153. Plaintiff incorporates by reference the allegations contained in the preceding paragraphs as if fully set forth herein.

154. Plaintiff is a “person” within the meaning of the New York General Business Law (“GBL”). N.Y. GEN. BUS. LAW § 349(h).

155. Defendant Sony Corporation of America (“Defendant” for purposes of this Count) is a “person, firm, corporation or association or agent or employee thereof” within the meaning of the GBL. NY. GEN. BUS. LAW § 349(b).

156. Under GBL § 349(a), “[d]eceptive acts or practices in the conduct of any business, trade or commerce” are unlawful.

157. In the course of Defendant’s business, it failed to disclose and actively concealed the Defect in the Headphones with the intent that consumers rely on that concealment in deciding whether to purchase the Headphones.

158. Defendant knew, should have known, or was reckless in not knowing that the Defect in the Headphones rendered them unsuitable for their intended uses.

159. Despite Defendant’s knowledge of the Defect, Defendant intentionally concealed the Defect while advertising the Headphones as superior and high quality in their material and/or workmanship. In doing so, Defendant engaged in deceptive acts or practices in violation of GBL § 349.

160. In addition to intentionally concealing the Defect, Defendant made affirmative misrepresentations as to the Headphones’ quality. Specifically, Defendant represented that the Headphones were reliable, portable, and durable, leading consumers to reasonably believe that the Headphones were capable of performing basic and advanced audio functions such as providing active noise cancelation, but because of the Defect, the Headphones cannot be so used. Additionally, Defendant represented that the Headphones are of premium quality, functionality, and reliability, all the while their hinges are prone to completely detaching from the device due to the stresses of ordinary use.

161. In addition, Sony engaged in a consistent practice of refusing to repair or replace defective Headphones pursuant to its Warranty, by blaming the occurrence of broken hinges on user error. Defendant concealed and omitted this material information about Defendant's Limited Warranty program, from Defendant's written Warranty, and from all advertising and pre-sale disclosure material. Accordingly, the market price of the Headphones reflects false information about the efficacy or desirability of Defendant's warranty services. Had Plaintiff and other consumers been aware of the undisclosed inefficacy, cost, and delay of Defendant's warranty repair program, the point-of-sale price of the Headphones would have been lower.

162. Defendant's deceptive acts or practices were materially misleading. Defendant's conduct was likely to and did deceive reasonable consumers, including Plaintiff and Class members, about the true performance and value of the Headphones.

163. Plaintiff and Class members were unaware of, and lacked a reasonable means of discovering, the material facts that Defendant suppressed.

164. Defendant's actions set forth above occurred in the conduct of trade or commerce.

165. Defendant's misleading conduct concerns widely purchased consumer products and affects the public interest. Defendant's conduct includes unfair and misleading acts or practices that have the capacity to deceive consumers and are harmful to the public at large.

166. Plaintiff and Class members suffered ascertainable loss as a direct and proximate result of Defendant's GBL violations. Plaintiff and Class members are entitled to recover their actual damages or fifty dollars, whichever is greater. Additionally, because Defendant acted willfully or knowingly, Plaintiff and Class members are entitled to recover three times their actual damages. Plaintiff is also entitled to reasonable attorneys' fees.

**COUNT II**  
**VIOLATION OF THE NEW YORK GENERAL BUSINESS LAW § 350,**

**N.Y. GEN. BUS. LAW § 350, *et seq.***  
**(On Behalf of the New York Subclass)**

167. Plaintiff incorporates by reference the allegations contained in the preceding paragraphs as if fully set forth herein.

168. N.Y. GEN. BUS. LAW § 350 provides, in part, “[f]alse advertising in the conduct of any business, trade or commerce or in the furnishing of any service in this state is hereby declared unlawful.”

169. N.Y. GEN. BUS. LAW § 350-a(1) provides, in part:

The term ‘false advertising’ means advertising, including labeling, of a commodity, or of the kind, character, terms or conditions of any employment opportunity if such advertising is misleading in a material respect. In determining whether any advertising is misleading, there shall be taken into account (among other things) not only representations made by statement, word, design, device, sound or any combination thereof, but also the extent to which the advertising fails to reveal facts material in the light of such representations with respect to the commodity or employment to which the advertising relates under the conditions prescribed in said advertisement, or under such conditions as are customary or usual.

170. Defendant Sony Corporation of America’s (“Defendant” for purposes of this Count) labeling and advertisements of the Headphones were false and misleading in a material way, via affirmative statements and omissions, as Defendant failed to reveal material facts in light of such representations or conduct.

171. Specifically, Defendant advertised the superior abilities of the Headphones, representing to consumers that the Headphones are premium devices. Defendant assured consumers that the Headphones, like all of its products, are reliable and tested rigorously.

172. These misrepresentations have resulted in consumer injury or harm to the public interest.

173. As a result of these misrepresentations, Plaintiff and Class members have suffered economic injury. They relied on Defendant's misrepresentations and nondisclosures, and would not have purchased/leased, or would have paid less for, the Headphones had they known the truth.

174. By reason of the foregoing and as a result of Defendant's conduct, Plaintiff and Class members seek to enjoin the unlawful, unfair, and fraudulent acts and practices described herein, to recover their actual damages or five hundred dollars, whichever is greater, and reasonable attorneys' fees.

**COUNT III**  
**VIOLATIONS OF THE NEVADA DECEPTIVE TRADE PRACTICES ACT**  
**NRS. Ch. 41.600**  
**(On Behalf of the Nationwide Class or, in the alternative, the Nevada Subclass)**

175. Plaintiff and the Class incorporate by reference the allegations contained in the preceding paragraphs as if fully set forth herein.

176. Plaintiff asserts this claim on behalf of the Nationwide Class. In the alternative to the New York GBL claims detailed above, this claim is brought on behalf of the Nevada Subclass.

177. Plaintiff has a private right action pursuant to NRS 41.600(2)(e).

178. Defendants engaged in unfair and unlawful acts and trade practices by failing to disclose and actively concealing the Defect in the Headphones with the intent that consumers rely on that concealment in deciding whether to purchase the Headphones.

179. Plaintiff and Class members relied on Defendants' representations as to the Headphones' quality, functionality, and reliability, leading consumers to reasonably believe that the Headphones were capable of performing basic and advanced audio functions such as providing active noise cancelation, but because of the Defect, the Headphones cannot be so used. Additionally, Defendant represented that the Headphones are of premium quality, functionality,

and reliability, all the while their hinges are prone to completely detaching from the device due to the stresses of ordinary use.

180. The Nevada Deceptive Trade Practices Act (“NDTPA”), codified in NRS Chapter 598, prohibits unfair and deceptive trade practices in the course of any business or occupation.

181. By reason of the conduct alleged herein, Defendants knowingly engaged in unlawful trade practices within the meaning of the NDTPA. Defendants’ conduct alleged herein is a “trade practice” within the meaning of the NDTPA, and the deception occurred within the State of Nevada.

182. Plaintiff and other members of the Nevada Subclass bought the Headphones in Nevada, from one of Defendants’ authorized sellers located in Nevada.

183. Plaintiff and Nevada Subclass Members would not have purchased the Headphones if they had been told or knew that Defendant would be denying warranty coverage for a Defect that manifested within and outside the warranty period.

184. Defendant’s conduct violated NRS 598.0917(7) because it constituted a tender of “goods advertised for sale . . . or tendering terms of sale or lease less favorable than the terms advertised,” i.e.:

- a. Representing that its services were of a particular standard or quality that it knew or should have known were of another;
- b. Failing to implement and maintain reasonable quality control measures to ensure the Headphones have the quality, functionality, and reliability that Plaintiff and Nevada Subclass Members expected;
- c. Misrepresenting the Headphones’ quality, as the Defect renders them incapable of providing advertised features;

- d. Omitting, suppressing, and concealing the material fact that it did not intend to honor its Limited Warranty when Plaintiff and Nevada Subclass Members presented their Headphones for repair or replacement; and
- e. Omitting, suppressing, and concealing the material fact that it did not address the Defect that rendered the hinges of the Headphones prone to breaking within the warranty period and/or well before the end of their useful lives.

185. Defendants' representations and omissions were material because they were likely to deceive reasonable consumers about the quality, functionality, and reliability of the Headphones.

186. The sale and advertising of the Headphones in Nevada through deceptive means were consumer-oriented acts and thereby fall under the NDTPA.

187. Defendants' violations of NRS 598.0917(7) constituted "consumer fraud" for purposes of NRS 41.600(2)(e).

188. Additionally, NRS 598.0923(3) provides that a violation of any federal or Nevada law constitutes consumer fraud. Thus, Defendants' misrepresentations and omissions, which violated NRS 598.0917(7), is a violation of NRS 598.0923(3).

189. Defendants' violations of NRS 598.0923(3) constituted "consumer fraud" for purposes of NRS 41.600(2)(e).

190. Defendants knew or should have known that the Headphones did not have the quality, functionality, or reliability they purportedly had because the Defect renders the Headphones unusable.

191. Defendants' violations of the NDTPA have an impact and general importance to the public, including the people of Nevada. On information and belief, hundreds if not thousands

of Nevada citizens have purchased the Headphones based on Defendants' misrepresentations and/or omissions.

192. As a direct and proximate result of these deceptive trade practices, Plaintiff and Nevada Subclass Members have suffered injuries including, but not limited to actual damages, and in being denied a benefit conferred on them by the Nevada legislature.

193. Accordingly, Plaintiff, on behalf of himself and Nevada Subclass Members, brings this action under the NDTPA, to seek such injunctive relief as is necessary to enjoin further violations, to recover actual damages, treble damages, the costs of this action (including reasonable attorneys' fees and costs), and such other relief as the Court deems just and proper.

**COUNT IV**  
**BREACH OF EXPRESS WARRANTY**  
**(On Behalf of the Nationwide Class or, in the alternative, the Nevada Subclass)**

194. Plaintiff and the Class incorporate by reference the allegations contained in the preceding paragraphs as if fully set forth herein.

195. Plaintiff asserts this claim on behalf of the Nationwide Class. In the alternative, this claim is brought on behalf of the Nevada Subclass.

196. Defendants expressly warrant "the hardware components packaged with the product[.]" for 12 months after the manufacture date or purchase date. "Sony will, at its option, repair or replace with a new, recertified or refurbished product or part, any product or part determined to be defective."

197. None of the types of damage excluded from the Limited Warranty encompass damage caused by the Defect. Nevertheless, Defendants have refused to recognize the Defect as a defect covered by the Limited Warranty, regularly forcing Headphone purchasers to pay out-of-pocket for repair of damage caused by the Defect.



198. As described above, the hinges in the Headphones are defective. The Defect substantially impairs the use, quality, functionality, and reliability of the Headphones to reasonable consumers, including Plaintiff and Class members.

199. The Defect arises from the design, materials, and workmanship of the Headphones in that: the Headphones' hinges as designed are unable to withstand the stresses of ordinary use; the Headphones are manufactured from and/or incorporate substandard materials, including but not limited to the plastic hinge mounting points, which are prone to breaking; and the Headphones were manufactured with substandard care and/or skill, including but not limited to the tensioning of the hinges, which places undue stress on the hinge mounting points.

200. Defendants knew of the Defect when they expressly warranted the Headphones, wrongfully and fraudulently concealed material facts regarding the Defect, failed to inform Class members that the Headphones had the Defect, and induced Plaintiff and Class members to purchase or lease the Headphones under false and/or fraudulent pretenses.

201. Defendants are obligated, under the terms of its Limited Warranty, to repair and/or replace the Headphones for Plaintiff and Class members.

202. Defendants breached their Limited Warranty by supplying the Headphones to Plaintiff and Class members with the Defect.

203. Defendants further breached their Limited Warranty by failing to repair the Headphones and by failing to provide to Plaintiff or Class members, as a warranty replacement, a product that conforms to the qualities and characteristics that it promised when it sold the Headphones to Plaintiff and Class members.

204. Moreover, Defendants' representations concerning the durability, portability, and usefulness of the Headphones were part of the basis of the bargain between them and consumers

and as such constitute express warranties. As the Headphones do not and cannot perform as warranted, Defendants have breached these warranties.

205. As more fully detailed above, Defendants were provided with appropriate notice and have been on notice of the Defect and of their breach of express written warranties from various sources, including Plaintiff.

206. Plaintiff has given Defendants a reasonable opportunity to cure its failures with respect to its Limited Warranty, and Defendants have failed to do so.

207. Affording Defendants any further opportunity to cure their breach of written warranties is unnecessary and futile here.

208. Any express warranties promising to repair and/or correct any defects fail in their essential purposes because the contractual remedy is insufficient to make Class members whole and because Defendants have failed and/or have refused to adequately provide the promised remedies within a reasonable time.

209. Accordingly, recovery by the Class members is not restricted to any written warranties promising to repair and/or correct defects, and they seek all remedies as allowed by law.

210. In its capacity as a warrantor, and by the conduct described herein, any attempt by Defendants to limit or disclaim the express warranties in a manner that would exclude coverage of the Defect is unconscionable as a matter of law because the relevant purchase transactions were tainted by Defendants' concealment of material facts. Thus, any effort by Defendants to disclaim, or otherwise limit, its liability for the Defect is null and void.

211. As a direct and proximate result of Defendants' breach of express warranties, Plaintiff and Class members received goods that have substantially impaired value and have suffered damages in an amount to be determined at trial.

212. Plaintiff and Class members are entitled to incidental, consequential, and other damages and other legal and equitable relief, as well as costs and attorneys' fees.

**COUNT V**  
**BREACH OF THE IMPLIED WARRANTY OF MERCHANTABILITY**  
**(On Behalf of the Nationwide Class or, in the alternative, the Nevada Subclass)**

213. Plaintiff and the Class incorporate by reference the allegations contained in the preceding paragraphs as if fully set forth herein.

214. Plaintiff asserts this claim on behalf of the Nationwide Class. In the alternative, this claim is brought on behalf of the Nevada Subclass.

215. When Defendants sold or leased their Headphones, Defendants extended an implied warranty to Class members that the Headphones were merchantable.

216. Plaintiff and Class members who purchased the Headphones directly from Defendants, or its authorized retailers, are entitled to the benefit of their bargain: defect-free premium headphones.

217. Defendants breached this implied warranty in that the Headphones were not and are not of merchantable quality. Specifically, the Headphones are not fit for the ordinary purposes for which Headphones are used and do not conform to the promise or affirmations of fact made on their boxes.

218. Defendants were provided notice of these issues by numerous informal and formal complaints filed against it, including the instant Complaint and the various complaints detailed herein, and by numerous communications sent by Plaintiff and Class members.

219. Had Plaintiff and Class members known of the Defect at the time of sale or lease, Plaintiff and Class members would not have bought or leased the Headphones, or would have done so at a lower price.

220. As a direct and proximate result of Defendants' breach of the implied warranty of merchantability, Plaintiff and Class members have been damaged in an amount to be proven at trial.

**COUNT VI**  
**DECEIT AND FRAUDULENT CONCEALMENT**  
**(On Behalf of the Nationwide Class, or, in the alternative, the Nevada Subclass)**

221. Plaintiff incorporate by reference each allegation set forth in the preceding paragraphs as if fully set forth herein.

222. Plaintiff asserts this claim on behalf of the Nationwide Class. In the alternative, this claim is brought on behalf of the Nevada Subclass.

223. Defendants concealed and suppressed material facts concerning the quality of the Headphones and the hinges therein.

224. Defendants concealed and suppressed material facts concerning the Defect. Upon information and belief, the Defect is latent and lies in the internal mechanisms of the Headphones. Defendants knew that Plaintiff and Class members would not be able to inspect or otherwise detect the Defect prior to purchasing the Headphones. Defendants furthered and relied upon this lack of disclosure to promote further sales, all the while concealing the true nature of cause and Defect from Plaintiff and Class members.

225. Defendants concealed and suppressed material facts showing that the Headphones are defective and instead denied that the Defect exists.

226. Defendants did so in order to boost confidence in its Headphones and falsely assure purchasers that the Headphones were reliable, functional, capable of premium performance, and

suitable for professional use, and concealed the information in order to prevent harm to Defendants and its products' reputations in the marketplace and to prevent consumers from learning of the defective nature of the Headphones prior to their purchase or lease. These false representations and omissions were material to consumers, both because they concerned the quality of the Headphones and because the representations and omissions played a significant role in their decisions to purchase or lease the Headphones.

227. Defendants had a duty to disclose the Defect in the Headphones because: it was known and/or accessible only to Defendants; Defendants had superior knowledge and access to the facts; and Defendants knew the facts were not known to or reasonably discoverable by Plaintiff and Class members.

228. Defendants also had a duty to disclose because they made many general affirmative representations about the quality, warranty, and lack of defects in the Headphones as set forth above, which were misleading, deceptive, and/or incomplete without the disclosure of the additional facts set forth above regarding their actual quality, functionality, and reliability. Even when faced with complaints regarding the Defect, Defendants misled and concealed the true cause of the complained-of symptoms. As a result, Class members were misled as to the true condition of the Headphones once at the time of purchase and again when the Plaintiff complained of the Defect to Defendants. The omitted and concealed facts were material because they directly impact the value, appeal, and usability of the Headphones purchased by Plaintiff and Class members. Whether a manufacturer's products are as stated by the manufacturer, backed by the manufacturer, and usable for the purpose for which they were purchased are material concerns to a consumer.

229. Defendants actively concealed and/or suppressed these material facts, in whole or in part, to protect their reputation, sustain their marketing strategy, and avoid recalls that would

affect the brand's image and cost money, and it did so at the expense of Plaintiff and Class members.

230. On information and belief, Defendants have still not made full and adequate disclosure and continues to mislead Plaintiff and Class members and conceal material information regarding defects that exist in the Headphones.

231. Plaintiff and Class members were unaware of these omitted material facts and would not have acted as they did if they had known of the concealed or suppressed facts, in that they would not have purchased Headphones designed and manufactured by Defendants or chosen different models not known to possess the Defect. Plaintiff's and Class members' actions were justified. Defendants were in exclusive control of the material facts and such facts were not known to the public, Plaintiff, or Class members.

232. Because of the concealment and/or suppression of the facts, Plaintiff and Class members sustained damages because they paid value for the Headphones unaware of the Defect that Defendants failed to disclose, and they paid for warranty extensions, temporary repairs, and parts to attempt to remedy the Defect. Had they been aware of the concealed Defect that existed in the Headphones, Plaintiff and Class members would have paid less for their Headphones or would not have purchased them at all.

233. Accordingly, Defendants are liable to Plaintiff and Class members for damages in an amount to be proven at trial.

234. Defendants' acts were done maliciously, oppressively, deliberately, with intent to defraud, and in reckless disregard of Plaintiff's and Class members' rights and well-being to enrich Defendants. Defendants' conduct warrants an assessment of punitive damages in an amount sufficient to deter such conduct in the future, which amount is to be determined according to proof.

**COUNT VII**  
**UNJUST ENRICHMENT/RESTITUTION**  
**(On Behalf of the Nationwide Class, or, in the alternative, the Nevada Subclass)**

235. Plaintiff incorporates by reference each allegation set forth in the preceding paragraphs as if fully set forth herein.

236. Plaintiff asserts this claim on behalf of the Nationwide Class. In the alternative, this claim is brought on behalf of the Nevada Subclass.

237. Defendants have been unjustly enriched as a result of the conduct described in this Complaint, including by Plaintiff and Class members purchasing Headphones from Defendants and purchasing replacement parts and services from Defendants that Plaintiff and Class members would not have purchased but for Defendants' misconduct alleged above with respect to the Defect.

238. Plaintiff and Class members unknowingly conferred a benefit on Defendants of which Defendants had knowledge since Sony was aware of the defective nature of the Headphones and the resultant performance problems, yet failed to disclose this knowledge, and misled Plaintiff and Class members regarding the nature and quality of the Headphones while profiting from this deception.

239. Retention of these benefits by Sony would be unjust, inequitable, and against good conscience because Defendants received these benefits by engaging in a false, deceptive, and misleading scheme to market the Headphones as premium, portable, fully functional machines, and by engaging in the unlawful, unjust, and wrongful acts and practices described in this Complaint.

240. The circumstances are such that it would be inequitable, unconscionable, and against good conscience to permit Sony to retain the benefit of profits that it unfairly obtained from Plaintiff and Class members.

241. These profits include the premium price Plaintiff and the Class paid for the Headphones and the cost of the parts, services, and extended warranties bought from Defendants to temporarily alleviate the Defect.

242. The benefits, in whole or in part, that Defendants received were not legitimately earned and came at the expense of Plaintiff and Class members.

243. Defendants know that the above-described conduct is unjust, inequitable, and wrongful, but systematically engages in this scheme anyway in order to gain unfair advantages and reap unearned financial benefits.

244. Defendants are guilty of malice, oppression, and/or fraud through their willful and conscious disregard for the rights of Plaintiff and other Class members.

245. Plaintiff and the Class members are entitled to restitution and disgorgement of all amounts unjustly retained by Defendants, as well as other appropriate relief.

**COUNT VIII**  
**VIOLATIONS OF THE MAGNUSON-MOSS WARRANTY ACT,**  
**15 U.S.C. §§ 2301 *et seq.* (“MMWA”)**  
**(On Behalf of the Nationwide Class, or, in the alternative, the Nevada Subclass)**

246. Plaintiff and the Class incorporate by reference the allegations contained in the preceding paragraphs as if fully set forth herein.

247. Plaintiff asserts this claim on behalf of the Nationwide Class. In the alternative, this claim is brought on behalf of the Nevada Subclass.

248. Plaintiff and Class members are ‘consumers’ within the meaning of the MMWA. 15 U.S.C. § 2301(3).

249. The Headphones are “consumer products” within the meaning of the MMWA. 15 U.S.C. § 2301(1).



250. Sony is a “supplier” and “warrantor” within the meaning of the MMWA. 15 U.S.C. § 2301(4)-(5).

251. Defendant’s express warranties are written warranties within the meaning of Section 2301(6) of the MMWA. The Headphones’ implied warranties are accounted for under Section 2301(7) of the MMWA. Defendant cannot disclaim implied warranties under the MMWA because Defendant knowingly sold a defective product without informing consumers about the defects.

252. As set forth herein, Sony breached its warranties with Plaintiff and Class members. Additionally, 15 U.S.C. § 2304(d) provides in pertinent part:

[T]he warrantor may not assess the consumer for any costs the warrantor or his representatives incur in connection with the required remedy of a warranted consumer product. . . . [I]f any incidental expenses are incurred because the remedy is not made within a reasonable time or because the warrantor imposed an unreasonable duty upon the consumer as a condition of securing remedy, then the consumer shall be entitled to recover reasonable incidental expenses which are so incurred in any action against the warrantor. *Id.*

253. The Headphones share a common defect in that their swiveling hinges prematurely crack and fail at their poorly secured mounting points and eventually detach from the earcups and/or headband.

254. Despite notice by Plaintiff and the Class to Sony of the defective nature of the Headphones, Sony did not replace or repair the defective Headphones. Instead, the costs of the defective hinges were borne by consumers.

255. As a direct and proximate result of Defendants’ breach of implied and express warranties pursuant to 15 U.S.C. § 2310(d)(1), Plaintiff and Class members have suffered damages in an amount to be proven at trial.

256. Plaintiff and Class members would suffer economic hardship if they returned their Headphones but did not receive the return of all payments made by them. Defendants have

routinely refused to remedy the Defect or repair damaged Headphones without charge within or outside the limited warranty period.

257. The amount in controversy for Plaintiff's and Class members' individual claims meets or exceeds the sum of \$25. The total amount in controversy of this action in sum exceeds \$50,000, exclusive of interest and costs, computed on the basis of all claims to be determined in this lawsuit.

258. Plaintiff and Class members are entitled to recover damages as a result of Defendants' breach of warranties.

259. Plaintiff and Class members are also entitled to seek costs and expenses, including attorneys' fees, under the MMWA. 15 U.S.C. § 2310(d)(2).

### **JURY DEMAND**

Plaintiff hereby demands a trial by jury on all issues so triable.

### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays for a judgment against Defendants as follows:

- A. For an order certifying the proposed class and subclasses and appointing Plaintiff and his counsel to represent the class and subclasses;
- B. For an order awarding Plaintiff and Class members actual, statutory, punitive, and/or any other form of damages provided by and pursuant to the statutes cited above;
- C. For an order awarding Plaintiff and Class members restitution, disgorgement, and/or other equitable relief provided by and pursuant to the statutes cited above or as the Court deems proper;

- D. For an order awarding Plaintiff and the Class members pre-judgment and post-judgment interest;
- E. For an order awarding Plaintiff and Class members treble damages, other enhanced damages and attorneys' fees as provided for under the statutes cited above and related statutes;
- F. For an order awarding Plaintiff and the Class members reasonable attorneys' fees and costs of suit, including expert witness fees;
- G. For an order awarding such other and further relief as this Court may deem just and proper.

Dated: November 20, 2025

Respectfully submitted,

By: /s/ Nicholas A. Migliaccio

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