ABUSE OF DISCRETION
Option to accelerate at will, 1-309:1 [Rev]

ACCELERATION
Generally, 2A-501:3, 2A-501:4
Clauses
generally, 9-601:3 [Rev]
defenses, 9-501:3
negotiable instruments, 3-108:6 [Rev]
Clauses, at will option, leases, 2A-109, 2A-109:1
Debts, notices, 9-501:4
Defaults, 9-601:3 [Rev]
Estoppel, 9-601:3 [Rev]
Insecurity clauses, 9-501:4, 9-601:4 [Rev]
Negotiable instruments, 3-108:6 [Rev]
Option to Accelerate at Will, this index

ACCEPTANCE
Acceptance for honor, 3-410:4
Acceptors
contract, 3-413:1, 3-413:1 [Rev], 3-413:3
discharge, 3-502:5
Cape Town Convention, ICC 9:134
Cashier’s check, accepted draft, 3-410:2
Certification, 3-409 [Rev], 3-409:1 [Rev], 3-409:4 [Rev], 3-409:5 [Rev],

ACCEPTANCE—Cont’d
3-410:1, 3-411:1
CISG, ICC 10:31, ICC 10:33
Collateral, 3-401:6, 3-410:2
Constructive, 3-410:2
Contract of acceptor, 3-413:1, 3-413:1 [Rev], 3-413:3
Contracts
generally. Contracts, this index copies and breach of, UCITA 704:1, UCITA 707:1
Course of performance, course of dealing, and usage of trade, 1-303 [Rev]
Date, 3-503:5
Defined, 3-410:1
Discharge, 3-502:5
Dishonor
generally, 3-507:1
presentment
generally, 3-507:2
duly made, 3-507:3
excused, 3-507:5
refusal to accept, 3-507:4
variance, 3-507:4
Documentary drafts, 3-511:11
Drafts
conversion, 3-409:2 [Rev]
dishonor, 3-409:2 [Rev], 3-409:3 [Rev], 3-410:4
nonacceptance, 3-511:13
variance, 3-412:1
discharge, 3-412:3
dishonor, 3-412:2
essential terms, 3-412:4
ACCEPTANCE—Cont’d
Drafts—Cont’d
variance, 3-412:1—Cont’d
payable as originally drawn, 3-412:6
place of payment, 3-410:1 [Rev] et seq., 3-412:5
Drawees, 3-409:2 [Rev], 3-410:1
Drawer, discharge, 3-414:3 [Rev]
Effect, 3-409:1 [Rev]
Finality, 3-418:1, 3-418:5
Funds transfers
generally, 4A-209, 4A-209:1, 4A-209:2
duty of receiving bank regarding unaccepted payment order, 4A-212:1 et seq.
effective time, 4A-209:3
liability of receiving bank for unaccepted payment order, 4A-212, 4A-212:1 et seq.
notice to beneficiary, 4A-404:4
obligations of receiving bank, 4A-302:1
premature acceptance, 4A-209:4, 4A-209:5
Good faith, change of position,
3-418:5 [Rev]
Incomplete instruments, 3-409:3 [Rev], 3-410:3
Mistakes
protected party, 3-418:5 [Rev], 3-418:6 [Rev]
revocation, 3-418:1 [Rev] to 3-418:5 [Rev]
Model Tribal Secured Transactions Act, this index
Oral, 3-410:2
Performance, this index
Presentments
due date shown, 3-503:5
duly made, 3-507:3
excused, 3-507:5
fixed period after sight, 3-503:4
multiple parties, 3-504:11

ACCEPTANCE—Cont’d
Presentments—Cont’d
necessary, 3-507:2
optional, 3-501:6, 3-507:2
payable at definite time, 3-503:3
place, 3-504:5, 3-504:6
representment, 3-507:6
required, 3-501:5
telephone, 3-504:7
Protests, 3-509:3
Representment, 3-507:6
Requirements
generally, 3-409:2 [Rev], 3-410:2
on instrument, 3-409:2 [Rev]
notification, 3-409:2 [Rev]
signed, 3-409:2 [Rev]
writing, 3-409:2 [Rev]
Revocation of Rights, this index
Revocation, mistake, 3-418:1 [Rev] to 3-418:5 [Rev]
Time, 2A-206:4, 3-506:1 et seq.
Uniform Computer Information Transactions Act, this index
Variance of draft
accepting, 3-410:3 [Rev]
dishonor, 3-410:2 [Rev]
esential terms, 3-410:4 [Rev]
payable as originally drawn, 3-410:6 [Rev], 3-413:1 [Rev]
place of payment, 3-410:1 [Rev], 3-410:5 [Rev]
Variance of terms
generally, 3-412:1, 3-412:3, 3-412:4
dishonor, 3-412:2
payable as originally drawn, 3-412:6
place of payment, 3-412:5
refusal to accept variance, 3-412:2
Virtual, 3-401:6, 3-410:2

Master Index-2
ACCEPTANCE OF GOODS

Generally, 2A-515, 2A-515:1
Actions constituting
generally, 2A-515:3 et seq.
default by lessor, 2A-515:3,
2A-515:5
failure to reject, 2A-515:4
part of commercial unit,
2A-515:6
Acts inconsistent with seller’s
ownership, 2-606:4
Burden of proof, 2A-516:11
Consequences
generally, 2A-516:1, 2-606:1,
2-607:1
Convention on International
Sales of Goods, 2-607:2,
2-607:3
effect of acceptance, 2-607:2
price on contract terms due,
2-607:2
rejection, 2-607:3
remedies, 2-607:3
rent on contract terms,
2A-516:2
Consequential damages, 2A-519:7
Convention on International Sale
of Goods, 2-606:1
Damages for breach
generally, 2A-519
consequential, 2A-519:7
nonwarranties, 2A-519:3,
2A-519:5
warranties, 2A-519:4
Default by lessor, 2A-515:3,
2A-515:5
Definition, 2A-515, 2A-515:1,
2-606:1
Failure to reject, 2A-515:4,
2-606:3
Importance, 2A-515:2
Incidental damages, 2A-519:7
Liability for rent, 2A-516:2
Nonconforming, notice to seller,
2-607:3, 2-607:4

ACCEPTANCE OF GOODS
—Cont’d
Nonwarranty damages, 2A-519:3,
2A-519:5
Part of commercial unit,
2A-515:6, 2-606:1
Repair and replacement, 2A-519:6
Revocation, 2A-517, 2A-517:1 et
seq.
Subsequent breach, burden of
proof, 2-607:5
Warranty damages, 2A-519:4
Words or conduct signifying,
2-606:2

ACCESS AND ON-LINE
CONTRACTS

Conspicuous terms, UCITA
102:42
Control of access after breach,
UCITA 814:1
Definitions, UCITA 102:9 to
102:11, UCITA 611:1
Framework and goals of act,
UCITA 103:5
Performance, this index
Remedies, limitation of liability,
UCITA 803:10
Uniform Computer Information
Transactions Act, this index

ACCESSIONS

After-acquired property, 9-204:3
Attachment, 9-204:3
Cape Town Convention, ICC
9:101, ICC 9:134
Certificate of title, 9-335:3 [Rev]
Defined, 9-335:1 [Rev]
Definition, 2A-310, 2A-310:1,
9-204:3, 9-314:1
General rules, 2A-310:2
International Commercial Conven-
tions, this index
Leases, 2A-310:1 et seq.
Priorities, 9-314:2, 9-335:2 [Rev],
9-335:3 [Rev]
ACCESSIONS—Cont’d
Problems, 2A-310:3, 9-314:3
Removability after affixation, effect, 9-335:1 [Rev]
Removal
generally, 9-314:1
reimbursement, 9-335:3 [Rev]
Rules
generally, 9-314:2
agreement between parties, effect, 9-335:1 [Rev]
general rules, 9-335:2 [Rev]
priorities, 9-335:2 [Rev], 9-335:3 [Rev]

ACCIDENT
Documents of title, title and rights, 7-502:1 [Rev]

ACCOMMODATION
See also Parties to Instruments
Accommodated party
obligation to accommodation party, 3-415:13
rights against accommodation party, 3-415:12, 3-419:12 [Rev]
Accommodation party burden of proof, 3-415:3
oral evidence, 3-415:4
parol evidence, 3-415:4, 3-419:3 [Rev]
defenses
generally, 3-415:6
accommodated party, 3-415:11, 3-419:11 [Rev]
failure of condition precedent, 3-415:8, 3-419:8 [Rev]
fraud, 3-415:9
lack of consideration, 3-415:6, 3-419:7 [Rev]
real defenses, 3-415:10, 3-419:10 [Rev]
contract, 3-415:1, 3-419:1 [Rev]
Defenses
accommodated party, 3-415:11, 3-419:11 [Rev]
failure of condition precedent, 3-415:8, 3-419:8 [Rev]
fraud, 3-415:9
lack of consideration, 3-415:6, 3-419:7 [Rev]
negotiable instruments, 3-304:8
real, 3-415:10, 3-419:10 [Rev]
special agreement with creditor, 3-305:11 [Rev], 3-415:9, 3-419:6 [Rev], 3-419:9 [Rev]
definition, 3-415:2, 3-419:2 [Rev]
discharge, 3-605:1 [Rev] et seq.
liability, 3-415:5, 3-419:5 [Rev]
obligation of accommodated party, 3-415:13
proof of status
generally, 3-415:3
oral evidence, 3-415:4
parol evidence, 3-415:4, 3-419:3 [Rev]
right of recourse, 3-415:13
rights against accommodated party, 3-419:13 [Rev]
rights of accommodated party, 3-415:12
Burden of proof
generally, 3-415:3
oral evidence, 3-415:4
parol evidence, 3-415:4, 3-419:3 [Rev]
Contract, 3-415:1, 3-419:1 [Rev]
Discharge, impairment of recourse or collateral, 3-605 [Rev],
ACCOUNT DEBTORS—Cont’d
Discharge by payment to assignor, timing, 9-406:1 [Rev]
General intangibles, 9-105:2
Liability, 9-318:1
Notices of assignment, 9-404:1 [Rev]
Payments to secured parties, 9-502:2
Secured party assignees, duty on assignor debtors’ demand, 9-209:1 [Rev]
ACCOUNTS AND ACCOUNTING
See also Deposit Accounts
Assignments, perfection of security interests, 9-302:10
Assignments, restrictions, ineffectiveness, 9-406:2 [Rev]
Collateral, 9-103:9, 9-208:1
Contract rights distinguished, 9-106:2
Defined, 9-102:3 [Rev]
Definition, 9-106:1, 9-318:2
Financers’ priorities and rights, returned and repossessed goods, 9-306:9
Location, 9-103:9
Nonfinancing, excluded transactions, 9-104:7
Purchasers, priorities, 9-301:7
Sales, Article 9 transactions, 9-101:1
Surpluses, 9-502:4
Transferees’ priorities and rights, returned and repossessed goods, 9-306:9
ACCURACY
Third parties, prima facie evidence, 1-307:3 [Rev]
ACH TRANSFERS
ACH network, NONUCCPY 2:23, NONUCCPY 2:26

© 2018 Thomson Reuters, 12/2018
ACH TRANSFERS—Cont’d
Disclosure and evidence of transfers
generally, NONUCCPY 3:32 et seq.
International ACH Transfers (IATs) under
NACHA’s Rules, NONUCCPY 3:35
litigation involving
NACHA’s Rules, NONUCCPY 3:36
originator and receiver,
disclosure, NONUCCPY 3:33
other disclosure and evidentiary
requirements, NONUCCPY 3:34
statutes and rules, NONUCCPY 3:32
Enforcement
agreements between participating parties; applicable
rules, NONUCCPY 7:27
statutes and rules, NONUCCPY 7:26
Error prevention and resolution
generally, NONUCCPY 5:8 to 5:11
error prevention, NONUCCPY 5:10
error resolution, NONUCCPY 5:11
statutes and rules, NONUCCPY 5:8
Historical background,
NONUCCPY 1:24
International ACH Transfers (IATs) under NACHA’s Rules, NONUCCPY 3:35
NACHA operating rules and guidelines for, NONUCCPY 1:24
Originator, defined, NONUCCPY 2:24

ACH TRANSFERS—Cont’d
Other parties involved, defined, NONUCCPY 2:25
Regulation of charges, agreements and practices
agreement and practices, NONUCCPY 6:43
charges, NONUCCPY 6:42
statutes and rules, NONUCCPY 6:41
Statutes and rules
coverage, generally, NONUCCPY 2:21
disclosure and evidence of transfers, NONUCCPY 3:32
enforcement, NONUCCPY 7:26
error prevention and resolution, NONUCCPY 5:8
regulation of charges, agreements and practices,
NONUCCPY 6:41
unauthorized transfers, NONUCCPY 4:14
Unauthorized transfers
generally, NONUCCPY 4:14 to 4:17
allocation of loss, NONUCCPY 4:17
prevention of unauthorized use, NONUCCPY 4:16
statutes and rules, NONUCCPY 4:14
Words and phrases
generally, NONUCCPY 2:22 to 2:26
ACH network, NONUCCPY 2:23, NONUCCPY 2:26
originator, NONUCCPY 2:24
other parties involved, NONUCCPY 2:25

ACKNOWLEDGMENTS
Generally, UETA 11, UETA 11:1
See also Delivery; Warehousemen

Master Index-6
ACKNOWLEDGMENTS—Cont’d
Warehouseman’s lien, 7-209:5

ACTIONS
See also Causes of Action
Bills of lading
provisions, 7-309:5 [Rev]
through bills, 7-302:3 [Rev]
Certificated securities, 8-114:1 [Rev], 8-114:2 [Rev]
Choice of forum, 7-309:5
Commencement
generally, 7-204:5
bills of lading provisions, 7-309:5
tariff provisions, 7-309:5
Commercial transactions
burden of persuasion when at issue, 9-626:3 [Rev]
burden of raising issue, 9-626:2 [Rev]
deficiency claim, loss of, 9-628:4 [Rev]
effect of noncompliance, 9-626:4 [Rev]
limitation of liability, 9-628:1 [Rev]
limit on liability for failure to send explanation, 9-628:6 [Rev]
limit on statutory damages, 9-628:7 [Rev]
persons who file against unknown debtor, 9-628:3 [Rev]
reasonable belief of absence of consumer aspect in transaction, 9-628:5 [Rev]
special rule when disposition is to related party, 9-626:5 [Rev]
unknown debtor or secondary obligor, 9-628:2 [Rev]
Consumer transactions, nonapplicability of 9-626 rules, 9-626:6 [Rev]

ACTIONS—Cont’d
Default by lessee, actions for rent, 2A-529:1
Deficiency of surplus, determination, generally, 9-626 [Rev], 9-626:1 [Rev]
Definition, 1-201 [Rev], 1-305:5 [Rev], 9-503:4
Interpleader, 7-603:1
Price
1977 amendments, 8-107:5
sellers’ rights, 8-107:3
Return of property, 9-503:4
Securities, 8-105:2
Warehouse receipts, provisions, 7-204:5 [Rev]

ACTS OF GOD
Bills of lading, 7-309:2 [Rev]
Carriers, 7-309:2

ACTUAL KNOWLEDGE
Definition, 1-202 [Rev]

ADDITIONAL CONTRACT TERMS
Course of performance, course of dealing, and usage of trade, 1-303:2 [Rev]

ADDRESSES
See Financing Statements

ADEQUATE ASSURANCES OF PERFORMANCE
Generally, 2A-401, 2A-401:1
Breach of contract, UCITA 708
Grounds for insecurity, 2A-401:2
Mechanics for giving assurances, 2A-401:5
Standard, 2A-401:3

ADMINISTRATION
Model Tribal Secured Transactions Act, this index

© 2018 Thomson Reuters, 12/2018

Master Index-7
ADMISSIBILITY OF EVIDENCE
Third parties, prima facie evidence, 1-307:1 [Rev]

ADMISSIONS
Statute of frauds, 2A-201:7

ADVANCES
See Future Advances
Model Tribal Secured Transactions Act, RMTSTA 9-203:1
Warehouse receipts, statement, 7-202:1 [Rev]

ADVERSE CLAIMS
Collusion, 8-115:1 [Rev]
Conflicting claims, 7-603:1 [Rev]
Definition, 8-102:8 [Rev], 8-301:5, 8-302:5, 8-303:3 [Rev], 8-403:1
Duty to inquire generally, 8-105:3 [Rev], 8-403:5
discharging, methods, 8-403:4
issuers, 8-401:5 [Rev], 8-403:1
1977 amendments, 8-403:6
Liability
agents, 8-115:1 [Rev]
bailies, 8-115:1 [Rev]
brokers, 8-115:1 [Rev]
Notices
generally, 8-105:1 [Rev], 8-304:1, 8-304:2, 8-502:3 [Rev], 8-502:4 [Rev]
bona fide purchasers, 8-302:5
default in payment constituting, 8-105:5 [Rev]
default in payments constituting, 8-305:1
existence of fiduciary relationship, 8-304:3
factors, 8-105:1 [Rev], 8-403:2
forms, 8-403:2, 8-403:3
issuers’ liability, 8-404:6 [Rev]

ADVERSE CLAIMS—Cont’d
Notices—Cont’d
maturity of security constituting, 8-105:5 [Rev], 8-305:1
New York rule, 8-105:2 [Rev], 8-304:4
1977 amendments, 8-304:5
prior holders’ limitation of rights, 8-301:4
protected purchaser, 8-303:4 [Rev], 8-303:5 [Rev]
security indorsed for purpose other than transfer, 8-105:6
staleness
constituting, 8-305:1, 8-305:2
1977 amendments, 8-305:3
staleness, constituting, 8-105:5 [Rev]
subsequent to delivery, 8-313:6
willful blindness test, 8-105:2
writing, 8-403:2
Protected purchasers, 8-510:3 [Rev]
Protection, control, 8-105:6 [Rev]
Rules, 8-503:11 [Rev]
Securities intermediaries, liability, 8-115:1 [Rev]
Security entitlements
nature of claims, 8-502:5 [Rev]
persons protected, 8-502:1 [Rev]
Transfer of security by representative, 8-105:4 [Rev]
True owner, notice, 8-115:1 [Rev]
Unauthorized indorsements, 8-311:2, 8-311:3
Value, 8-502:2 [Rev]

ADVERTISEMENTS
Collateral, disposition, 9-504:5
ADVERTISEMENTS—Cont’d
Sale of goods
carrier’s liens, enforcement, 7-308:2
stored, 7-206:2
warehouseman’s liens, enforcement, 7-210:3
Termination of storage, 7-206:2
Warehouseman’s lien, sales to enforce, 7-210:3 [Rev]

AFTER-ACQUIRED PROPERTY
Generally, 9-204 [Rev]
Accessions, 9-204:3
Accounts, 9-204:1 [Rev]
Bankruptcy Code provisions, 9-108:3
Bankruptcy Code Provisions, 9-204:4 [Rev]
Clauses
amendments to Code, 9-204:2
Bankruptcy Code
section 547, 9-204:4 [Rev]
Section 547, 9-204:4
section 552, 9-204:4 [Rev]
Section 552, 9-204:4
benefits, 9-204:1
effective date, 9-204:3
effectiveness, 9-108:3
exceptions, 9-204:3 [Rev]
limitations, 9-204:1, 9-204:3
provisions, 9-204:1
termination, 9-204:4
Commercial tort claims, 9-204:3 [Rev]
Consumer goods, 9-204:3
Crops, 9-204:3, 9-204:3 [Rev]
Debtors’ rights, 9-203:12,
9-203:12 [Rev]
Description, 9-110:6, 9-203:10,
9-203:10 [Rev]
Inventory, 9-204:1 [Rev]
Transfers, 9-108:3, 9-204:4

AGENCY—Cont’d
Authority to sign, 3-401:2
Authorized, 3-403:1
Capacity, signatures, 3-401:4
[Rev], 3-402:1 [Rev],
3-402:2 [Rev], 3-403:4 [Rev]
Checks, authority to sign, 4-401:2
Collecting bank status, 4-201
[Rev], 4-201:1, 4-201:3
[Rev], 4-201:4 [Rev]
Conflicts of interest, documentary
draft collections, 4-503:1
Conversion, 3-419:5
Death, 4-405:1
Depositary bank status
changes, 4-213:8
collection process, 4-201:1
[Rev], 4-201:2, 4-201:3
[Rev]
Documentary drafts, collecting
bank’s position, 4-503:1
Forgery by employees, 4-406:4
Funds transfers, 4A-212:4
Holder status of bank
distinguished, 4-201:3
Indorsements missing, supply by
bank, 4-205:4
Instructions of principals to col-
lecting banks, 4-203:1
Instrument, 3-110:7 [Rev]
Liability
capacity shown on instrument,
3-403:5
exculpatory agreement, 3-403:3
principal named on instrument,
3-403:6
signature, 3-403:1, 3-403:2,
3-403:7
subsequent transfeerees, 3-403:4
Notice of dishonor, 3-508:2
Presumptions
collection process, 4-201:2
rebuttal, 4-201:4
Principal
liability, 3-403:1
AGENCY—Cont’d
Principal—Cont’d
named on instrument, 3-403:6
Rebuttal of status, 4-201:4
Rescission, agent exceeding authority, 3-202:4 [Rev]
Signatures
agent’s liability
generally, 3-403:2
agent’s name only, 3-403:7
capacity shown on instrument, 3-403:5
exculpatory agreements, 3-403:3
representative capacity shown on instrument, 3-403:6
subsequent transferees, 3-403:4
capacity of party, 3-402:1
principal’s liability, 3-403:1
proof of authority, 3-403:1
Statement review, co-account holder, 4-406:2 [Rev]
Termination of status, 4-212:5
Unauthorized signatures, 3-401:2, 4-407:3 [Rev]
Unnamed principal, 3-401:3
Variation, assent, 4-103:3 [Rev]

AGENTS—Cont’d
Negotiable instruments
generally, 3-117:2
authority to sign, 3-401:2, 3-401:3
capacity of party signing instrument, 3-402:1
indorsements, authority, 3-202:4, 3-202:4 [Rev]
liability, 3-403:4 [Rev]
otice of dishonor, 3-508:2
signatures
authority, 3-402:1 [Rev]
capacity, 3-401:4 [Rev], 3-402:1 [Rev], 3-402:2 [Rev]
liability, 3-402:2 [Rev], 3-403:2 et seq.
unauthorized signatures, 3-401:2
Notice of dishonor, 3-508:2
Power of attorney, 8-402:3
Protection, 8-318:1, 8-318:5
Registrars, this index
Signatures
negotiable instruments
authority, 3-402:1 [Rev]
capacity, 3-401:4 [Rev], 3-402:1 [Rev], 3-402:2 [Rev], 3-403:4 [Rev]
liability, 3-402:2 [Rev], 3-403:4 [Rev]
proof of authority, 8-402:3
warehouse receipts, 7-202:1 [Rev]
Transfer Agents, this index

AGGREGATE SUM OF FRACTIONAL SHARES
Cape Town Convention, ICC 9:99

AGGRIEVED PARTY
Definition, 1-201 [Rev], 1-305:5 [Rev], 1-306:1 [Rev]
ALTERATION OF INSTRUMENTS—Cont’d

Discharge generally, 3-407:2
change of party’s contract, 3-407:5
fraudulent intent, 3-407:7
material alteration, 3-407:6
parties eligible, 3-407:5
requirements, 3-407:3, 3-407:3 [Rev]

Discovery, 4-406:1 [Rev] to
4-406:8 [Rev], 4-406:3, 4-406:6

Effect, 3-407:2 [Rev]
Enforcement of instrument to orig-inal tenor, 3-407:2
Estoppel, 3-407:1, 3-407:2 [Rev]
Fraudulent intent, 3-407:7
Holders, 3-407:2, 3-407:4
Improper, 8-206:2
Incomplete instruments
acceptance, 3-409:3 [Rev]
acceptor’s liability, 3-413:3
discharge, 3-407:4 [Rev]
holders in due course, enforce-ment, 3-407:8
maker’s liability, 3-413:2
nonessential terms, completion,
3-115:6
unauthorized completion,
3-407:4 [Rev], 3-407:8
Maker’s liability, 3-413:2
Manner, 3-407:6
Material
generally, 3-407:6, 4-207:8,
4-207:15, 4-406:6
charges against customers’
accounts, 4-401:3
incomplete instruments,
3-407:8
Negligence
generally
preclusion, 3-406:2
defined, 3-406:6

ALTERATION OF INSTRUMENTS—Cont’d

Negligence—Cont’d

Failure to report alteration,
3-406:14
liability, 3-407:1
preclusion
drawee or other payor,
3-406:3
holders in due course,
3-406:4, 3-406:5
purchasers of instruments
with forged indorse-ments, 3-406:5
proximate cause, 3-406:7
reasonable care, 3-406:8
substantial contribution defined,
3-406:1 [Rev] et seq.,
3-406:7
New Payments Code provisions,
4-406:10
1977 amendments, 8-206:3
Preclusion, 3-407:1 [Rev],
4-406:5 [Rev], 4-406:6,
4-406:7 [Rev]
Presentment warranties, 3-417:9
[Rev], 3-417:12 [Rev],
4-207:8
Prevention, reasonable care,
3-406:8 [Rev]
Ratification, 3-407:1, 3-407:1 [Rev]
Strikeovers, 4-406:7
Subsequent to completion,
8-206:2
Transferees, 3-407:2
Unauthorized completion
generally, 3-115:5
acceptor’s liability, 3-413:3
maker’s liability, 3-413:2
Warehouse receipts, 7-208:1,
7-208:1 [Rev]
Warranties
generally, 4-207:8, 4-207:15
lack, 4-208:12 [Rev]
ALTERATION OF INSTRUMENTS—Cont’d
Warranties—Cont’d
presentment, 3-417:8
transfers, 3-416:6 [Rev], 3-417:15, 4-207:15

ALTERATIONS
See Alteration of Instruments, this index

ALTERNATIVE MEDIUM
Reissuance of document of title, 7-105:1 [Rev]

AMBIGUOUS OFFERS
Offer and acceptance, 2A-206:2

AMENDMENTS
Generally, 9-101:4 [Rev]
See also 1977 Amendments
Authorization by less than all secured parties, 9-510:4 [Rev]
Certificate of title laws, 2A-105:3
Construction and interpretation, 1-103 [Rev], 1-103:5 [Rev]
Continuation statements distinguished, 9-403:3
Cover, 2A-518:3
Effective dates, 11-101:1
adding collateral, 9-509:1 [Rev]
adding debtor, 9-509:1 [Rev]
amendments of 2010, 9-512:5 [Rev]
effective date, 9-512:3 [Rev]
expiration, 9-512:3 [Rev]
ineffective amendments, 9-512:4 [Rev]
not adding collateral or debtor, 9-509:4 [Rev]
post-effective date, 9-707:2 [Rev]

AMENDMENTS—Cont’d
Financing statements—Cont’d
pre-effective date, 9-707:1 [Rev]
required procedure, 9-707:1 [Rev]
History of code, 1-101:1 [Rev]
Post-effective date financing statements, 9-707:2 [Rev]
Pre-effective date financing statements, 9-707:1 [Rev]
Presumptively declaratory, 11-108:1
Reinstatement of collateral, 9-406:1
Related laws, 2A-104:4
Safe harbor forms, 9-521:3 [Rev]
Summary of amendments
alienability of interests, 2003 amendments, 2A-303:7
casualty to identified goods, 2003 amendments, 2A-221:8
exclusion or modification, warranties, 2003 amendments, 2A-214:12
firm offers, 2003 amendments, 2A-205:13
interference and infringement, warranties against, 2003 and 2005 amendments, 2A-211:10
lease formation, 2003 amendments, 2A-204:5
merchantability warranties, 2003 amendments, 2A-212:16
risk of loss, 2003, 2A-219:7
risk of loss, default, 2003, 2A-220:6
seals, 2003 amendments, 2A-203:3
statute of frauds, 2003 amendments, 2A-201:12
AMENDMENTS—Cont’d
Summary of amendments
—Cont’d
2003 and 2005 amendments, 2A-103:10
warranties
  exclusion or modification, 2003 amendments, 2A-214:12
  against interference and infringement, 2003 and 2005 amendments, 2A-211:10
merchantability, 2003 amendments, 2A-212:16
Territorial applicability and general rules, variation by agreement, 1-302:1 [Rev]
Text and comment amendments
acceleration clauses, 2A-109:3
applicable law and judicial form, selection, 2A-106:2
casualty to identified goods, 2A-221:7
certificate of title, coverage under, 2A-105:2
choice of law, 2A-106:2
course of performance, 2A-207:4
definitions, 2A-103:9
express warranties, 2A-210:12
firm offers, 2A-205:12
forum limitation, 2A-106:2
identification of goods, 2A-217:3
insurance and proceeds, 2003, 2A-218:2
lease formation, 2A-204:4
leases subject to other law, 2A-104:3
lessee under finance lease as beneficiary of supply contract, 2A-209:4
modifications, 2A-208:8
offer and acceptance, 2A-206:5

AMENDMENTS—Cont’d
Text and comment amendments
—Cont’d
parol evidence, 2A-202:5
rescission, 2A-208:8
risk of loss, 2A-219:6, 2A-220:5
scope, 2A-102:4
seals, 2A-203:2
short title, 2A-101:3
statute of frauds, 2A-201:11
territorial application, 2A-105:2
unconscionability, 2A-108:8
waiver, 2A-208:8
waiver or renunciation of claim or right after default, 2A-107:6
warranties
  conflict, 2A-215:2
cumulation, 2A-215:2
disclaimers, 2A-216:7
exclusion or modification, 2A-214:11
  fitness for particular purpose, 2A-213:6
  interference and infringement, 2A-211:9
  limitations, 2A-216:7
  merchantability, 2A-212:15
2003 amendments
acceleration clauses, 2A-109:4
acceptance of goods, 2A-515:8, 2A-516:16
accessions, 2A-310:5
actions against third parties, 2A-531:4
actions for rent, 2A-529:4
anticipatory repudiation, 2A-402:6
assurance of performance, 2A-401:7
choice of law, 2A-106:3
cure of improper tender or delivery, 2A-513:10
damages for default, 2A-528:7

Master Index-14

UNIFORM COMMERCIAL SERIES
AMENDMENTS—Cont’d

2003 amendments—Cont’d
disposal of goods, lessor’s rights, 2A-527:7
enforceability, 2003 and 2005 amendments, 2A-301:3
excused performance, 2A-405:21, 2A-406:5
fixtures, 2A-309:9
forum limitation, 2A-106:3
incidental damages, 2A-530:4
insolvency of lessor, 2A-522:9
installment lease contracts, 2A-510:8
lessees, rightfully rejected goods, 2A-512:4
Lessee’s remedies, 2A-508:8
liquidated damages, 2A-504:7
merchant, rightfully rejected goods, 2A-511:5
renunciation of claim or right after default, 2A-107:7
replevin, 2A-521:6
retraction of anticipatory repudiation, 2A-403:2
specific performance, 2A-521:6
statute of limitations, 2A-506:7
stoppage in transit, 2A-526:11
subleases, discussion, summary, 2A-305:4
subsequent leases, discussion, 2A-304:8
substituted performance, 2A-404:7
unconscionability, 2A-108:9
waivers, 2A-107:7
Amendments of 2002
breach of contract, UCITA 701 et seq.
comparison, official text and comments, UCITA 102:2
construction, UCITA 301 et seq.

AMENDMENTS—Cont’d

2003 and 2005 amendments—Cont’d
cancellation and termination, 2A-505:4
default, 2A-501:12
incidental and consequential damages of lessee, 2A-520:12

© 2018 Thomson Reuters, 12/2018
AMENDMENTS—Cont’d
2003 and 2005 amendments
—Cont’d
irrevocable promises, 2A-407:4
market value, 2A-507:4
notice after default, 2A-502:2
rejection of goods, 2A-509:12
remedies of lessor, 2A-523:5
revocation of acceptance of
goods, 2A-517:17
rights and remedies, modification,
2A-503:10
waiver of lessee’s objections to
goods, 2A-514:6
UCC Article 2A, 2A-101:2 et
seq., 2A-602
Uniform forms, 9-521:3 [Rev]

AMERICAN LAW INSTITUTE
(ALI)
History of Code, 1-101:1 [Rev]

AMOUNT IN CONTROVERSY
ECCHO Electronic Check Presentment, this index

ANALOGY
Construction and interpretation,
1-103:6 [Rev], 1-103:11
[Rev]

ANCILLARY SERVICES
AGREEMENT
Remedies, contractual modification of remedy, UCITA 803:9

ANTECEDENT DEBTS
After-acquired collateral, security interest, 9-108:1 et seq.
Consideration, 3-303:6, 3-303:7
[Rev], 3-408:4
Definition, 9-301:6

ANTICIPATORY REPUDIATION
Generally, 2A-402, 2A-402:1 et
seq.
See also Repudiation
CISG, ICC 10:56

ANTICIPATORY REPUDIATION
—Cont’d
Conduct by promisor, 2A-402:3
Impossibility of future performance, 2A-402:3
Market rent, time and place factors, 2A-528:2
Negotiable instruments, 3-118:6
[Rev]
Remedies, 2A-402:4, 2-610:2
Requisites, 2A-402:2
Retraction, 2A-403, 2A-403:1,
2-611:1

Sales
generally, 2-610:1
Convention on International
Sale of Goods, 2-610:1
remedies, 2-610:2
retraction, 2-611:1

ANTITRUST
Intellectual property and competi-
tion law, UCITA 105:9

ANTI-UCITA STATUTES
Generally, UCITA 103:28 to
103:31
Commerce clause, violation of,
UCITA 103:30
Contract clause, violation of,
UCITA 103:29
Due process and scope of author-
ity, UCITA 103:31
History and development of
statutes, UCITA 103:28
Uniform Computer Information
Transactions Act, this index

“APPARENT GOOD ORDER”
Bills of lading, 7-309:4 [Rev]
Carrier’s liability, 7-309:4

APPLICABILITY
Article 1, 1-102:1 [Rev]

APPROPRIATE RELATIONSHIP
Territorial applicability and gen-
eral rules, 1-301:3 [Rev]
### APPROVAL OR CONSENT
- Cape Town Convention, ICC 9:74, ICC 9:134
- Model Tribal Secured Transactions Act, RMTSTA 9-609:2

### ARBITRATION
- Bills of lading, 7-309:5, 7-309:5 [Rev]
- Letters of credit, 5-103:16 [Rev], 5-116:15 [Rev]
- Unconscionability of arbitration clauses, UCITA 111:2, UCITA 111:3

### ARREST OF OBJECT
- Cape Town Convention, ICC 9:123

### ARTICLE 1
- CISG, ICC 10:10
- ARTICLE 1(1)(a)
- CISG, ICC 10:11
- ARTICLE 1(1)(b)
- CISG, ICC 10:12

### ARTICLE 2

### ARTICLE 3
- Negotiable instruments, holder in due course rights, priorities, 9-331:1 [Rev]

### ARTICLE 4
- Security interests arising under, 9-203:2 [Rev]

### ARTICLE 5
- Security interests arising under, 9-203:2 [Rev]

### ARTICLE 7
- Negotiable document of title, duly negotiated, priorities, 9-331:1 [Rev]

### ARTICLE 8
- Protected securities purchaser, priorities, 9-331:1 [Rev]

### ARTICLE 2A

### ARTICLE 1 OF UNITED NATIONS CONVENTION ON INTERNATIONAL SALE OF GOODS
- CISG, ICC 10:10

### ARTICLE 1(1)(a) OF UNITED NATIONS CONVENTION ON INTERNATIONAL SALE OF GOODS
- CISG, ICC 10:11

### ARTICLE 1(1)(b) OF UNITED NATIONS CONVENTION ON INTERNATIONAL SALE OF GOODS
- CISG, ICC 10:12

### ARTICLE 2 AND ARTICLE 9 PROVISIONS NOT CARRIED OVER
- Cross reference table showing reasons, App. 2A-A1

### ARTISAN’S LIENS
- Excluded transactions, 9-104:4
- Operation of law, 2A-306, 2A-306:1
- Priorities, 9-104:4, 9-310:1 possession as determinative, 9-310:2

### ASSENT
- Limitation of liability, 7-204:3

### ASSET-BASED FINANCING AND LEASING
- Cape Town Convention, this index

© 2018 Thomson Reuters, 12/2018
ASSET-BASED
INTERNATIONAL
REGISTRY
Cape Town Convention, this index
ASSIGNEES
See also Assignments
Claims, obligors’ against assignors consumer rules, 9-403:4 [Rev]
waiver, 9-403:1 [Rev]
Claims against, waiver, 9-206:2
Defenses
generally, 9-206:1
waiver, 9-206:2, 9-318:2
Rights, 9-206:1, 9-318:1
Waiver of defense clauses
generally, 9-403:1 [Rev]
conditions of enforceability, 9-403:3 [Rev]
consumer rules, 9-403:4 [Rev]
test of enforceability, 9-403:2 [Rev]
ASSIGNMENT FOR BENEFIT OF CREDITOR
Perfection, 9-309:7 [Rev]
ASSIGNMENTS—Cont’d
Defenses against assignors, 9-318:1
Delegation of performance distinguished, 2A-303:2
Drafts, treatment as assignments, 3-409:1 et seq.
Event, 10-101:4
Excluded transactions, 9-104:7, 9-104:8
Filing, 9-403:3
General intangibles
amendments of 2010, 9-408:4 [Rev]
restrictions, ineffectiveness, 9-408:1 [Rev]
structured settlements, 9-408:3 [Rev]
unincorporated business entities, 9-408:2 [Rev]
Good faith, 9-206:3
Health-care-insurance receivables
amendments of 2010, 9-408:4 [Rev]
restrictions, ineffectiveness, 9-408:1 [Rev]
unincorporated business entities, 9-408:2 [Rev]
Identification and proof of assignment, 9-406:1 [Rev]
Insurance policies, excluded transactions, 9-104:8
International Registry, ICC 9:60, ICC 9:61
Judgments, 9-104:9
Lease interests, 2A-303:1, 2A-303:4
Letters of credit, 5-116:2, 9-409:1 [Rev]
Model Tribal Secured Transactions Act, this index
Negotiable instruments
check as assignment, 3-408:2 [Rev]
ASSIGNMENTS—Cont’d
Negotiable instruments—Cont’d
drafts, treatment as assignments, 3-409:1 et seq.
partial assignments, 3-202:6, 3-203:9 [Rev]

Notices

generally, 9-318:2, 9-404:1 [Rev], 9-406:1 [Rev]
account debtors, 9-318:3, 9-404:1 [Rev]
adequacy, 9-406:2 [Rev]
Original, perfection of security interests, 9-302:12
Payment intangibles restrictions, ineffectiveness, 9-406:2 [Rev]
Perfected agricultural lien, 9-310:3 [Rev]
Perfected security interest, 9-302:13, 9-310:3 [Rev]
Promissory notes amendments of 2010, 9-408:4 [Rev]
restrictions, ineffectiveness, 9-408:1 [Rev]
unincorporated business entities, 9-408:2 [Rev]
Restrictions, ineffectiveness, 9-406:2 [Rev]
Security interests, 9-405:1, 9-405:2, 9-405:3
Statements, filing generally, 9-405:2
failure, 9-405:3
proof, 9-407:1
Wages, excluded transactions, 9-104:5

ASSUMPTION OF RISK
Casualty to identified goods, 2A-221:6
Substituted performance, 2A-404:5

ASSUMPTIONS OF DRAFTERS
Territorial applicability and general rules, 1-301:3 [Rev]

ASSURANCES
Breach of contract and adequate assurance of performance, UCITA 708
Effective indorsements and instructions generally, 8-306:1 [Rev], 8-402:1 [Rev], 8-402:2 [Rev]
additional reasonable assurance, 8-402:6
agents, authority to sign, 8-402:3
appointment of fiduciaries, 8-402:4
guarantees of signature of indorser, 8-402:2
incumbency of fiduciaries, 8-402:4
indorsements by other than agents or fiduciaries, 8-402:5
1977 amendments, 8-402:7
Revocation of acceptance, reasonable assumption of cure, 2A-517:4, 2A-517:7

ATTACHMENTS
Accessions, 9-204:3, 9-314:2
Certificated securities, 8-112:1 [Rev]
Convention for the Unification of Certain Rules Relating to Precautionary Attachment of Aircraft, ICC 9:133
Crops, after-acquired property clauses, 9-204:3
Due process considerations, 8-317:5
Fixtures, 9-313:3
Goods, 7-602:1
Goods under document of title, 7-602:1 [Rev]
Governmental creditors, 8-317:6
Judicial assistance, creditors’ entitlement, 8-317:4
ATTACHMENTS—Cont’d
Liens, 2A-307:1 et seq.
Model Tribal Secured Transactions Act, this index
1977 amendments
coverage, intention to extend, 8-317:7
creditors’ rights
certificated securities, 8-317:8
uncertificated securities registered in name of debtor, 8-317:9
liens, 8-317:12
securities in possession of financial intermediaries, 8-317:11
securities in possession of nonfinancial intermediaries, 8-317:10
seizures, 8-317:10
validity of securities, 8-317:8
Occurrence, 9-103:4
Requirements, 8-317:1
Security agreements, signatures, 9-203:4
Security entitlements, 8-112:1 [Rev]
Security interests generally, 9-203:1, 9-203:3, 9-303:1
debtor’s rights in collateral, 9-203:12
proceeds, 9-315:2 [Rev]
Seizure of security, 8-317:2
Surrender of security, 8-317:3
Uncertificated securities, 8-112:1 [Rev]
ATTACHMENTS ON PROPERTY
Security interests, 9-203:3 [Rev]
ATTORNEYS
Importance of CISG, ICC 10:5
ATTORNEY’S FEES
Bailee’s liability, 7-601:1
Carrier’s liability, 7-309:12
Lost, stolen or destroyed documents, bailee, 7-601:1 [Rev]
Model Tribal Secured Transactions Act, RMTSTA 9-629:1
Warehouseman’s lien, 7-210:5
ATTORNEY’S FEES
Bailee’s liability, 7-601:1
Carrier’s liability, 7-309:12
Lost, stolen or destroyed documents, bailee, 7-601:1 [Rev]
Model Tribal Secured Transactions Act, RMTSTA 9-629:1
Warehouseman’s lien, 7-210:5
ATTORNEYS
Importance of CISG, ICC 10:5
ATMILIATION
Commercial reasonableness, UCITA 211
Electronic Contracts, this index
Electronic record and signature, UETA 9, UETA 9:1
Proof and effect of, UETA 108:1
Signing and sending and electronic record, 2A-223
AT W ILL OPTIONS
Acceleration, 2A-109, 2A-109:1
AUCTIONS AND AUCTIONEERS
Application of proceeds, exception, 6-106:6
Bill of lading, enforcement of carrier’s lien, 7-308:1 [Rev]
Sales, 7-102:6, 7-210:2, 7-308:2, 7-308:3
Validity, 6-108:1
Warehouseman’s lien, sale to enforce, 7-210:2 [Rev]
AUTHENTICATING TRUSTEES
Generally, 8-208:1 [Rev]
Definition, 8-406:1
Duties, 8-406:2, 8-406:3
Functions, 8-406:1
Notices, receipt, 8-406:4
Warranties
amount, 8-208:1
authority, 8-208:3

Master Index-20
AUTHENTICATING TRUSTEES
—Cont’d
Warranties—Cont’d
capacity, 8-208:3
form, 8-208:1
genuineness of security, 8-208:2
1977 amendments, 8-208:5

AUTHENTICATION
Definition of electronic signature, UCITA 107:3
Proof and effect of, UCITA 108
Third parties, self-authentication of commercial documents, 1-307:2 [Rev]
Waiver or renunciation, 1-306 [Rev]

AUTHORITY AND AUTHORIZATION
Non-UCC Payment Methods, this index

AUTOMATED SYSTEMS
Definitions regarding contracts or performance by, UCITA 102:12 to 102:14

AUTOMATED TRANSACTIONS
Generally, UETA 14:1
Federal E-Sign, UETA 14:2
Official comment, UETA 14
Statutory text, UETA 14
2005 Convention, UETA 14:2
Uniform Electronic Transactions Act, this index

AUTOMATIC TRANSACTION
Defined, UETA 2

AUTOMATIC TRANSFER
Letters of credit, 5-112:8 [Rev]

AUTONOMY OF PARTY
Territorial applicability and general rules, 1-301:2 [Rev]

AVIARETO
Cape Town Convention, this index

AVOIDABLE CONSEQUENCES
Remedies to be liberally administered, 1-305:2 [Rev]

AVOIDANCE
CISG, ICC 10:6

BACKGROUND OF ACT
Generally, UCITA 101:1 to 101:3
Definitions in Act, UCITA 102:1
Drafting of Act, UCITA 101:2
Information rather than goods, transactions in, UCITA 101:1
Promulgation and contemporary impact, UCITA 101:3
Transactions in information, UCITA 101:1

BAILEES
See also Bailments
Adverse claims, liability, 8-115:1 [Rev]
Attorney’s fees, interpleader actions, 7-603:1
Breach of fiduciary duty, 8-318:3, 8-318:4
Conversion, 7-404:1, 8-318:3, 8-318:4
Damages, nondelivery of goods, 7-403:7
Definition, 7-102:6, 7-102:6 [Rev]
Deliveries of goods
generally, 7-602:1
failure, excuses, 7-403:4
good faith, 7-404:1
obligations, 7-403:2
persons entitled to receive, 7-506:1
Duties, 7-403:2
Good faith, 8-318:2
Interpleader actions, 7-603:1
Issuer, 7-102:9
Lessor’s stoppage of delivery, 2A-526:3
BAILEES—Cont’d
Liability
excuses, 7-403:1
nondelivery of goods, 7-403:1
Liens
attachment, 7-602:1
satisfaction, 7-403:5
Limitation of liability, 7-403:7
Protection, 8-318:1, 8-318:5
Risk of loss, goods held without movement, 2A-219:4

BAILMENTS
See also Bailees
Delay, delivery of goods, 7-403:2
[Rev]
Delivery of goods, duty, 7-403:1
[Rev]
Good faith delivery of goods,
7-404:1 [Rev]
Goods in possession of bailee
risk of loss, 2-509:3
tender of delivery, 2-503:4
Perfection of security interests,
9-305:4, 9-313:4 [Rev]

BANK DEPOSITS AND
COLLECTIONS
Accounts, definition, 4-104:1
Adverse claims, 4-401:4
Afternoon, definition, 4-104:1
Agency
checks, authority to sign,
4-401:2
collecting bank status, 4-201:1
conflicts of interest,
documentary draft collections, 4-503:1
death of agent, effect on
outstanding items, 4-405:1
depository bank status
changes, 4-213:8
collection process, 4-201:2
documentary drafts, collecting
bank’s position, 4-503:1
forgery by employees, 4-406:4

BANK DEPOSITS AND
COLLECTIONS—Cont’d
Agency—Cont’d
holder status of bank
distinguished, 4-201:3
indorsements missing, supply
by bank, 4-205:4
instructions of principals to col-
lecting banks, 4-203:1
presumptions
collection process, 4-201:2
rebuttal, 4-201:4
rebuttal of status, 4-201:4
status for collections, 4-201:1 et seq.
termination of status, 4-212:5
Agreements, otherwise, construc-
tion, 4-103:6
Alteration of instruments
discovery, 4-406:3, 4-406:6
material, 4-207:8, 4-207:15,
4-401:3, 4-406:6
new payments code provisions,
4-406:10
preclusion, 4-406:6
presentment warranties, 4-207:8
strikeovers, 4-406:7
warranties, 4-207:8, 4-207:15
Applicability, 4-102
Article 3, conflicts, 3-102:5 [Rev]
Article 3 provisions, relationship,
4-209:3
Assignments, bank’s authority to
pay, 4-401:4
Banking day, definition, 4-104:1
Bankruptcy
customer accounts, right to
charge, 4-401:4
drawer, 4-405:1
setoffs, 4-201:5, 4-401:4
Bankruptcy Code
automatic stay, 4-303:1
bank exemptions, 4-214:6
BANK DEPOSITS AND COLLECTIONS—Cont’d
Branch banks
  automatic teller machines, 4-101:20
collections, 4-106:1
  conflict of laws, 4-102:4
  notices, 4-106:3
  orders, 4-106:3
  point of sale systems, 4-101:21
  processing centers, 4-106:2
  status, 4-106:1
  stop payment orders, 4-403:4
Burden of proof, negligence, 4-406:7
Cash item channel of collections, 4-301:3
Charge-backs
  clearinghouse time limitations, 4-212:3
  conditions precedent, 4-212:2
  currency fluctuations, risk of loss, 4-212:8
depository banks’ rights, 4-212:6
  estoppel, 4-212:9
  failure, 4-212:4
final payments, 4-212:5
foreign currency
  exchange rates, 4-212:8
  items payable, 4-212:8
liability, failure to use ordinary care, 4-212:9
midnight deadlines
  collecting banks, 4-212:3
depository banks, 4-212:6
optional remedies, 4-212:4
procedures, 4-212:1
provisional credit revocation, 4-212:1
rights
  collecting banks, 4-212:2, 4-212:4
  failure to use ordinary care, effect, 4-212:9

BANK DEPOSITS AND COLLECTIONS—Cont’d
Charge-backs—Cont’d
  rights—Cont’d
    termination, 4-212:5
time limitations, 4-212:3
unpaid items, direct return, 4-212:7
Charging items to account, order, 4-302:5
Check collection systems
  electronic sorting, 4-101:6
historical background, 4-101:4, 4-101:5
Check kiter, definition, 4-104:3
Checks, this index
Circuitous routing of items, 4-204:2
Clearinghouse, 4-104:1
Clearinghouses
  automated, 4-101:19
  definition, 4-103:6, 4-104:1
rules
  compliance, ordinary care, 4-103:6
  errors, correction, 4-103:6
  midnight deadline, extension, 4-103:4
return of items, 4-301:7
variations of Code, 4-103:1
Collateral, definition, 4-208:1
Collection
  agency status of banks
    collecting banks, 4-201:2
depository banks, 4-201:1
  common-law background,
  presumption, rebuttal, 4-201:4
  banking practices, variations by agreements, 4-103:1 et seq.
  branch banks, 4-106:1
cash items, 4-101:1
charge-backs, 4-212:1

© 2018 Thomson Reuters, 12/2018
BANK DEPOSITS AND COLLECTIONS—Cont’d
Collection—Cont’d
check truncation, 4-101:14, 4-101:15
circuitous routing, 4-204:2
clean drafts, 4-101:11
conflict of laws, 4-102:3
correspondent bank networks, 4-101:7
damages, failure to exercise ordinary care, 4-202:1
depository banks, 4-105:2
direct sending, 4-204:4
dishonor, duty to send notice, 4-202:3
documentary drafts, 4-101:9
emergency conditions, 4-108:4
extension of time, 4-108:1
federal Reserve system, 4-101:7
float, definition, 4-101:7
force majeure rule generally, 4-108:4
diligence requirement, 4-108:6
limitations on time extensions, 4-108:5
historical background, 4-101:4, 4-101:5
improper handling, liability, 4-101:12
indorsements missing, supplying generally, 4-205:1
customer versus noncustomer, 4-205:3
effect, 4-205:2
joint payees, 4-205:4
restrictive indorsements, 4-205:5
insolvency of bank, 4-214:1
instructions of principals generally, 4-203:1
relevancy, 4-204:3

BANK DEPOSITS AND COLLECTIONS—Cont’d
instructions of principals—Cont’d
restrictive indorsements, 4-203:2
noncash items, 4-101:1
nonpayment, duty to send notice, 4-202:3
off-premises presentment, 4-204:5
one-day rule, limitations on power to extend time, 4-108:3
ordinary care generally, 4-101:5
action upon notice of dishonor or nonpayment, 4-202:4
banks, 4-103:3
failure to use, effect on charge-back rights, 4-212:9
presentment, 4-202:2
prima facie cases, 4-103:6
questions of fact, 4-202:1
responsibility, 4-202:1
out-of-state checks, 4-101:7
pay any bank indorsements, 4-201:6, 4-203:2
payment transactions, statistics, 4-101:6
proceeds, definition, 4-208:1
provisional credits, revocation, 4-212:1
provisional settlements, 4-201:5
restrictive indorsements, 4-203:2
security interest of banks, 4-208:1 et seq.
systems, 4-101:4
time limits, branch banks, 4-106:1
time paper, 4-101:11

Master Index-24
**BANK DEPOSITS AND COLLECTIONS—Cont’d**

Collection—Cont’d
- transferees' rights, 4-201:3
- transfers between banks, 4-206:1, 4-206:2
- unpaid items, direct return, 4-212:7
- warranties
  - generally, 4-207:1 et seq.
  - presentment, 4-208:1 to 4-208:13
  - transfer, 4-207:1 to 4-207:10

Commercial paper
- clean drafts, 4-101:11
- documentary drafts, 4-101:8 et seq.
- provisions, relationship, 4-101:1
- time paper, 4-101:11

Conflict of laws
- application, 4-102:3, 4-102:4
- foreign instruments, 4-102:3

Conflicts with Article 3 provisions
- generally, 4-209:3
- drafting history, 4-101:12
- organization, 4-101:2
- purpose, 4-101:1

Contracts
- consensual variations, 4-103:2
- disclaimers, 4-103:1
- exculpatory clauses, 4-103:1

Conversion, liability of bank, 4-401:3

Corporate accounts
- authority to draw items, 4-401:2
- closure, effect on agent’s authority, 4-401:4

Credit cards
- electronic fund transfers, authorization, 4-101:22
- functions, 4-101:13
- loss allocation, 4-101:13
- types, 4-101:13

**BANK DEPOSITS AND COLLECTIONS—Cont’d**

Customer accounts
- alterations, 4-401:3
- assignment, bank’s authority to pay, 4-401:3
- forged signatures, 4-401:3
- items properly payable, 4-401:2
- provisions, 4-401:1

Customers
- definition, 4-104:1
- duty to examine statements
  - agent, effect of entrustment, 4-406:4
  - electronic fund transfers, 4-406:2
  - reasonable time, 4-406:3
  - triggering events, 4-406:2
- warranties
  - presentment, 4-207:4
  - transfer, 4-207:11

Damages
- bad faith, 4-103:10
- charge-backs, bank’s failure to use ordinary care, 4-212:9
- collections, failure to use ordinary care, 4-202:1
- compensatory, wrongful dishonor, 4-402:8
- consequential, 4-103:10
- cover costs, 4-103:10
- documentary drafts, delayed holding, 4-501:2
- failure to exercise ordinary care
  - banks, charge-backs, 4-212:9
  - collecting banks, 4-103:8, 4-202:1
- consequential damages, 4-103:10
- payor banks, 4-103:9
- punitive damages, 4-103:10
- improper tender under documentary drafts, 4-502:1
BANK DEPOSITS AND COLLECTIONS—Cont’d

Damages—Cont’d

measurement, bad faith, 4-103:10
mitigation, wrongful dishonor, 4-402:10
presentment, breach of warranty, 4-207:10

punitive

generally, 4-103:10
bad faith, 4-103:10
pre-Code law, 4-402:9
wrongful dishonor, 4-402:9
stop payment orders, incorrect payments, 4-403:10
trader rule, 4-402:6
transfer warranties, breach, 4-207:20

unauthorized indorsement cases, 4-401:3
wrongful dishonor
generally, 4-402:6
compensatory damages, 4-402:8
incorrect reason for return, 4-402:11
mitigation, 4-402:10
proximate cause, 4-402:7
punitive, 4-402:9

Death

agents, effect on outstanding items, 4-405:1
banks’ knowledge, 4-405:2
customer, 4-401:2, 4-405:2
drawer, 4-405:1
drawer’s, 4-401:2
drawers’ effect on bank’s ability to pay, 4-405:1
notice, 4-406:5
payee, 4-405:3
payees’, effect on deposits, 4-405:3

Defenses

failure to return items, 4-102:1

Defenses—Cont’d

forgery, undetectable, 4-406:4
items not properly payable, 4-302:4, 4-401:3
negligence, 4-406:9
preclusion, 4-406:9
timely return, 4-302:2
waiver, 4-406:9

Definition, 4-105:1
Definitions, 4-104
Deposit accounts, assignments, 4-401:4

Deposits

adverse claims, 4-303:1
cash items, 4-101:1
noncash items, 4-101:1

Disclaimer of liability, limitations, 4-103:3

Dishonor

correct returns, incorrect reasons, 4-402:11
documentary drafts, 4-503:1
foreign currency, rates of exchange, 4-212:8
notice and notices
delay, 4-103:9
duty to send, 4-202:3, 4-202:4
function, 4-103:4
protests, necessity, 4-202:5
return of items distinguished, 4-402:4
rightful, 4-402:4
seasonable actions, 4-202:7
time, 4-210:2, 4-301:8, 4-301:9
trader rule, 4-402:6, 4-402:7
wrongful
actions constituting, 4-402:4
actual damages, 4-402:7
alter ego theory of liability, 4-402:3
bank’s liability, 4-402:3, 4-402:5
BANK DEPOSITS AND COLLECTIONS—Cont’d
Dishonor—Cont’d
wrongful—Cont’d
causes of action, 4-402:1
compensatory damages, 4-402:8
contract damages, 4-402:8
damages, 4-402:8 et seq.
defamation, damages, 4-402:7
encoding errors, 4-402:5
historical background, 4-402:1
incorrect reasons given, 4-402:11
liability, 4-301:4, 4-402:3
mistaken actions, 4-402:5
mitigation of damages, 4-402:10
negligence of bank, 4-402:5
posting process, completion, 4-109:11
privileges, 4-402:5
punitive damages, 4-402:9
setoffs taken by bank, 4-402:5
tort damages, 4-402:8
trader rules, 4-402:7
Documentary draft, definition, 4-104:1
Drafting history
alteration of instruments, detection, 4-406:1, 4-406:6
bank payments over stop payment orders, 4-407:1
branch bank time limits, 4-106:1
customer account provisions, 4-401:1
definitions, 4-104:1
documentary draft provisions, 4-501:1
late return of items, 4-302:1

BANK DEPOSITS AND COLLECTIONS—Cont’d
Drafting history—Cont’d
new Payments Code, 4-101:25 et seq.
posting processes, 4-109:1
signature, detection of forgery, 4-406:1
stop payment provisions, 4-403:2, 4-403:5
time of receipt of items, 4-107:1
trader rule provisions, 4-402:7
wrongful dishonor provisions, 4-402:2
Drawees, banks’ status, 4-105:3, 4-301:2

Drawers
closing accounts, 4-401:4
corporations, closed accounts, 4-401:4
death, 4-405:1
liability on altered instruments, 4-401:5

Duties
collection, ordinary care, 4-202:1
good faith payments, 4-406:1
presentment, 4-202:2
seasonable action, collection, 4-202:7

Electronic fund transfers
generally, 4-101
access cards, 4-101:17
authentication of items, 4-401:2
automated clearing houses, 4-101:19
automated teller machines, 4-101:20
bank card usage, 4-101:17
Bank Wire, 4-101:23
bill payment systems, 4-101:18
checks guarantees, 4-101:22
BANK DEPOSITS AND COLLECTIONS—Cont’d
Electronic fund transfers—Cont’d
checks—Cont’d
truncation, 4-101:14, 4-101:15
Clearing House Interbank Payment Systems (CHIPS), 4-101:23
cost effectiveness, 4-101:24
credit card authorization, 4-101:22
credit transfer messages, 4-104:2
customers’ duties to examine statements, 4-406:2
error resolution procedures, 4-406:6
Fed Wire, 4-101:23
home banking, 4-101:22
identification of senders, 4-401:2
initiation of payments, 4-101:16
instruments construed, 4-104:3
interbank communications, large payment transactions, 4-101:23
items, 4-104:2
loss allocations, 4-101:13
midnight deadlines, 4-109:11
Personal Identification Numbers
automatic teller machines, 4-101:20
bank cards, 4-101:17
point of sale systems, 4-101:21
telephone bill payment systems, 4-101:18
point of sale systems, 4-101:21
preauthorized transfers, 4-101:16
Society for Worldwide International Financial Telecommunications (SWIFT), 4-101:23

BANK DEPOSITS AND COLLECTIONS—Cont’d
Electronic fund transfers—Cont’d
standard of care, 4-406:2
telephone bill payment systems, 4-101:18
thefts, allocation of losses, 4-101:17
volume, 4-101:24
Extensions of time
collections, 4-108:1, 4-108:5
force majeure rule, 4-108:4 et seq.
limitations, 4-108:3, 4-108:5
one day rule, 4-108:1 et seq.
payments, 4-108:4, 4-108:5
Facsimile signatures, 4-406:2
Federal Reserve System function, 4-301:3
operating letters
return of cash items with entry, 4-103:4
wire advice of nonpayments, 4-103:4
out of state checks, collection, 4-101:7
preemption of state laws, 4-103:1
regulations
compliance, ordinary care, 4-103:5
issuance, 4-103:4
return item practices, 4-301:7, 4-302:3
uniform Instructions on Protest and Notice of Nonpayment, 4-103:9, 4-301:5
Uniform Wire Notice of NonPayment Rules, 4-302:3
Final payments
accountability, 4-213:6, 4-213:8
actions constituting, 4-213:2
agency status of banks, 4-213:8
cash, 4-213:2
BANK DEPOSITS AND COLLECTIONS—Cont’d
Final payments—Cont’d
cash deposits, availability for withdrawal, 4-213:10
clearinghouse rules, 4-213:3
collecting banks’ accountability, 4-213:8
concept, 4-213:6
customers’ rights to funds, 4-213:9
definition, 4-213:1
entry reversal, 4-213:4
final settlements distinguished, 4-213:2
firming up provisional credits, 4-213:7, 4-214:4
insolvency of bank effect, 4-214:4
payor banks, 4-214:3
return of items not finally paid, 4-214:2
midnight deadlines, effect on revocation rights, 4-213:3
payor bank’s insolvency prior to final settlement, 4-214:3
posting, completion, 4-213:4
provisional credits, effect on chain, 4-213:7
provisional settlement, failure to revoke, 4-213:5
reasonableness of time periods, 4-213:9
recovery back of settlements, 4-213:6
revocation, reservation of rights, 4-213:3
settlements without revocation rights, 4-213:3
withdrawals as of rights availability of credits, 4-213:9
cash deposits, 4-213:10
Force majeure rule generally, 4-108:4 to 4-108:6

Force majeure rule—Cont’d
diligence requirement, 4-108:6
limitations, 4-108:5
Forgery
burden of proof, 4-406:7
conversion, 4-401:3
corporate accounts, 4-406:8
defenses, 4-406:4
discovery
microfilmed checks, 4-406:2
reasonable care and promptness, 4-406:5
duty to examine statements, 4-406:3
employees, 4-406:4
handwriting experts, 4-406:7
liability, 4-406:1
new Payments Code provisions, 4-406:10
notice, 4-406:2, 4-406:5
proof of loss, 4-406:5
quality, 4-406:7
statement savings accounts, 4-406:5
successive, 4-406:1
time to report, 4-103:2
Forgery affidavits, 4-406:5
Good faith, limitation on disclaimer of liability, 4-103:3
Government accounts, signatures, 4-401:2
Holders
bank’s departure from procedure, challenge, 4-109:9
bank status during collection process, 4-201:3
definitions, 4-104:3
indorsements missing, 4-205:2, 4-205:3
owners distinguished, 4-201:3
pay any bank indorsement, effect, 4-201:6
BANK DEPOSITS AND COLLECTIONS—Cont’d
Holders—Cont’d
recovery on stopped checks, 4-403:9
Holders in due course
acceptance, amount, finality, 4-207:15
altered instruments, warranties, 4-207:8
banks
relationship in improper payment cases, 4-407:2
status, 4-209:1
conflicts with Article 3 provisions, 4-209:3
material alterations, warranties, 4-207:8, 4-207:15
value, definition, 4-209:2
warranties
good title, 4-207:6
items not subject to defenses, 4-207:16
signatures, 4-207:7
Holders in due course, bank status, 4-209:1
Impleader, banks, 4-407:4
Improper payment, subrogation rights, 4-407:1 et seq.
Incompetency
adjudication
limitations on banks’ authority, 4-405:1
payees’, subsequent to deposit, 4-405:3
drawers, 4-405:1
Indirect methods of presentment, appropriateness, 4-204:2
Indorsements
absence, transfer warranties, 4-207:18
allonge, 4-401:5
death of indorsers, 4-405:3
forgeries
breach of warranty, 4-207:6

BANK DEPOSITS AND COLLECTIONS—Cont’d
Indorsements—Cont’d
forgeries—Cont’d
damages, 4-207:20
effect on warranties, 4-207:14
interpleaders and impleaders, 4-407:4
loss allocations, 4-401:4
recovery, 4-406:6
subrogation rights of banks, 4-407:3
investigation, duties, 4-406:3
missing
breach of warranty, 4-207:6
subrogation rights of banks, 4-407:3
supplying
generally, 4-205:1
customers’ items, 4-205:3
effect, 4-205:2
joint payees, 4-205:4
restrictive, 4-205:5
pay any bank, 4-201:6, 4-203:2
prior indorsers’ solvency, effect on warranties, 4-207:17
restrictive
definition, 4-203:2
failure to exercise ordinary care, damages, 4-103:8
supplying, 4-205:5
unauthorized
generally, 4-406:6
breach of warranty, 4-207:6
charges against customers’ accounts, 4-401:3
warranties
generally, 4-207:3
genuine signatures, 4-207:14
indorsers’ contracts distinguished, 4-102:1
without recourse
limitations on warranty liability, 4-207:16
BANK DEPOSITS AND COLLECTIONS—Cont’d

Indorsements—Cont’d

without recourse—Cont’d, 4-207:11
Indorsers, contracts distinguished from warranties, 4-102:1
Insanity of drawers, 4-405:1
Insolvency

collecting banks after final settlement, 4-214:5
drawers, 4-405:1
effect on items, 4-214:1
exemptions from Bankruptcy Code, 4-214:6
payor banks before final settlement, 4-214:3
provisional settlements, 4-214:4
return of items not finally paid, 4-214:2

Instructions

collection, 4-203:1
form, 4-203:2
principal, presentment, 4-204:3
Interbank communication systems, 4-101:23
Intermediary banks, 4-105:4
Interpleaders, 4-407:4

Items

acceptance, time allowed, 4-302:6
alterations, 4-401:5, 4-406:1 et seq.
bank’s obligation to pay, 4-401:1
cashier’s checks, stop payment orders, 4-403:11
cash letters, 4-301:9
certified checks, stop payment orders, 4-403:11
classification, posting process, 4-109:7
clearinghouse, return, 4-301:7
computer printouts, 4-406:2
definition, 4-104:2
BANK DEPOSITS AND COLLECTIONS—Cont’d
Items—Cont’d
properly payable—Cont’d
contractual stipulations, 4-401:2
definition, 4-401:1
unauthorized signatures, 4-401:2
provisional credits
generally, 4-301:7
revocation, 4-301:5
security interest, 4-208:1 et seq.
restrictive indorsements, 4-203:2
returnable, determination, 4-301:4
returns
charge-backs by collecting banks, 4-103:4
clearinghouse, 4-301:7
direct, 4-212:7
dishonor distinguished, 4-402:4
late, 4-302:1 et seq.
otice of dishonor, 4-103:4
time, 4-301:7
security interests of collecting banks
generally, 4-208:1
advances made against items, 4-208:4
credits, 4-208:3
enforceability, 4-208:6
extent, several items, 4-208:5
perfection, 4-208:6
priorities
conflicting secured interest, 4-208:6
several deposits, 4-208:5
relation to Article 9, 4-208:6
types, 4-208:6
withdrawal of funds, provisional credits, 4-208:2

BANK DEPOSITS AND COLLECTIONS—Cont’d
Items—Cont’d
settlements
banks’ duties, 4-202:6
final, 4-211:4
medium, 4-211:1
methods authorized, 4-211:2
signatures, validity, 4-401:2
stale checks, 4-404:1
statement of account, 4-406:2
stop payment orders, 4-403:1 et seq.
teller’s checks, stop payment orders, 4-403:12
time
receipt, 4-107:1
return, 4-301:7
title
determination, 4-201:1
warranty of good title, 4-207:13
transferees’ rights, 4-201:3
transfers between banks, 4-206:1, 4-206:2
traveler’s checks, stop payment orders, 4-403:13
unpaid, direct return, 4-212:7
on us, 4-212:6, 4-301:9
warranties, 4-207:1 et seq.
Joint drawees, 4-101:3
Legal process, service, application to deposits received
subsequent, 4-401:4
Letters of advice, definition, 4-406:1
Liability
accountability, 4-302:2
altered instruments, 4-401:5
assignors of deposit accounts, 4-401:4
conduct of others, 4-202:8
conflict of laws, 4-102:3
consequential damages, 4-302:4
conversion, 4-302:5, 4-401:3
BANK DEPOSITS AND COLLECTIONS—Cont’d
Liability—Cont’d
depository banks, overencoding amount, 4-401:5
dishonor, wrongful, 4-301:4, 4-402:1 et seq.
failure to give prompt notice, 4-202:3
forgeries, 4-103:2, 4-303:7
fraudulently encoded routing numbers, 4-302:4
items
failure to return, 4-102:1
improper handling, 4-302:1
wrongful dishonor, 4-402:1 et seq.
items receipt
demand, retention, 4-301:6
receipt, determination, 4-302:2
limitations, 4-103:1
notices, 4-301:5
ordinary care, failure to use, 4-302:4
payor banks, 4-301:5
presenting banks, 4-301:4
torts, 4-301:4
wire advice, failure to send, 4-103:4
wrongful dishonor, 4-301:4, 4-402:1 et seq.
Limitation of actions
acclual of causes of action, 4-406:8
breach of warranty, 4-207:9, 4-207:19
conversion, 4-302:7
discovery rule, 4-406:8
indorsements, unauthorized, 4-406:8
notice-bar rule, 4-406:8
periods of repose, 4-406:8
preclusion periods, 4-406:8
presentment warranties, 4-207:9

BANK DEPOSITS AND COLLECTIONS—Cont’d
Limitation of actions—Cont’d
transfer warranties, 4-207:19
warranty actions, 4-207:9, 4-207:19
Midnight deadlines
generally, 4-104:1, 4-106:2
abrogation agreement, 4-103:2
clearinghouse rules, 4-103:4
accountability of banks, 4-103:2
branch banking practices, 4-106:2
charge-backs
collecting banks, 4-212:3
depository banks, 4-212:6
definition, 4-104:1
documentary draft presentment, treatment, 4-501:1
double midnight rule, 4-302:2
extensions
generally, 4-302:4
force majeure rule, 4-108:4 et seq.
one day rule, 4-108:1
final payments, reservation of revocation rights, 4-213:3
first midnight rule, 4-302:2
off-premises processing, 4-106:2
posting process, completion, 4-109:10, 4-109:11, 4-213:4
presentment at off-premises processing center, 4-301:6
remittance instrument, timely action, 4-211:3
seasonable actions, 4-202:7, 4-211:4
separate offices of banks, 4-106:2
settlements, seasonable actions, 4-211:4
start of period, 4-301:6
BANK DEPOSITS AND
COLLECTIONS—Cont’d
Midnight deadlines—Cont’d
time of receipt of items,
4-107:1, 4-301:6
variances by agreements or circumstances, 4-103:7
National, exemption from Bankruptcy Code, 4-214:6
Negligence
evidence, 4-406:8
payment of forged or altered items, 4-406:7
Negotiable instruments
allonge, 4-401:5
definitions, 4-104:3
electronic transfers, 4-104:2
warranties, Article 4, relationship, 4-207:2
New payments code
damages rules, 4-103:8
drafting history, 4-101:25,
4-101:26, 4-101:27
unauthorized signatures,
4-406:10
wrongful dishonor provisions,
4-402:2
Nonpayment, notice, 4-202:3,
4-202:4
Notes payable, 4-101:3
Notice and notices
alterations, 4-406:5
breach of warranty, 4-207:9,
4-207:19
definition, 4-406:5
dishonor, 4-210:2
forgeries, unauthorized signatures, 4-406:5
nonpayment, 4-210:2, 4-501:3
presentment, 4-210:1
Notice of dishonor
construction of provisions, 4-102:1
contents, 4-301:5
delays, 4-103:9

BANK DEPOSITS AND
COLLECTIONS—Cont’d
Notice of dishonor—Cont’d
duty to send, 4-202:3, 4-202:4
function, 4-103:4, 4-302:3
timeliness, 4-301:8, 4-301:9
wire of nonpayments, 4-301:5
writing requirements, 4-301:5
Off premises
presentment, 4-204:5
processing, midnight deadlines,
4-106:2
One day rule
effect, 4-108:2
limitations on power to extend
time, 4-108:3
Ordinary care
generally, 4-101:5, 4-103:3
failure to exercise
charge-back rights, effect,
4-212:9
damages, 4-103:8 et seq.
per se cases, 4-103:5
prima facie cases, 4-103:6
Overdrafts, 4-301:4
Partnership accounts, authorization
to draw items, 4-401:2
Payments
bankruptcy petitions, 4-303:1
cash, 4-213:2
completed items, New Payments Code, 4-401:5
completion, determination,
4-109:6
conflict of laws, 4-102:3
death, effect, 4-303:1
defenses, 4-401:3
delayed posting statutes,
4-302:1
demand items, 4-302:1
departure from procedures,
holder’s challenge,
4-109:9
documentary drafts, 4-101:10,
4-302:1

Master Index-34
BANK DEPOSITS AND COLLECTIONS—Cont’d
Payments—Cont’d
duty to give notice of nonpayment, 4-202:3
electronic fund transfers
automated clearing houses, 4-101:19
automatic teller machines, 4-101:20
bank cards, 4-101:17
interbank communication systems, large transactions, 4-101:23
point of sale systems, 4-101:21
preauthorized transfers, 4-101:16
telephone bill payment systems, 4-101:18
extensions of time, 4-108:1, 4-302:1
final accountability, 4-213:6, 4-213:8
actions constituting, 4-213:2
availability of credits, 4-213:9
cash, 4-213:2
definition, 4-213:1
posting process, completion, 4-213:4
provisional credits, effect on chain, 4-213:7
provisional settlement, failure to revoke, 4-213:5
settlements
comparison, 4-213:2
without revocation rights, 4-213:3
final, definition, 4-213:1 et seq.
force majeure rule generally, 4-108:4
diligence requirement, 4-108:6

force majeure rule—Cont’d
limitations on time extensions, 4-108:5
forged items, 4-406:3
incompetence of drawers, 4-303:1
judgmental processing, 4-107:1
steps, 4-109:4
mechanical elements, 4-109:2
processing, 4-107:1
mistakes, recovery, 4-406:9
negligence, 4-406:7
new Payments Code, 4-101:25 et seq.
nonpayment, notice generally, 4-202:4
documentary drafts, 4-501:3
items, 4-202:3, 4-302:1
time, 4-210:2
objections
drawers’, treatment, 4-407:3
subrogation rights of banks, 4-407:3
one-day rule, extensions, 4-108:2, 4-108:3
priorities, 4-303:1, 4-303:2
provisional, 4-302:1
provisional settlements, 4-301:5
refusals to make, 4-303:1
revocation of authority, assignment of customer account, 4-401:3
seasonable actions, 4-202:7
setoffs, 4-303:1
settlements, 4-202:6, 4-302:2
stale checks, 4-404:1
stop payment orders, 4-403:1 et seq.
time allowed, 4-302:6
BANK DEPOSITS AND COLLECTIONS—Cont’d
Payments—Cont’d
time—Cont’d
documentary drafts, 4-101:10
unauthorized, defenses, 4-401:3
Place of presentment, 4-301:6
Preclusion doctrine, 4-406:5
Presenting, 4-105:4, 4-301:4
Presentment
bank branch, 4-301:6
banking practices, variation by agreement, 4-103:1 et seq.
Banking practices, variation by agreement, 4-103
branch banks, 4-301:6
check truncation, 4-101:14, 4-101:15
circuitous routing of items, 4-204:2
cutoff hour, 4-107:1
definition, 4-210:1
determination of time, 4-301:6
direct sending, 4-204:4
dishonor
notice, 4-202:3, 4-202:4
wrongful, 4-402:1 et seq.
documentary drafts, 4-501:1, 4-501:3
drafts
clean, 4-101:11
documentary, 4-101:9, 4-101:10, 4-502:1
duty, 4-202:2
electronic, 4-101:14
indirect methods, appropriateness, 4-204:2
indorsements, supplying missing, 4-205:1 et seq.
instructions of principals, relevancy, 4-204:3
methods, 4-202:2, 4-204:1 et seq.
nonpayment, notice, 4-202:3, 4-202:4

BANK DEPOSITS AND COLLECTIONS—Cont’d
Presentment—Cont’d
notices, 4-102:1, 4-202:3, 4-202:4, 4-210:1, 4-210:2
off-premises, 4-204:5
ordinary care
duties, 4-202:2
failure to exercise, damages, 4-103:8 et seq.
place, 4-301:6
promptness, banks’ duties, 4-202:2
protest, 4-202:5
second, 4-302:5
stop payment orders, 4-403:6
time allowed, 4-302:6
warranties, 4-207:1
alteration, 4-207:8, 4-406:6
breach
charge to customers’ accounts, 4-401:3
damages, 4-207:10
notice, 4-207:9
collecting bank, 4-207:4
customers, 4-207:4
exclusiveness, 4-207:3
good title, 4-207:6
knowledge of unauthorized signatures, lack, 4-207:7
material alterations, lack, 4-207:8
notice of breach, unreasonable delay, 4-207:9
parties, 4-208:4 to 4-208:6
recipients, 4-207:5
statute of limitations, 4-207:9
Presumptions, collecting bank, agency status, 4-201:1 et seq.
Priorities
payment of items, 4-303:2
security interests, collecting banks, items deposited, 4-208:5, 4-208:6
Private agreements, 4-103:1
BANK DEPOSITS AND COLLECTIONS—Cont’d
Privilege to deal with goods in absence of instructions, 4-504:1
Proceeds, definition, 4-208:1
Proceeds, definitions, 4-208:1
Processing centers, separate offices, 4-106:2
Process of posting generally, 4-109:1 et seq.
accountability attaching, 4-109:10
added steps, 4-109:6
classification of items, 4-109:7
completion
determination, 4-109:6,
4-109:10
indication of final payment, 4-213:4
significance, 4-109:11
correction of entries, 4-109:8
deferred posting statutes, 4-301:1
departure from procedures, holder’s challenge, 4-109:9
documentary drafts, 4-501:1
drafting history, 4-109:1
expedited funds availability, 4-213:9
judgmental steps, 4-109:4
mechanical elements, 4-109:2
midnight deadlines, 4-213:4
noncash items, 4-109:3
omitted steps, 4-109:5
posting distinguished, 4-213:4
pre-Code law, 4-301:1
record-keeping steps, 4-109:3
reversing entries, 4-109:8
sight posting, 4-301:1
Properly payable, 4-104:1,
4-401:1
Protests, 4-202:5

BANK DEPOSITS AND COLLECTIONS—Cont’d
Provisional credits, reversal, 4-103:4
Reasonable conduct not covered by Code, 4-103:7
Remedies equitable, recovery of money paid under mistake of fact, 4-303:1
exculpatory agreements, validity, 4-103:1
Remitting banks, 4-105:4
Restitution for payments over stop payment orders, 4-407:5
Restrictive indorsements, definition, 4-203:2
Right of charge-backs, 4-301:4
Seasonable action, collection, 4-202:7
Securities, investment, relationship with bank deposits, 4-102:2
Security interests advances made against items, 4-208:4
banks enforcement, 4-208:2
holder in due course status, 4-209:1, 4-209:2
items deposited, 4-208:1 et seq.
collecting banks accompanying documents, 4-208:1 et seq.
credits, 4-208:2
extent, several items, 4-208:5
items, 4-208:1 et seq.
proceeds, 4-208:1 et seq.
definitions, 4-209:2
deposited items, 4-208:1 et seq.
enforceability of banks’ interests, 4-208:6
extent, deposited items, 4-208:1 et seq.
BANK DEPOSITS AND COLLECTIONS—Cont’d
Security interests—Cont’d
  goods represented by documentary drafts, 4-504:2
  items deposited advances, 4-208:4
  conflicting secured interest, 4-208:6
  credit availability, as of right, 4-208:3
  several items, 4-208:5
  withdrawal of funds, 4-208:2
  Separate bank status, 4-301:6
  Service of legal process, 4-401:4
  Setoffs, bankruptcy, effect, 4-201:5
Settle
  definition, 4-104:1, 4-301:3, 4-302:2
  duty, 4-202:6
Settlements
  accountability, bank, 4-213:6
  agency status of collecting banks, 4-213:8
  authorized forms, 4-211:2
  clearing balances, 4-301:3
  definition, 4-211:1
  demand items, 4-302:2
  duties, 4-202:6
  expedited funds availability, 4-213:9
final
  collecting bank’s insolvency, 4-214:5
  effect, 4-201:4, 4-201:5
  failure to receive, 4-212:1
  payment distinguished, 4-213:2
  payor bank’s insolvency, 4-214:5
  remittance cases, 4-211:4
  firming up provisional credits, 4-213:7

BANK DEPOSITS AND COLLECTIONS—Cont’d
Settlements—Cont’d
  forms authorized, 4-211:2
  media of remittance, 4-211:1
  methods authorized, 4-211:2
  midnight deadline rules, 4-302:2
  provisional
    generally, 4-201:5
    automatic finality, 4-213:5
    final payment by nonaction, 4-213:5
  insolvency of banks, 4-214:4
  revocation, 4-212:1, 4-301:4
  withdrawal, availability, 4-213:9
remittance
  media, 4-211:1
  methods, 4-211:2
  timely action by collecting banks, 4-211:3
remittance instrument, timely action by collecting bank, 4-211:3
  revocation, 4-301:5
  settle, definition, 4-213:3, 4-301:3, 4-302:2
  statutory requirements, 4-213:9
  time, 4-302:2
  transfer warranties, 4-207:12
Short title, 4-101
Signatures
  allonge, 4-401:5
  authorization to sign items, 4-401:2
  definitions, 4-406:2
  electronic fund transfers, authentication, 4-401:2
  facsimiles, 4-406:2
  forgeries
    banks’ subrogation rights, 4-407:3
    charges to customers’ accounts, 4-401:3
BANK DEPOSITS AND COLLECTIONS—Cont’d
Signatures—Cont’d
  forgeries—Cont’d
    liability, 4-103:2
    warranties, 4-207:7, 4-207:14
  genuineness, checks, 4-401:2
  inspections, 4-406:3
  irregularities, 4-401:2
  mechanical check signing devices, 4-401:2
  missing, 4-406:8
  two-signature requirement, 4-401:2
  unauthorized
    burden of proof, 4-406:7
    discovery, 4-406:6
    reporting, customer’s duties, 4-406:1 et seq.
    warranties, 4-207:7, 4-207:14
    verification, 4-406:2
Stale checks, processing, 4-404:1
Statement of accounts
duties, 4-406:3
  examination
    negligence, 4-406:5
    time, 4-406:3
  examinations, 4-406:2
  failure to receive, 4-406:5
  notice of forgeries, 4-406:5
  reconciliation, dual controls, 4-406:4
  risk of loss, 4-406:3
Statements
customer’s duty to exam and report, 4-406:2
  reconciliation, 4-406:4
Statement savings accounts, forgeries, 4-406:5
Statutes, Competitive Equality Banking Act of 1987, 4-213:9
Statutory construction, bank deposits
conflicts with Article 3 provisions, 4-209:3

BANK DEPOSITS AND COLLECTIONS—Cont’d
Statutory construction, bank deposits—Cont’d
interaction with Article 3 provisions, 4-102:1
interaction with Article 8 provisions, 4-102:2
ordinary care, 4-101:5
Stop payment orders
banking practices, variation by agreement, 4-103:2
bank payments over interpleaders of parties, 4-407:4
  position of holders in due course, 4-407:2
  prima facie case, 4-403:8
  remedies, 4-407:5
  subrogation rights, 4-407:1
  third-party practice, 4-407:4
  unjust enrichment of drawers, 4-407:2
  beneficiaries, 4-403:1
  branch bank, 4-106:1 et seq., 4-403:4
  cashier’s checks, 4-403:11
  certified checks, 4-403:11
  contents, 4-403:7
  damages available, 4-403:10
  description of items, 4-403:7
  exculpatory clauses
    enforceability, 4-403:2
    validity, 4-103:1
  failure to honor, proof, 4-403:8
  identity of customers’ problems, 4-403:3
  joint tenants, 4-403:3
  losses incurred by failure to honor, damages, 4-403:10
  money orders, 4-403:13
  notices, 4-406:5
  oral, 4-403:1, 4-403:2, 4-403:5
  place of giving, 4-403:4

© 2018 Thomson Reuters, 12/2018 Master Index-39
BANK DEPOSITS AND COLLECTIONS—Cont’d
Stop payment orders—Cont’d
policies underlying rights,
4-403:1
position of holders in due course, 4-407:2
postal money orders, 4-403:13
prima facie case, bank’s failure to honor, 4-403:8
recovery by holders of stopped checks, 4-403:9
revocation of authority distinguished, 4-103:3
right to make, 4-403:2
subrogation, improper payment, 4-407:1
teller’s checks, 4-403:12
third-parties’ instructions, 4-403:3
timeliness, 4-403:6
traveller’s checks, 4-403:13
written, 4-403:1, 4-403:2, 4-403:5
Subrogation rights, 4-407:1 et seq.
Suspend payment, 4-104:1
Termination of customer accounts, bank’s right to charge,
4-401:4
Third-party practice, 4-407:4
Thrift institutions, 4-105:1
Time
charge-backs, 4-212:3
dishonor, 4-210:2
documentary drafts, 4-501:2
examination, statement of accounts, 4-406:3
notices
alterations, 4-406:5
dishonor, 4-210:2, 4-301:8, 4-301:9
forgeries, 4-406:5
nonpayment, 4-210:2
unauthorized signatures, 4-406:5

BANK DEPOSITS AND COLLECTIONS—Cont’d
Time—Cont’d
payments
documentary drafts, 4-101:10
final, availability of credits, 4-213:9
nonpayment, notice, 4-210:2
presentment, 4-301:6, 4-302:6
receipt of item, 4-107:1
refunds, 4-212:3
remittance instrument, action by collecting bank, 4-211:3
return of items, 4-301:7
settlement, action on remittance instrument, 4-211:3
stop payment orders, 4-403:6
Title
negotiable instruments, warranty, 4-207:13
warranties, good title, 4-207:13
Transfer of credit, procedure, 4-101:4
Transfers
between banks, 4-206:1, 4-206:2
rightful warranties, 4-207:13
warranties
alteration of instruments, 4-207:15
collecting banks, 4-207:11
customers, 4-207:11
damages, 4-207:20
engagement of nonindorser, 4-207:18
good title, 4-207:13
insolvency proceedings, lack of knowledge, 4-207:17
items not subject to defenses, 4-207:16
material alterations, 4-207:15
notice of breach, unreasonable delay, 4-207:19
recipients, 4-207:12
rightful transfer, 4-207:13
BANK DEPOSITS AND COLLECTIONS—Cont’d
Transfers—Cont’d
  warranties—Cont’d
    signatures, 4-207:14
    statute of limitations, 4-207:19
Types, 4-105:1
Unpaid items, direct return, 4-212:7
Variation by agreement, 4-103
Waivers
defenses, 4-406:9
definition, 4-406:9
Warranties
alterations, 4-207:8, 4-207:15, 4-401:5, 4-406:6
breach
damages, 4-207:10, 4-207:20
parties to claim, 4-207:4, 4-207:5, 4-207:12
presentment, causes of action, accrual, 4-207:9
reasonable time for claims, 4-401:5
return-item, 4-301:5
statute of limitations, 4-207:9, 4-207:19
transfers, causes of action, accrual, 4-207:19
collecting bank, documents of title, 7-508:1 [Rev]
commercial paper provisions, bank deposits distinguished, 4-207:2
conflicts among provisions, 4-207:2
customers, 4-207:1
disclaimers, liability, 4-207:11
exclusiveness, 4-207:3
forgeries, signatures, 4-207:14
good title, 4-207:6, 4-406:9
indorser’s contract distinguished, 4-102:1

BANK DEPOSITS AND COLLECTIONS—Cont’d
Warranties—Cont’d
limitation of action, 4-207:9, 4-207:19
material alterations, 4-207:8, 4-207:15
modification, 4-207:1
presentment
  alterations, 4-207:8, 4-406:6
  breach
collecting bank, 4-207:11
customer, 4-207:11
damages, 4-207:20
genuineness of signatures, 4-207:14
good faith, 4-207:12
good title, 4-207:13

© 2018 Thomson Reuters, 12/2018
Master Index-41
BANK DEPOSITS AND COLLECTIONS—Cont’d

Warranties—Cont’d
dtransfers—Cont’d
insolvency proceedings, 4-207:17
items not subject to defenses, 4-207:16
material alterations, 4-207:15
recipients, 4-207:12
rightful transfers, 4-207:13
statute of limitations, 4-207:19
terms of engagement of nonindorsers, 4-207:18
types, 4-207:1
waiver, 4-207:1

Wire advice, 4-103:4

Words and phrases
abnormal operating conditions, 4-108:4
account, 4-104:1
accountable, 4-213:6
afternoon, 4-104:1
bank, 4-105:1
banking day, 4-104:1, 4-107:1, 4-202:7
cash item, 4-101:1, 4-101:9
check, 4-101:14
check kiter, 4-104:3
check truncation, 4-101:14
clean draft, 4-101:11
clearinghouse, 4-103:6
collateral, 4-208:1
collecting bank, 4-105:4
customer, 4-104:1, 4-207:4
depository bank, 4-104:3, 4-105:2
discover, 4-401:5
documentary draft, 4-101:8, 4-104:1
final payment, 4-213:1
float, 4-101:7
four legals, 4-213:1
good faith, 4-207:12

BANK DEPOSITS AND COLLECTIONS—Cont’d

Words and phrases—Cont’d
holder, 4-104:3, 4-201:3
instruments, 4-104:3
intermediary bank, 4-105:4
item, 4-101:1, 4-104:2
learn, 4-401:5
legals, 4-213:1
liquid wealth, 4-101:4
material alteration, 4-207:15
MICR, 4-101:14
midnight deadline, 4-104:1, 4-202:7
money, 4-213:10
near-bank, 4-101:1
noncash item, 4-101:1, 4-101:9
notify, 4-406:5
order, 4-301:2
ordinary care, 4-103:5, 4-103:6
pay, 4-301:3
payable at, 4-301:2
payor bank, 4-104:3, 4-105:3, 4-301:2, 4-501:1
presenting bank, 4-105:4
presentment, 4-210:1, 4-301:6
presentment warranties, 4-207:1
proceeds, 4-208:1
properly payable, 4-104:1, 4-302:1, 4-401:1
protest, 4-202:5
remitter, 4-104:3
remitting bank, 4-105:4
restrictive indorsements, 4-203:2
seasonably, 4-108:5, 4-501:3
security interest, 4-209:2
send, 4-301:7
settle, 4-104:1, 4-202:6, 4-213:3, 4-301:3, 4-302:2
settlement, 4-211:1
signatures, 4-406:2
signed, 4-406:8
suspend payment, 4-104:1
BANK DEPOSITS AND COLLECTIONS—Cont’d
Words and phrases—Cont’d
teller’s check, 4-403:12
transfer, 4-207:11
transfer warranties, 4-207:1
unauthorized signatures, 4-406:8
value, 4-209:2
waiver, 4-406:9
whether properly payable or not, 4-302:4
writing, 4-104:2
Wrongful dishonor liability to customers, 4-402:3
privilege, 4-402:6

BANKRUPTCY
See also Bankruptcy Code
Banks, 4-215:8 [Rev], 4-216:1 [Rev]
Customer accounts, right to charge, 4-401:4
Drawer, 4-303:3 [Rev], 4-405:1
Insolvency proceeding, knowledge, 4-207:8 [Rev]
Lessor’s right to possession, 2A-525:10
Letters of credit, 5-114:15, 5-117:1
Notice of dishonor, 3-511:11
Parties, rights, 4-216:2 [Rev]
Preference, 4-216:1 [Rev], 9-312:5
Presentment, excused, 3-511:11
Proceeds, claims, 9-306:5
Purchase money security interest (PMSI), negative equity and Bankruptcy Code’s hanging paragraph, 9-103:7 [Rev]
Purchasers, 7-504:3
Repossession generally, 9-503:7
effect on right to repossess, 2A-525:10

BANKRUPTCY—Cont’d
Repossession—Cont’d
secured parties, bankruptcy and consumer protection statutes, 9-609:8 [Rev]
Security interests
effect on duration, 9-403:5
perfection, tolling of four month rule, 9-103:5
Setoffs, 4-201:5, 4-201:5 [Rev], 4-401:4
Subrogation, 4-216:2 [Rev]
Trustees, 9-301:6
Unperfected security interests, priorities, 9-317:3 [Rev]
Warehouseman’s liens, 7-209:4

BANKRUPTCY CODE
Automatic stay, 4-303:1, 9-504:2, 9-505:4
Bank exemptions, 4-214:6
Redemption of collateral, 9-506:7
Section 362, 9-504:2
proposals of strict foreclosures, 9-505:4
Section 544, 9-301:6
Section 545, 9-306:5
Section 547, 9-108:3, 9-306:5, 9-312:5
after-acquired property clauses, 9-204:4
Section 552, after-acquired property clauses, 9-204:4

BANKS AND BANKING
See also Branch Banks; Clearinghouses; Collecting Banks; Collection; Depository Banks; Payor Banks; Presentments; Process of Posting
Acceptances of checks, 3-411:1
Account balance determination, 4-402:4 [Rev]
UNIFORM COMMERCIAL SERIES

BANKS AND BANKING—Cont’d

Account—Cont’d
credit, 4-210:2 [Rev], 4-210:3
[Rev]
definition, 4-104:7 [Rev],
4-215:10 [Rev]
Accountability, 4-302:6 [Rev]
Accounts, definition, 4-104:1
Adverse claims, 4-401:4
Afternoon, definition, 4-104:1
Agency
payment orders, 4A-212:4
status for collections, 4-201:1 et
seq.
Agreements
bank/customer, 4-103 [Rev],
4-103:1 [Rev], 4-103:4
[Rev]
interbank, 4-103:1 [Rev]
otherwise, construction, 4-103:6
variation by, 4-103 [Rev]
Ambiguous instrument, 4-106:7
[Rev]
Article 4
applicability, 4-102 [Rev],
4-102:1 [Rev]
Article 3, conflicts, 4-102:2
[Rev]
Article 8, conflicts, 4-102:3
[Rev]
background, 4-101:1 [Rev]
consumer protection, 4-101:3
[Rev]
organization, 4-101:5 [Rev]
purpose, 4-101:2 [Rev]
scope, 4-101:2 [Rev], 4-102:1
[Rev]
short title, 4-101 [Rev]
variation, agreement, 4-103:1
[Rev]
Article 3 provisions, relationship,
4-209:3
Assignments
bank’s authority to pay, 4-401:4
notice, 3-408:2 [Rev]
BANKS AND BANKING—Cont’d

Circuitous routing of items, 4-204:2
Clearinghouse, 4-103:2 [Rev], 4-104:1, 4-104:2 [Rev]
Collateral, definition, 4-208:1
Collecting, 4-105:4 [Rev]
Commercial paper provisions, relationship, 4-101:1
Comparative negligence, 4-202:5 [Rev], 4-406:7 [Rev]
Conflicts of laws, 4-102:5 [Rev]
Conflicts with Article 3 provisions generally, 4-209:3
drafting history, 4-101:12
organization, 4-101:2
purpose, 4-101:1
Conversion, 3-103:2 [Rev], 3-419:5
Corporate accounts
authority to draw items, 4-401:2
closure, effect on agent’s authority, 4-401:4
Creditor process
authorized accounts, 4A-502:2
beneficiary bank compliance, 4A-502:3, 4A-502:5
definition, 4A-502:1
service, effectiveness, 4A-502:4
Custodian banks, 8-102:6
Customer accounts
alterations, 4-401:3
assignment, bank’s authority to pay, 4-401:3
forged signatures, 4-401:3
items properly payable, 4-401:2
provisions, 4-401:1
Customers
co-account holder, 4-406:2 [Rev]
death, knowledge, subrogation, 4-407:3 [Rev]
definition, 4-104:1, 4-104:1 [Rev], 4-104:7 [Rev]

BANKS AND BANKING—Cont’d

Customers—Cont’d
duty to examine statements
agent, effect of entrustment, 4-406:4
electronic fund transfers, 4-406:2
reasonable time, 4-406:1 [Rev], 4-406:3, 4-406:4 [Rev]
triggering events, 4-406:2
duty to examine statements, reasonable time, 4-406 [Rev]
electronic fund transfers, 4-406 [Rev], 4-406:1 [Rev]
identification of item, 4-406:2 [Rev], 4-406:4 [Rev]
notification, 4-406:4 [Rev]
reconciliation, 4-406:4 [Rev]
warranties presentment, 4-207:4
transfer, 4-207:11
Damages, failure to exercise ordinary care consequential, 4-103:10
measure, 4-103:6 [Rev]
payor banks, 4-103:9
punitive, 4-103:10
Death
customer, 4-401:2, 4-405:2
drawer, 4-303:3 [Rev], 4-405:1, 4-405:1 [Rev], 4-405:3 [Rev], 4-405:4 [Rev]
payee, 4-405:3
Death of drawer, 4-405 [Rev]
Defective documents, reimbursement, 2-506:2
Defenses, waiver, 4-406:9
Definitions, 4-105 [Rev]
generally, 1-201 [Rev], 4-104:1 [Rev], 4-105:1, 4-105:1 [Rev]
index, 4-104 [Rev]
BANKS AND BANKING—Cont’d
Deposit accounts
generally, 9-104:13
assignments, 4-401:4
right of recoupment, 9-340:1
[Rev]
right of set-off, 9-340:1 [Rev]
righst and duties, 9-341:1 [Rev]
Discharge, 3-103:2 [Rev], 3-802:2
Disclaimer of liability, limitations, 4-103:3
Documentary draft, definition, 4-104:1
Double forgery, 4-406:7 [Rev]
Drawers
bankruptcy, 4-303:3 [Rev]
death, 4-303:3 [Rev], 4-405:1, 4-405:1 [Rev]
incompetency, 4-303:3 [Rev]
Duties
collection, ordinary care, 4-202:1
customer, 4-406:1 [Rev] to 4-406:8 [Rev]
good faith payments, 4-406:1 [Rev]
return item, 4-202:4 [Rev]
ordinary care, 4-202:1 [Rev]
payment orders, erroneous execution, 4A-304:5
presentment, 4-202:2
return items, 4-406:3 [Rev]
seasonable action, collection, 4-202:7
wrongful dishonor, 4-402:5 [Rev]
Electronic funds transfers
generally, 4-101
check truncation, 4-110:1 [Rev], 4-110:2 [Rev]
imaging technology, 4-110:1 [Rev]
instruments construed, 4-104:3
BANKS AND BANKING—Cont’d
Electronic funds transfers
—Cont’d
presentment agreements, 4-110:2 [Rev]
standard of care, 4-406:2
Extension of time
force majeure rule, 4-108:4 et seq., 4-109:3 [Rev]
one day rule, 4-108:1 et seq.
Facsimile signatures, 4-406:2
Federal common law
Expeditied Funds Availability Act (EFAA), 4-102:4 [Rev], 4-103:2 [Rev], 4-215:9 [Rev]
preemption, 4-102:4 [Rev], 4-215:9 [Rev]
Regulation CC, 4-102:4 [Rev], 4-103:2 [Rev], 4-103:3 [Rev]
Regulation J, 4-102:4 [Rev], 4-103:2 [Rev]
Final payment of item by payor bank, 4-215 [Rev]
Force majeure rule
generally, 4-108:4 to 4-108:6
diligence requirement, 4-108:6
limitations, 4-108:5, 4-109:3 [Rev]
 Forgery affidavits, 4-406:5
Forward collection test, 4-301:6 [Rev]
Four legals
legal process, 4-303:2 [Rev]
notice, 4-303:2 [Rev]
setoff, 4-303:2 [Rev]
stop order, 4-303:2 [Rev]
timeliness, 4-303:1 [Rev], 4-303:3 [Rev]
Funds transfers
business hours, 4A-106:2
credited accounts, 4A-403:2
debited accounts, 4A-403:3

Master Index-46
BANKS AND BANKING—Cont’d
Funds transfers—Cont’d
misdescription of intermediary
or beneficiary’s bank,
4A-208, 4A-208:1 to
4A-208:3
netting funds transfer systems,
4A-403:4
security procedures
algorithms, 4A-201:2
callback, 4A-201:5
codes, 4A-201:2
encryption, 4A-201:4
identifying words, 4A-201:3
numbers, 4A-201:3
transfer date, 4A-106:3
General banking usage, 3-406:4
[Rev], 4-103:5 [Rev]
Government accounts, signatures,
4-401:2
History of code, 1-101:1 [Rev]
Holders in due course, bank status,
4-209:1
Impleaders, 4-407:2 [Rev]
Improper payment, subrogation
rights, 4-407:1 et seq.
Incompetence, drawer, 4-405:1
[Rev], 4-405:2 [Rev]
Indirect methods of presentment,
appropriateness, 4-204:2
Insanity of drawers, 4-405:1
Insolvency
Bankruptcy Code exemption,
4-216:1 [Rev]
collecting banks after final
settlement, 4-214:5
depository bank, 4-215:8 [Rev]
drawers, 4-405:1
effect on items, 4-214:1
exemptions from Bankruptcy
Code, 4-214:6
parties, rights, 4-216:2 [Rev]
payor banks before final settle-
ment, 4-214:3

BANKS AND BANKING—Cont’d
Insolvency—Cont’d
preference, 4-216 [Rev],
4-216:1 [Rev]
provisional settlements, 4-214:4
return of items not finally paid,
4-214:2
setoffs, 4-201:5 [Rev]
subrogation, 4-216:2 [Rev]
Instructions
collection, 4-203 [Rev],
4-203:1, 4-203:1 [Rev]
form, 4-203:2, 4-203:2 [Rev]
liability, 4-203:2 [Rev]
principal, presentment, 4-204:3
Instruments
examination, 3-406:4 [Rev],
3-406:5 [Rev]
payable through banks, 3-120:1,
3-120:2
underlying obligation
discharge, 3-310:2 [Rev],
3-310:3 [Rev]
suspension, 3-310:4 [Rev]
Insufficient funds
overdrafts, 4-401:2 [Rev]
payment order, 4-303:4 [Rev]
properly payable items, 4-401
[Rev], 4-401:1 [Rev]
Interbank communication systems,
4-101:23
Intermediary banks, 3-206:2,
4A-104:2, 4A-402:4,
4-105:4, 4-105:4 [Rev]
International banking practices,
3-701:1, 3-701:2
Interpleaders, 4-407:4
Items
cash, 4-101:4 [Rev]
definition, 4-102:1 [Rev],
4-104:2
identification, 4-406:2 [Rev],
4-406:4 [Rev]
noncash, 4-101:4 [Rev]
BANKS AND BANKING—Cont’d
Items—Cont’d
presentment methods, 4-204:1 et seq.
Joint drawees, 4-101:3
Legal process, service, application
to deposits received
subsequent, 4-401:4
Liabilities
accepted payment orders, 4A-212:3
accountability, 4-302:2, 4-302:6 [Rev]
burden of proof, 4A-506:7
conduct of others, 4-202:8
conflict of laws, 4-102:3
conversion, 3-405:3, 4-401:3
creditor process issued, 4A-212:2
failure to give prompt notice, 4-202:3
identification, 4A-208:3
limitations, 4-103:1
multiple payees, 4A-208:2
ordinary care, failure, 4-202:1 [Rev]
payment orders, late execution, 4A-305, 4A-305:1
personal money orders, 3-401:8, 3-409:2
rate of interest, 4A-506
refunds, 4A-506:1
statute of repose, 4A-505:1 to 4A-505:3
unaccepted payment orders, 4A-212, 4A-212:1, 4A-212:5
variation by agreement, 4A-205:5, 4A-505:4
Liens, 9-104:10
Local check, definition, 4-215:11 [Rev]
Local paying bank, 4-215:11 [Rev]

UNIFORM COMMERCIAL SERIES

Banks and Banking—Cont’d
Location, 4-102:5 [Rev], 4-215:11 [Rev]
Mandatory funds availability
schedule deposits, 4-215:11 [Rev]
disclosure, 4-215:16 [Rev]
exceptions, 4-215:15 [Rev]
extensions, 4-215:14 [Rev]
fifth day, 4-215:13 [Rev]
next day, 4-215:12 [Rev]
note, change, 4-215:16 [Rev]
second day, 4-215:13 [Rev]
Midnight deadlines, 3-508:3, 4-104:1, 4-106:2
National, exemption from Bank-ruptcy Code, 4-214:6
Negligence
certifying banks, 3-406:2
comparative, 4-101:3 [Rev]
evidence, 4-406:8
ordinary care, 3-406:4 [Rev]
payment of forged or altered
items, 4-406:7
Negotiable order of withdrawal
(NOW) accounts, 3-104:18 [Rev]
Nonlocal check, 4-215:11 [Rev]
Nonlocal paying bank, 4-215:11 [Rev]
Nonpayment, notice, 4-202:3, 4-202:4
Notes payable, 4-101:3
Notice of dishonor
generally, 3-508:2
bank collection rules, 3-508:5
duty to send, 4-202:3, 4-202:4
midnight deadlines, 3-508:3
Obligated bank, 3-411:2 [Rev]
Off-premises presentment, 4-204:5
Off-premises processing, midnight
deadlines, 4-106:2
One-day rule
effect, 4-108:2

Master Index-48
BANKS AND BANKING—Cont’d
Reasonable conduct not covered by Code, 4-103:7
Receiving bank, definition, 4A-103:4
Regulations, federal reserve, 4-103:2 [Rev], 4-103:3 [Rev]
Remitter payment, 3-103:2 [Rev]
Remitting banks, 4-105:4
Restitution for payments over stop payment orders, 4-407:5
Restrictive indorsements compliance, 3-603:7
definition, 4-203:2
Returning expeditious manner, 4-202:5 [Rev]
forward collection test, 4-202:5 [Rev]
two day / four day test, 4-202:5 [Rev], 4-301:6 [Rev]
warranty. 4-105:4 [Rev], 4-202:6 [Rev]
Return items, duty, 4-406:3 [Rev]
Right of charge-backs, 4-301:4
Rights and obligations payment orders, 4A-204:4,
4A-304:4
variation agreements, 4A-404:5,
4A-406:4
Right to refuse, control agreement, 9-342:1 [Rev]
Seasonable action, collection, 4-202:7
Security interests deposited items, 4-208:1 et seq.
goods represented by documentary drafts,
4-504:2
Separate bank status, 4-301:6
Separate office, 4-107 [Rev], 4-107:1 [Rev]
Service of legal process, 4-401:4
Setoffs generally, 9-104:10

BANKS AND BANKING—Cont’d
Setoffs—Cont’d
bankruptcy, effect, 4-201:5,
4-201:5 [Rev], 4-303:5 [Rev]
Settle definition, 4-104:1, 4-301:3,
4-302:2
duty, 4-104:5 [Rev], 4-202:6
Settlements clearing balances, 4-301:3
final, failure to receive, 4-212:1
media of remittance, 4-211:1
methods authorized, 4-211:2
remittance instrument, timely action by collecting bank,
4-211:3
time, 4-302:2
Shift of loss, 4-406:8 [Rev], 4-407:1 [Rev]
Stale checks, processing, 4-404:1,
4-404:1 [Rev], 4-404:2 [Rev]
State law, 3-121:1
Statements customer’s duty to exam and report, 3-406:14, 4-406:1 [Rev], 4-406:2 [Rev]
reconciliation, 4-406:4, 4-406:4 [Rev]
Statement savings accounts, forgeries, 4-406:5
Subrogation rights, 4-407:1 et seq.
Suspend payment, 4-104:1,
4-216:1 [Rev]
Third-party practice, 4-407:4
Thrift institutions, 4-105:1
Time cutoff hour, 4-108:1 [Rev]
delays, 4-109:1 [Rev], 4-109:3 [Rev]
item receipt, 4-108 [Rev], 4-108:1 [Rev]
receipt of item, 4-107:1
BANKS AND BANKING—Cont’d
Transfer of credit, procedure, 4-101:4
Transfers between banks, 4-206:1, 4-206:1 [Rev], 4-206:2
Two-day/four-day test, 4-202:5 [Rev], 4-301:6 [Rev]
Types, 4-105:1, 4-105:1 [Rev]
Unpaid items, direct return, 4-212:7
Waiver of defenses, 4-406:9
Warranties, 3-120:3, 4-301:9 [Rev]
Wire advice, 4-103:4
Withdrawal, funds, Regulation CC, 4-215:6 [Rev] to 4-215:11 [Rev]
Wrongful dishonor definition, 4-402:2 [Rev]
duties, 4-402:5 [Rev]
liability to customers, 4-402:1 [Rev], 4-402:3
privilege, 4-402:6

BILLS OF LADING—Cont’d
See also Documents of Title; Federal Bills of Lading Act (FBLA); Uniform Bills of Lading Act (UBLA)
Acknowledgments, 7-309:4
Actions provisions, 7-309:5 [Rev] through bills, 7-302:3 [Rev]
time limitations, 7-309:8 [Rev]
Act of God, 7-309:2 [Rev]
Alterations, 7-306:1, 7-306:1 [Rev]
Amendments, 7-106:1 [Rev]
Apparent good order, 7-309:4 [Rev]
Arbitration, 7-309:5, 7-309:5 [Rev]
Attachment of goods, 7-602:1
Auction sale, enforcement of carrier’s lien, 7-308:1 [Rev]
Bailees, 7-102:6
Blanks filling, 7-306:1 [Rev]
unauthorized alteration or filling, 7-306:1 [Rev]
Blank spaces, 7-306:1
Bona fide purchaser generally, 7-501:1 [Rev]
judicial process lien, 7-602:1 [Rev]
lien of carrier, sale to enforce, 7-308:3 [Rev]
Breach of obligation, through bills, 7-302:1 [Rev]
Bulk freight, shipper’s weight, 7-301 [Rev]
Burden of proof, negligence, 7-403:4 [Rev]
Care required, 7-309 [Rev]
Carriage of Goods by Sea Act, 7-103:2
Carriers duties, 7-309:3
duty of care, 7-309:1 et seq.
BILLS OF LADING—Cont’d
Carriers—Cont’d
liabilities
limitation, 7-309:8 to
7-309:11
multiple carriers, 7-309:13
presumptions, 7-309:4
prima facie cases, 7-309:4
liens
generally, 7-307:1
effectiveness, 7-307:2
enforcement, 7-308:1 et seq.
losses, 7-307:2
parties affected, 7-307:2
standard of care, 7-309:1,
7-309:2
Change of instructions, 7-303:1,
7-303:1 [Rev]
Charges, lien of carrier, 7-307:1
[Rev]
Choice of forum, 7-309:5, 7-309:5
[Rev]
Claims, 7-309:5, 7-309:6
Claims, provisions, 7-309:5 [Rev]
Commercial reasonableness,
7-308:2 [Rev]
Compliance, contracts or letters of
credit, 7-509:1
Consignees
generally, 7-102:7
delivery of goods, 7-303:2
[Rev]
Consignor
carrier’s lien effective against,
7-307:2 [Rev]
delivery of goods, 7-303:2
[Rev]
diversion instructions, 7-303:1
[Rev]
Consignors, 7-102:7
Construction against negative
implication, 7-105:1
Contents or condition of content
of packages unknown,
7-301:2 [Rev]

BILLS OF LADING—Cont’d
Contents or condition of contents
unknown, 7-301:2
Conversion
generally, 7-308:4 [Rev]
bail, 7-601:1 [Rev]
carrier’s liability, 7-309:9 [Rev]
carrier’s sale to enforce lien,
7-308:4 [Rev]
limitation of liability, 7-309:9
[Rev]
title and rights acquired by
negotiation, 7-502:1 [Rev]
Damages
 carriers, 7-309:13 [Rev]
description of goods, reliance,
7-203:1 [Rev], 7-301:1
[Rev]
limitation, 7-309:9 [Rev]
multiple carriers, 7-309:13
[Rev]
non-receipt or misdescription,
7-203:1 [Rev], 7-301:1
[Rev]
overissue, 7-402:1 [Rev]
sale by carrier, 7-308:4 [Rev]
sets, 7-304:1 [Rev]
through bills, 7-302:3 [Rev]
Defeat, prior interest, 7-503:1
Defects, 7-309:2 [Rev]
Definition, 1-201 [Rev], 7-102:2,
7-102:2 [Rev]
Degree of care required, 7-309:1
[Rev]
Delivery
 orders, unaccepted, 7-503:2
proper parties, 7-303:1
sellers stopping, 7-504:
Demurrage charges, lien of carrier,
7-307:1 [Rev]
Description of goods
damages, 7-203:1 [Rev],
7-301:1 [Rev]
BILLS OF LADING—Cont’d

Description of goods—Cont’d
misdescription of goods,
7-203:1 [Rev], 7-301:1 [Rev]
reliance, 7-203:1 [Rev], 7-301:1 [Rev]

Destination, 7-305:1
Destination bills, 7-305:1 [Rev]

Destruction, 7-601:1
Discharge of obligation, through bills, delivery, 7-302 [Rev]

Diversions goods, 7-303:1, 7-303:1 [Rev] sellers’ rights, 7-504:4
Dock receipts and warrants, 7-102:5

Duly negotiated, 7-501:1
Duplicates, 7-106:1 [Rev], 7-402:1 [Rev]

Duty of care, 7-309:1 [Rev]
Electronic, 7-104:1

Electronic documents, 7-102:2 [Rev]

Enforcement of carrier’s lien, 7-308:1 [Rev]

Estoppel, 7-309:8 [Rev]

Exculpatory clauses effectiveness, 7-301:3
omissions, 7-301:2

Expenses, lien of carrier, 7-307:1 [Rev]

Freight forwarders, 7-503:3, 7-503:3 [Rev]

General obligations, 7-401:1 [Rev] to 7-404:1 [Rev]

Good faith delivery of goods, liability of bailee, 7-404:1 [Rev]
sale of goods by carrier, 7-308:3 [Rev]

Guaranty, accuracy of descriptions, marks, etc., 7-301:1 [Rev]

Harter Act, 7-103:2

BILLS OF LADING—Cont’d

Holder, diversion instructions, 7-303:1 [Rev]

Inception of carrier’s duties, 7-309:3 [Rev]

Indemnification rights of issuer, 7-301:1 [Rev]
seller’s stoppage of delivery, expenses of bailee, 7-504:4 [Rev]

Indorsements, 7-501:1 [Rev], 7-505:1

Instructions change of shipping instructions, effect, 7-504:3 [Rev]
delivery of goods, 7-303:1 [Rev]
holder, diversion instructions, 7-303:1 [Rev]

Instructions, change, 7-303:1

Insurer, 7-309:2 [Rev]

International shipments
bills in sets, 2-323:3
form, determination, 2-323:2
shipping terms, generally, 2-323:1

2003 and 2005 amendments, 2-323:4

Interpleader actions, 7-603:1

Irregularities, 7-401:1 [Rev]

Issuance generally, 7-401:1
designated places, 7-305:1
destination, 7-305:1
overseas shipments, 7-304:1
prohibitions, 7-304:1
set of parts, 7-304:1

Issuer’s liability, defenses prohibited, 7-301:1

Labels, description of goods, 7-301:1 [Rev]

Liability carrier, contractual limitation, 7-309:9 [Rev]
issuer, 7-302:1 [Rev]
BILL OF LADING—Cont’d
Liability—Cont’d
performing carrier, 7-302:2
[Rev]
prima facie evidence, 7-309:4
[Rev]
Lien of carrier, 7-307:1 [Rev],
7-308:1 [Rev]
Limitation of actions, 7-309:5 to
7-309:7, 7-309:8 [Rev]
Limitation of damages
generally, 7-309:9 [Rev]
effectiveness, 7-309:11 [Rev]
increase in value, 7-309:10
[Rev]
Limitation of liability
clauses, 7-309:8
declaring higher value,
7-309:10
effectiveness, 7-309:11
notice requirements, 7-309:10
Loss, 7-307:1 [Rev], 7-601:1
Marks, description of goods,
7-301:1 [Rev]
Misdating, 7-301:1 [Rev]
Misdescription of goods
generally, 7-301:1
damages, 7-203:1 [Rev],
7-301:1 [Rev]
Misstatements, 7-301:1
Negligence
burden of proof, 7-403:4 [Rev]
carrier, 7-309:2 [Rev]
Negotiability, 7-104:1 [Rev]
Negotiable, 7-104:1, 7-104:1
[Rev], 7-106:1 [Rev],
7-402:1
Negotiation
generally, 7-501:1 [Rev]
absence, rights of transferees,
7-504:1
regular course of business or
financing, 7-501:1
rights, acquisition, 7-502:1
warranties, 7-507:1

BILL OF LADING—Cont’d
Nonnegotiable
generally, 7-104:1, 7-104:1
[Rev], 7-402:1
control of nonnegotiable docu-
ments, 7-106:1 [Rev]
Nonreceipt of goods
generally, 7-301:1
Damages, 7-203:1 [Rev],
7-301:1 [Rev]
Notice, lien of carrier, enforce-
ment, 7-308:1 [Rev]
Notice of claims, 7-309:6, 7-309:6
[Rev]
Numbering, sets, 7-304:1 [Rev]
Overissuance, 7-402:1, 7-402:1
[Rev]
Overseas shipment, sets, 7-304:1
[Rev]
Packages of goods, issuer to
count, 7-301:2 [Rev]
Person entitled under document,
7-403:2 [Rev]
Possession of goods, 7-502:1
Preservation of goods, expenses,
lien of carrier, 7-307:1 [Rev]
Prima facie evidence, 7-301:1
Provisions
actions, institution, 7-309:5
exculpatory language, 7-301:2
presentment of claims, 7-309:5
statute of limitations, 7-301:2
Public authority, 7-309:2 [Rev]
Public enemy, 7-309:2 [Rev]
Real parties in interest, 7-309:7,
7-309:7 [Rev]
Recitals, 7-309:4
Reconsignment, 7-303:1 [Rev]
Reconsignment of goods, 7-303:1
Reissuance in alternative medium,
7-105:1 [Rev]
Said to contain, 7-301:2
Sales
commercial reasonableness,
7-308:2 [Rev]
BILLS OF LADING—Cont’d
Sales—Cont’d
enforcement of lien, 7-308:1 [Rev]
form, 2-323:2
security interests, creation, 2-505:1, 2-505:2
sets, 2-323:3
shipments under reservation, 2-505:1, 2-505:2
2003 and 2005 amendments, 2-505:3, 2-506:3
Satisfaction, lien of carrier, 7-308:1 [Rev]
Security interests, creation, 2-505:1, 2-505:2
Sets, 2-323:3, 7-304:1 [Rev]
Shipments under reservation, 2-505:1, 2-505:2
Shippers load and count, 7-301:2
Shipper’s weight, bulk freight, 7-301:2 [Rev]
Statute of limitations, 7-309:8 [Rev]
Statute of limitations, provision, 7-301:2
Stolen, 7-601:1
Stoppage of delivery, 7-504:3
Substitute bills, 7-305:1 [Rev]
Surrender of documents, 7-403:6
Terminal charges, lien of carrier, 7-307:1 [Rev]
Termination of carrier’s duties, 7-309:3 [Rev]
Third parties, prima facie evidence, 1-307 [Rev]
Through bills
generally, 7-302 [Rev]
connecting carrier’s liability, 7-302:2
damages, 7-302:3
definition, 7-302:1
indemnification, 7-302:3
intrasate shipments, 7-302:1
issuance, 7-302:1

BILLS OF LADING—Cont’d
Through bills—Cont’d
issuer’s liability, 7-302:1
purposes, 7-302:1
Time barred claims, 7-309:8 [Rev]
Transfer, 7-501:1 [Rev]
Transfer, warranties, 7-507:1
Uniform Electronic Transactions Act (UETA), 7-102:2 [Rev]
Warranties, negotiation or transfer, 7-507:1

BITCOIN
Virtual Currency Transactions, this index

BITLICENSE REGULATIONS
Error prevention and resolution, NONUCCPY 5:43

BLANKS
Bills of lading, filling in, 7-306:1 [Rev]
Warehouse receipts, filling authority, 7-208:1 [Rev]

BONA FIDE PURCHASERS
Ability to become, staleness of defenses affecting, 8-203:3
Actions, wrongful transfers, 8-315:3
Bills of lading generally, 7-501:1 [Rev]
judicial process, lien, 7-602:1 [Rev]
lien of carrier, enforcing, 7-308:3 [Rev]
Bulk transfers, subsequent conveyance, 6-110:3
Definition, 8-301:2
Freedom from claims, 8-301:5
Intervention, 8-405:4
Investment Securities, this index 1977 amendments, 8-302:7
1994 revision, definition, 8-303:9 [Rev]
Notice of adverse claims, 8-302:5

© 2018 Thomson Reuters, 12/2018
BONA FIDE PURCHASERS—Cont’d
Purpose of rules, 8-302:2
Requirements
generally, 8-302:1
bearer form of security, 8-302:6
giving value, 8-302:3
good faith, 8-302:4
purchase, 8-302:2
registered form issued, indorsed or blank, 8-302:6
Rights
generally, 8-302:1
limitations, 8-301:2
lost or stolen securities, 8-301:2
paramount, 8-301:3
Status requirements, New York rule, 8-304:4
Transfers
generally, 8-401:3
wrongful, 8-315:3
Warehouseman’s lien, enforcing, 7-210:2 [Rev]
Warranties on presentment, 8-306:2

BONDS
Government bond, storage under, 7-201:1
Receipt issued for goods stored under statute requiring, 7-201:1 [Rev]

BOOKS
Construction and interpretation, 1-103:10 [Rev]

BRANCH
Definition, 1-201 [Rev]

BRANCH BANKS
See also Banks and Banking; Collecting Banks; Depositary Banks; Payor Banks
Automatic teller machines, 4-101:20

BREACH—Cont’d
Collections, 4-106:1, 4-107:1 [Rev]
Conflict of laws, 4-102:4
Final payment, 4-215:2 [Rev]
Notices, 4-106:3
Orders, 4-106:3
Point of sale systems, 4-101:21
Processing centers, 4-106:2
Status, 4-106:1
Stop payment orders, 4-403:3 [Rev], 4-403:4

BREACHES OF WARRANTY
Error Prevention and Resolution, this index

BREACH OF CONTRACT
Generally, UCITA 701 to 710
See also Contracts
Acceptance, copies and, UCITA 704:1, UCITA 707:1
Adequate assurance of performance, UCITA 708
Anticipatory repudiation generally, 2-610:1
Convention on International Sale of Goods, 2-610:1
remedies, 2-610:2
requisites, 2-610:1
retraction, 2-611:1
Burden of proof, 2-607:5
Cancellation of Contract, this index
Causes of action accrual, 2-725:2
price due under contract, 2-709:1
Completion of performance after breach, UCITA 812

Master Index-56
BREACH OF CONTRACT
—Cont’d
Consequential damages of buyer,
2-715:3
Convention on International
Sale of Goods, 2-715:1
limitations, 2-715:3
overview, 2-715:1
2003 and 2005 amendments,
2-715:4
Continuing use after breach,
UCITA 813
Copies
burden of establishing breach of
contract, UCITA 610
cure and relationship to general
performance and handling
copies, UCITA 703:1
defective copies, generally,
UCITA 704 to 707
notice of breach of contract,
UCITA 610
ownership and transfer of
interests and rights,
UCITA 502:1
refusal
generally, UCITA 704:1
duties upon rightful, UCITA
706
relationship to acceptance, cure
and revocation, UCITA
704:1
revocation of acceptance,
UCITA 707:1
vested grant of rights, contract
with previously, UCITA
705
Cure and relationship to general
performance and handling
copies, UCITA 703:1
Delivery conditional on payment,
2-507:2
Discontinuing access after breach,
UCITA 814:1
Electronic Self-Help, this index
Estoppel, 2-201:8

BREACH OF CONTRACT
—Cont’d
Failure to surrender documents to
buyer, 2-514:1, 2-514:2
Fraudulent, 2-721:2
Incidental damages of buyer,
2-715:1, 2-715:2
Installment contracts
cancellation, 2-612:3
rejection, 2-612:2
Limitation of Actions, this index
Material breach
cancellation of contract permitted,
when, UCITA 802:6
damages, absence of, UCITA
701:4
distinction between material
and nonmaterial breach,
nature of, UCITA 701:1
infringement, relationship
between breach and,
UCITA 701:3
no contract definition, UCITA
701:2
performance, generally, UCITA
601:1
Measure of damages
Convention on International
Sale of Goods, 2-708:1,
2-708:2
foreseeability, 2-715:3
incidental damages, 2-708:2
market price
generally, 2-708:1
Convention on International
Sale of Goods, 2-723:1,
2-724:1
market quotations, admissi-
sibility, 2-724:1
place, 2-708:1, 2-723:1 to
2-723:3
time, 2-708:1, 2-723:1 to
2-723:3
2003 and 2005 amendments,
2-723:3, 2-724:2
BREACH OF CONTRACT
—Cont’d
Measure of damages—Cont’d
nonacceptance of goods, 2-708:1
profit, lost volume, 2-708:2
reliance expenses, 2-708:2
Nonconforming goods
acceptance, 2-512:2
recovery, 2-512:1
risk of loss, 2-510:1
Notice of breach of contract, UCITA 610
Notice to sellers
condition to recovery, 2-714:1
contents, 2-607:3
Convention on International Sales of Goods, 2-607:2, 2-607:3
infringement of intellectual property rights of another, 2-607:4
nonconforming goods, 2-607:3
proper party, 2-607:3
timeliness, 2-607:3
Ownership and transfer of interests and rights
copy, UCITA 502:1
financing arrangements, UCITA 510
Remedies of buyers
generally, 2-714:1
allocation, 2-615:3
cancellation of contract, 2-711:3
consequential damages, 2-714:2
cover, 2-712:1, 2-714:2
cover method, 2-714:2
deduction of damages from price
availability, 2-717:1
Convention on International Sale of Goods, 2-717:1

Remedies of sellers
buyers, comparison, 2-711:1
cancellation, 2-703:3
completion of manufacture, 2-704:2
Convention on International Sale of Goods, 2-709:1
due under contract, 2-709:1
identification of goods, 2-704:1
incidental damages, 2-704:1
measure of damages
market price, 2-708:1
resale, 2-706:1
other remedies, relationship to, 2-709:2
resale for scrap, 2-704:2

BREACH OF CONTRACT
—Cont’d
Recovery of goods,
2-711:1
remedies, relationship to, 2-711:1
repair and replacement costs, 2-714:2
replevin, 2-716:2
security interests in goods, 2-711:4
sellers, comparison, 2-711:1
specific performance, 2-716:1
2003 and 2005 amendments, 2-714:3, 2-716:3
warranty damages, 2-714:2

Remedies of buyers
—Cont’d
deduction of damages from price—Cont’d
notice requirements, 2-717:2
2003 and 2005 amendments, 2-717:3
incidental damages, 2-714:2
measure of damages, 2-713:1
notice of breach required, 2-714:1
obtaining of goods, 2-711:2
overview and theory, 2-711:1
reasonable purchase requirements, 2-712:2
recovery of price, 2-711:1
repair and replacement costs, 2-714:2
replevin, 2-716:2
security interests in goods, 2-711:4
sellers, comparison, 2-711:1
specific performance, 2-716:1
2003 and 2005 amendments, 2-714:3, 2-716:3
warranty damages, 2-714:2

Remedies of sellers
buyers, comparison, 2-711:1
cancellation, 2-703:3
completion of manufacture, 2-704:2
Convention on International Sale of Goods, 2-709:1
due under contract, 2-709:1
identification of goods, 2-704:1
incidental damages, 2-704:1
measure of damages
market price, 2-708:1
resale, 2-706:1
other remedies, relationship to, 2-709:2
resale for scrap, 2-704:2
BREACH OF CONTRACT
—Cont’d
Remedies of sellers—Cont’d
resale of goods
Convention on International
Sale of Goods, 2-706:1
measure of damages, 2-706:1
noncompliance, consequences, 2-706:3
proper manner, 2-706:2
public sales, 2-706:2
requirements, 2-706:1
specific performance, 2-709:1
stoppage of delivery in transit
conditions permitting, 2-705:1
Convention on International
Sale of Goods, 2-705:1
goods in possession of carriers, 2-705:1
limitations, 2-705:2
procedures, 2-705:3
2003 and 2005 amendments, 2-709:3
withholding goods, 2-703:2
Repudiation
anticipatory repudiation, generally, UCITA 709
measure of damages, market price, 2-708:1
retraction of anticipatory repudiation, UCITA 710
Risk of loss
buyer’s rejection of conforming goods, 2-510:2
effect, 2-510:1
failure to tender or deliver conforming goods, 2-510:1
nonconforming goods, tender or delivery, 2-510:1
Sale of securities, 8-107:4
Scope of license, UCITA 307:4
Statute of limitations. Limitation of Actions, this index

BREACH OF CONTRACT
—Cont’d
Uniform Computer Information Transactions Act, this index
Waiver of remedy for, UCITA 702

BREACH OF WARRANTY
Consequential damages of buyers, 2-715:3
Damages
generally, 2A-519:4,
2A-520:10, 2-714:2
consequential, 2A-519:7
personal injuries, 2A-520:10
property, 2A-520:10
Express warranties, 2A-210:11,
2-313:5
Implied warranty of fitness for particular purpose, 2-315:3
Implied warranty of merchantability, 2-314:4
Infringement, 2A-211:8
Interference, 2A-211:8
Limitations on recovery
generally, 2-313:6
privity of contract, 2-318:1
2003 and 2005 amendments, 2-318:4
Personal injuries, 2A-520:10
Property damage, 2A-520:10
Remedies, 2A-211:8, 2-312:5,
2-313:6
Repair and replacement, 2A-519:6
Third-party beneficiaries, express or implied warranties, 2-318

BROKERS
Adverse claims, liability, 8-115:1
[Rev]
Automatic perfection rule, 8-102:6
[Rev]
Contractual relationship with customers, 8-102:6 [Rev],
8-303:1
Definitions, 8-303:1, 8-306:6
BROKERS—Cont’d
Deliveries
transactions, 8-313:3
transactions not involving, 8-314:3
Determination, 8-303:1
Duties, 8-507:4 [Rev]
Fiduciaries, 8-303:1
Immunity from liability, 8-115:2 [Rev]
1977 amendments, 8-303:4
Transactions
generally, 8-314:2
national stock exchanges, 8-303:2
over the counter markets, 8-303:2
Warranties on transfers, 8-102:6 [Rev], 8-108:5 [Rev], 8-306:6

BROWSEWRAP
Manifestation of assent, UCITA 112:3

BULK SALES
See also Bulk Transfers
Adoption
arguments against Alternative, 6-101:3 [Rev]
arguments for Alternative, 6-101:2 [Rev]
Alternative A, 6-101:2 [Rev]
Alternative B, 6-101:2 [Rev], 6-101:5 [Rev]
Applicability of Article, 6-103:1 [Rev], 6-103:2 [Rev]
Auction sales, 6-103:4 [Rev], 6-108:1 [Rev], 6-108:2 [Rev]
Background, 6-101:2 [Rev]
Buyers
defenses, 6-107:4 [Rev]
duties, 6-104:1 [Rev] to 6-104:6 [Rev]
liability, schedule of distribution, 6-104:4 [Rev], 6-104:5 [Rev]
BULK SALES—Cont’d

Good faith—Cont’d
  damages limitation, 6-107:4 [Rev]
Indirect, 6-103:6 [Rev]
Intermediary, 6-103:4 [Rev], 6-103:6 [Rev]
Inventory, 6-103:6 [Rev]
Jurisdiction, 6-103:12 [Rev]
Kind of business, same or similar, 6-103:7 [Rev]
Limitation of actions
  concealment, 6-110:2 [Rev]
  insiders, 6-110:1 [Rev] to 6-110:3 [Rev]
Limitations
  enterprise, 6-103:9 [Rev]
  liquidation notice, 6-103:8 [Rev]
  ordinary course, 6-103:5 [Rev]
  quantitative, 6-103:6 [Rev]
  territorial, 6-103:12 [Rev]
Liquidation
  notice, 6-103:8 [Rev]
  sale, 6-103:4 [Rev], 6-108:1 [Rev], 6-108:2 [Rev]
Notice
  auctions, 6-108:2 [Rev]
  claimants, 6-103:12 [Rev]
  contents, 6-105:4 [Rev]
  creditors, 6-105:1 [Rev]
  direct sale, 6-103:4 [Rev]
  by filing, 6-105:3 [Rev], 6-109:1 [Rev]
  format, 6-105:2 [Rev]
  liquidation, 6-103:4 [Rev], 6-103:8 [Rev], 6-108:2 [Rev]
  manner, 6-103:12 [Rev]
  means of delivery, 6-105:2 [Rev]
  obligations of buyer, 6-104:5 [Rev]
  proper time, 6-105:5 [Rev]

BULK SALES—Cont’d

Ordinary course of business, 6-103:5 [Rev]
Quantitative limitations, 6-103:6 [Rev]
Reasonable inquiry, 6-103:8 [Rev]
Remedies, 6-107:1 [Rev], 6-108:2 [Rev]
Requirements, 6-103:2 [Rev]
Schedule of distribution
  compliance, 6-106:4 [Rev]
  formal requisites, 6-106:2 [Rev]
  net contract price, 6-104:5 [Rev], 6-106:3 [Rev], 6-107:5 [Rev], 6-108:2 [Rev]
  obligations of buyer, 6-104:4 [Rev]
Security interests, 6-103:10 [Rev]
Series, 6-103:6 [Rev]
Territorial limitations, 6-103:12 [Rev]

BULK TRANSFERS

See also Bulk Sales
Alternatives to compliance, 6-104:8
American Bar Association committee, 6-101:4
Applicability of provisions generally, 6-102:2
bulk mortgages, 6-103:3
Application of proceeds
  auction sales, 6-106:6
  secured creditors, protection, 6-106:5
Auction sales
  generally, 6-106:6, 6-108:1
  application of proceeds, exception, 6-106:6
  validity, 6-108:1
Background, 6-101:1 [Rev], 6-101:2 [Rev]
Common law, 6-101:1
BULK TRANSFERS—Cont’d
Compliance alternatives
bonds, use, 6-104:8
escrow arrangements, 6-104:8
waiver, 6-104:8
Creditors
conveyances to bona fide purchasers, liability of transferees, 6-110:3
credit for payments, entitlement, 6-109:2
definition, 6-104:4
excepted transfers, 6-103:2
lists, 6-104:2, 6-104:3
protected class, 6-106:3 to 6-106:5, 6-109:1
remedies, 6-104:5
schedule of property, 6-104:4
Defective title of transferees, 6-110:1
Defective title of transferees, noncompliance, 6-110:1
Definitions, 9-111:1, 9-301:7
Enterprises restricted
manufacture what is sold, 6-102:6
restaurants, 6-102:5
sale of merchandise from stock, 6-102:6
service businesses, 6-102:5
Exceptions
generally, 6-103:1
assumption of debts, 6-103:4
bulk mortgages, 6-103:3
changes in business organization, 6-103:4
creditors adequately protected, 6-103:2
Fraudulent conveyances, 6-101:1, 6-101:1 [Rev]
Good faith tests, 6-104:3
History of legislation, 6-101:1, 6-101:3
Identification, 6-110:2

BULK TRANSFERS—Cont’d
Inventory
exclusions, 6-102:5
quantitative limitations, 6-102:7
Levy, 6-111:1
Liability, transferee, 6-106:2
Limitation of actions, 6-111:1, 6-111:2
Limitations
enterprises included, 6-102:5, 6-102:6
percentage of inventory, 6-102:7
qualitative, 6-102:10
quantitative, 6-102:7, 6-102:8
subject matter, 6-102:3, 6-102:4
territorial, 6-102:11
transfers of equipment, 6-102:9
value versus volume, 6-102:7
List of creditors, 6-104:2, 6-104:3
Lists of creditors, completeness and accuracy, 6-104:3
Noncompliance
defects, 6-110:1
liability to creditors of transferors, 6-110:3
partial, cure, 6-104:7
pro rata distributions, 6-104:6
remedies for creditors
pro rata distribution, 6-104:6
transfers rendered ineffective, 6-104:5
subsequent transfers by transferees
generally, 6-110:2
liability to creditors, 6-110:3
transfers rendered ineffective, 6-104:5
Notice to creditors, 6-105:1
knowledge of creditors, effect, 6-105:2
long form
generally, 6-107:1
disadvantages, 6-107:3
means of delivery, 6-107:4
BULK TRANSFERS—Cont’d

Notice to creditors, 6-105:1
—Cont’d
proper means, 6-105:2
proper time, 6-105:2
short form
  generally, 6-107:1
disadvantages, 6-107:2
10-day rule, 6-105:3
time period, 6-105:3
time periods, 6-105:3
Organization, 6-101:2
Percentage of inventory, 6-102:7
Procedures to protect
generally, 6-104:1
list of creditors, demand
  accuracy, 6-104:3
  completeness, 6-104:3
  information and belief
  affidavits, 6-104:2
  investigation, 6-104:3
list of creditors, demand by
transferees, 6-104:2
schedule of property, 6-104:4
Proceeds
  application, 6-106:1
  auction sales, 6-106:6
  nonconsensual creditors, protec-
tion, 6-106:4
  personal liability of transferees,
  6-102:2, 6-106:2
  protection
    nonconsensual creditors,
    6-104:4, 6-106:4
    secured creditors, 6-106:5
    unlisted creditors, 6-106:3
  unlisted creditors, protection,
  6-106:3
Property, schedule, 6-104:4
Provisions, applicability, 6-102:2
Purpose, 6-103:2
Qualitative limitations, 6-102:10
Quantitative limitations
generally, 6-102:7, 6-102:8

Rationale for repeal or revision of
original Article 6, 6-101:3
Remedies
generally, 6-104:9
  compliance by parties
generally, 6-104:9
  secured creditors, 6-104:11
  unsecured creditors, 6-104:10
  compliance by transferors,
  6-104:9
  creditors, 6-104:5
Schedule of property, 6-104:4
Scope
generally, 6-102:1, 6-102:2
  exemptions, 6-102:10
  limitations, 6-103:2
Secured creditors, perfection of
  interests, 6-104:11
Security interests, 6-104:5,
  6-104:11, 9-111:1
Service businesses, 6-102:5
Statute of limitations, 6-104:2,
  6-110:1, 6-111:1, 6-111:2
Subject matter limitations
equipment, 6-102:4
  inventory, 6-102:3
  materials, 6-102:3
  merchandise, 6-102:3
  supplies, 6-102:3
Subsequent transfers, 6-110:1 et
  seq.
Territorial limitations, 6-102:11
  Transferee, personal liability,
  6-106:2
Value versus volume, 6-102:7

BURDEN OF ESTABLISHING

Definition, 1-201 [Rev]
Option to accelerate at will, 1-309
  [Rev]
BURDEN OF PERSUASION
Discharge, secondary obligors, 3-605:9 [Rev]

BURDEN OF PROOF
Acceptance of goods, 2A-516:11
Accommodation party, status, 3-419:3 [Rev]
Attachment of goods, 7-602:1
Breach of contract, 2-607:5
Carriers, 7-301:2, 7-309:2, 7-309:4
CISG, exclusion of issues, ICC 10:17
Conformity of goods, 2A-509:7
Course of performance, course of dealing, and usage of trade, 1-303:4 [Rev]
Damages, 4-103:6 [Rev]
Default, 2A-516:11
Discharge, secondary obligors, 3-605:15 [Rev]
Dishonor, 3-505 [Rev], 3-505:1 [Rev]
Effectiveness, 8-105:6
Funds transfers, 4A-506:7
Good faith, insecurity clauses, 2A-109:1
Goods, conformity, 2A-509:7
Insecurity clauses, good faith, 2A-109:1
Investment securities, genuineness of signature, 8-105:4, 8-205:4
Negligence generally, 7-403:4 [Rev]
banks, 4-406:7
warehousemen, 7-204:2
Nonconformity of goods, 2A-509:7
Perfect tender rule, conformance, 2-601:3
Preferences, 9-204:4
Rejection of goods by lessees, 2A-509:7
Secured parties, 9-507:7

BURDEN OF PROOF—Cont’d
Shifting, 7-204:2
Signatures, genuineness, 8-105:4, 8-205:4
Warehousemen, 7-204:2
Warehouse receipts, 7-204:2 [Rev]

BUSINESS ASSOCIATIONS
Equity interests, 8-103:2 [Rev]

BUYER IN ORDINARY COURSE OF BUSINESS
Definition, 1-201 [Rev]

CALIFORNIA REGISTERED WARRANTS
Historical background, NONUCCPY 1:22

CALLS AND ASSESSMENTS
Registered owner’s liability, 8-207:2
Revocation, notice of defects or defenses, 8-203:4

CANCELLATION OF CONTRACT
Generally, UCITA 802:1 to 802:7
CISG, ICC 10:37
Contract clauses, effect of, UCITA 802:6
Discharge of executory obligations, UCITA 802:3
Effect, generally, UCITA 802:2 to 802:5
Notice of cancellation, UCITA 802:7
Other nonduplicative remedies, availability of, UCITA 802:2
Preventing further use, UCITA 802:4
Rescission compared, UCITA 802:1
Returning materials and copies, UCITA 802:5
Termination compared, UCITA 802:1

Master Index-64
CANCELLATION OF CONTRACT—Cont’d
Uniform Computer Information Transactions Act, this index
When cancellation permitted, UCITA 802:6

CANCELLATION OR TERMINATION
Generally, 2A-505, 2A-505:1 et seq.
Communications with defaulting party, protecting remedies, 2A-505, 2A-505:1
Default by lessee, lessor’s remedy, 2A-523:3
Fraud, 2A-505:2, 2A-505:3
Installment lease contracts notice, 2A-510:6
right, 2A-510:5
Repudiation, lessor’s remedies, 2A-523:3
Words and phrases, 2A-523:3

CAPE TOWN CONVENTION—Cont’d
Aircraft Protocol—Cont’d
assignment, duty of debtor to pay assignee, ICC 9:112
background, ICC 9:3
conditions constituting international interest, ICC 9:30
de-registration, ICC 9:41
derogation, ICC 9:54
entry into force, ICC 9:136
financing “in writing”, ICC 9:30
formal requirements for contract of sale, ICC 9:34
insolvency of debtor, Alternatives A and B, ICC 9:103
installed goods, priority, ICC 9:101
interim relief, opt-in modifications, ICC 9:50
International Registry, ICC 9:55
mechanics of self-help, ICC 9:38
primary insolvency jurisdiction, ICC 9:104
priority of buyer, ICC 9:94
sovereign immunity, ICC 9:35
State of registry, ICC 9:23
status, ICC 9:3
2006 and 2007 acceptance, ICC 9:23

Airframes
aerial protocol, generally, ICC 9:2
designated entry points for registration, ICC 9:70
international registry, ICC 9:57, ICC 9:70
state of registry, ICC 9:23

© 2018 Thomson Reuters, 12/2018
CAPE TOWN CONVENTION — Cont’d

Approval, ICC 9:74, ICC 9:134
Arrest of object, ICC 9:123
Article 1 of Convention, ICC 9:1 to 9:9
Article 2 of Convention, ICC 9:10 to 9:21
Article 3 of Convention, ICC 9:22 to 9:24
Article 4 of Convention, ICC 9:22 to 9:24
Article 5 of Convention, ICC 9:25 to 9:28
Article 6 of Convention, ICC 9:25 to 9:28
Article 7 of Convention, ICC 9:29 to 9:34
Article 8 of Convention, ICC 9:35 to 9:43
Article 9 of Convention, ICC 9:35 to 9:43
Article 10 of Convention, ICC 9:35, ICC 9:44 to 9:46
Article 11 of Convention, ICC 9:35, ICC 9:47
Article 12 of Convention, ICC 9:35, ICC 9:48
Article 15 of Convention, ICC 9:35, ICC 9:53, ICC 9:54
Article 16 of Convention, ICC 9:55 to 9:66
Article 17 of Convention, ICC 9:67, ICC 9:68
Article 18 to 21 of Convention, ICC 9:69 to 9:75
Article 22 to 24 of Convention, ICC 9:76 to 9:81
Article 25 of Convention, ICC 9:82 to 9:87
Article 26 of Convention, ICC 9:88

UNIFORM COMMERCIAL SERIES

Asset-based financing and leasing generally, ICC 9:1
identification of uniquely identifiable object, ICC 9:32
international registry, ICC 9:8
interpretation of Convention, ICC 9:25
Asset-based international registry
International Registry, below U.C.C. Article 9 in comparison, ICC 9:8
Assignment generally, ICC 9:106 to 9:121
CAPE TOWN CONVENTION—Cont’d
Assignment—Cont’d
associated rights, ICC 9:109, ICC 9:111
Convention Articles 31 to 38, ICC 9:106 to 9:121
debtor’s defenses against assignee, ICC 9:108
default of assignor, ICC 9:114
defenses against assignee, ICC 9:113
definition, ICC 9:106
duty of debtor to pay assignee, ICC 9:112
formal requirements, ICC 9:110
insolvency of assignor, ICC 9:118, ICC 9:120
international interests without related associated rights, ICC 9:111
International Registry, ICC 9:60, ICC 9:61
limitations on priority, ICC 9:119
notice of insolvency, ICC 9:112
outright assignment, ICC 9:116
priority of assignor, ICC 9:107
priority of completing assignment, ICC 9:117
prospective assignments of international interests, ICC 9:61
remedies of assignee, ICC 9:114 to 9:116
revesting of associated rights, ICC 9:109
security, assignment for, ICC 9:115
split debt from lien, ICC 9:111
subrogation, ICC 9:121
United Nations Convention on Assignment of Receivables in International Trade, ICC 9:130

CAPE TOWN CONVENTION—Cont’d
Attachment, Convention for the Unification of Certain Rules Relating to Precautionary Attachment of Aircraft, ICC 9:133
Aviareto jurisdiction, ICC 9:128
liability of Registrar, ICC 9:91, ICC 9:92
Registrar, generally, ICC 9:68
Aviation working group (AWG), ICC 9:3
Buyer, priority, ICC 9:94
Categories of mobile equipment, ICC 9:11
Categories of objects, ICC 9:17
Chicago Convention, this index
Comparison with U.C.C. Article 9, U.C.C. Article 9, comparison, below
Conditional lessor remedies, ICC 9:44 to 9:46
Conditional seller International Registry, ICC 9:57
remedies, ICC 9:44 to 9:46
scope of application, ICC 9:11
Conditions for constituting international interest
amount of obligation secured, ICC 9:33
Convention Article 7, generally, ICC 9:29 to 9:34
formal requirements for sales contract, ICC 9:34
identification of object, ICC 9:32
obligation secured, ICC 9:33
power to dispose, ICC 9:31
writing requirement, ICC 9:30
Consent, ICC 9:74, ICC 9:134
Consolidated Text of Convention and Aircraft Protocol
interpretation of Convention, ICC 9:28

© 2018 Thomson Reuters, 12/2018
CAPE TOWN CONVENTION
—Cont’d
Consolidated Text of Convention and Aircraft Protocol —Cont’d
structure of Convention, ICC 9:2
Construction and interpretation, ICC 9:7
Contracting state search of International Registry, ICC 9:76, ICC 9:80
Convention for the Unification of Certain Rules Relating to Precautionary Attachment of Aircraft, ICC 9:133
Convention on International Recognition of Rights in Aircraft, ICC 9:132
Creditor’s remedies generally, ICC 9:35 to 9:54
additional remedies, ICC 9:46, ICC 9:48
application of proceeds of collection or disposition, ICC 9:40
chargee/secured party remedies, ICC 9:36 to 9:43
collection of income or profits, ICC 9:39
collection or disposition proceeds, ICC 9:40
conditional seller or lessor remedies, ICC 9:44 to 9:46
Convention Article 8 and 9, generally, ICC 9:35 to 9:43
Convention Article 10, ICC 9:35, ICC 9:44 to 9:46
Convention Article 11, ICC 9:35, ICC 9:47
Convention Article 12, ICC 9:35, ICC 9:48

CAPE TOWN CONVENTION
—Cont’d
Creditor’s remedies—Cont’d
declarations, ICC 9:37, ICC 9:50
default, ICC 9:47
de-registration, ICC 9:41, ICC 9:45
derogation, ICC 9:53, ICC 9:54
disposition proceeds, ICC 9:40
exercise of remedies, ICC 9:51
export, ICC 9:41, ICC 9:45
final determination, ICC 9:49, ICC 9:50
foreclosure, ICC 9:42
income or profits, ICC 9:39
insolvency, ICC 9:52
insolvency, below interim relief, ICC 9:49, ICC 9:50
mechanics of self-help, ICC 9:38
modification of remedies, ICC 9:53
notice, ICC 9:38
possession and disposition, ICC 9:36
procedural requirements, ICC 9:51, ICC 9:52
proceeds of collection or disposition, ICC 9:40
redemption, ICC 9:43
relief pending final determination, ICC 9:49, ICC 9:50
self-help, ICC 9:37, ICC 9:38
strict foreclosure, ICC 9:42
surplus, application, ICC 9:40
Declarations generally, ICC 9:4, ICC 9:144
CAPE TOWN CONVENTION — Cont’d
Declarations—Cont’d
availability of text on UNIDROIT web page, ICC 9:4
courts, ICC 9:140
creditor’s remedies, ICC 9:37, ICC 9:49, ICC 9:50
denunciations, ICC 9:148
designated entry points for registration information, ICC 9:70
governing law, ICC 9:27
insolvency of debtor, ICC 9:52
internal transactions, ICC 9:62, ICC 9:137
International Registry search and search results, ICC 9:80
lease of object by chargee, ICC 9:141
leave of court necessary, ICC 9:142
non-consensual rights and interests, ICC 9:122
relief pending final determination, ICC 9:50
remedies, ICC 9:141, ICC 9:142
reservations, ICC 9:145
self-help, ICC 9:37
subsequent declarations, ICC 9:146
territorial units, ICC 9:139
withdrawal, ICC 9:80, ICC 9:147
Definitions. Words and phrases, below
Denunciations, ICC 9:148

CAPE TOWN CONVENTION — Cont’d
Depositary, ICC 9:151
De-registration, ICC 9:41, ICC 9:45
Derogation
mandatory provisions, ICC 9:54
modification of remedies, ICC 9:53
Designated entry points for registration information, ICC 9:70
Detention of object, ICC 9:123
Discharge of registration, ICC 9:82 to 9:87, ICC 9:128
Entry into force, ICC 9:136
European Community, ICC 9:135
Exports, ICC 9:45
Fee schedule, ICC 9:67
Foreclosure, ICC 9:42
Formal requirements for sales contract, ICC 9:34
Fractional shares
aggregate sum, ICC 9:99
international interest, ICC 9:16
international registry, ICC 9:65
priority, ICC 9:99
Future of Convention, ICC 9:150
Future protocols, ICC 9:138
Geneva Convention of 1948, ICC 9:132
Governing law
agreement concerning, ICC 9:27
Convention Articles 5 and 6, ICC 9:26, ICC 9:27
evidentiary value of search certificate, ICC 9:81
interpretation of Convention, ICC 9:26, ICC 9:27
protocols, ICC 9:2
types of international interest, applicable law of forum State, ICC 9:13
CAPE TOWN CONVENTION
—Cont’d
Governing law—Cont’d
United Nations Convention on
Assignment of Receivables
in International Trade, ICC
9:130
Helicopters
aircraft protocol, generally, ICC
9:2
designated entry points for
registration, ICC 9:70
international registry, ICC 9:57
military, customs, or police ser-
vices helicopters, ICC
9:17
State of registry, ICC 9:23
Identification of object, ICC 9:32
Immunities. Privileges and
immunities, below
Informational search of
International Registry, ICC
9:76
Insolvency
assignor, ICC 9:120
assistance, ICC 9:105
Convention Article 30, ICC
9:102 to 9:105
creditor’s remedies, generally,
ICC 9:52
declarations, ICC 9:52
effect of proceedings, ICC
9:102
enforcement on insolvency of
debtor, ICC 9:103
jurisdiction, ICC 9:104, ICC
9:129
primary jurisdiction, ICC 9:104
remedies, ICC 9:52
Installed goods, priority, ICC
9:101
Interim relief
creditor’s, ICC 9:49, ICC 9:50
declarations, ICC 9:49, ICC
9:50, ICC 9:143

CAPE TOWN CONVENTION
—Cont’d
Interim relief—Cont’d
jurisdiction, ICC 9:127
Internal transactions, ICC 9:62,
ICC 9:137
International Air Transport
Association (IATA), ICC 9:3
International Civil Aviation Orga-
nization (ICAO), ICC 9:3,
ICC 9:67, ICC 9:89, ICC
9:90
International Organization for
International Carriage by
Rail, ICC 9:3
International registration
amendment of registration,
duty, ICC 9:86
consent to registration, ICC
9:74
Convention Article 16, ICC
9:55 to 9:66
Convention Article 17, ICC
9:67, ICC 9:68
Convention Article 18 to 21,
ICC 9:69 to 9:75
Convention Article 22 to 24,
ICC 9:76 to 9:81
Convention Article 25, ICC
9:82 to 9:87
Convention Article 26, ICC
9:88
Convention Article 27, ICC
9:89, ICC 9:90
Convention Article 28, ICC
9:91, ICC 9:92
criteria for search, ICC 9:73
designated entry points, ICC
9:70
discharge of registration, ICC
9:82 to 9:87, ICC 9:128
duration of registration, ICC
9:75
duty to discharge registration,
ICC 9:83 to 9:86

Master Index-70
CAPE TOWN CONVENTION
—Cont’d
International registration—Cont’d
erroneous registration, duty to
discharge or amend, ICC 9:86
extension of registration, ICC 9:75
failure to discharge registration, ICC 9:87
Federal Aviation Administration
Aircraft Registry, ICC 9:70
immunity of Supervisory
Authority, ICC 9:89, ICC 9:90
improper registration, duty to
discharge or amend, ICC 9:86
informational search listing,
ICC 9:77, ICC 9:79
insurance, liability of Registrar,
ICC 9:92
International Registry, below
liability of Registrar, ICC 9:91,
ICC 9:92
non-consensual rights and
interests, ICC 9:124
privileges of Supervisory
Authority, ICC 9:90
prospective transactions, duty to
discharge registration, ICC 9:85
registrar, below
search certificate, ICC 9:77,
ICC 9:78, ICC 9:80
searches and search results,
ICC 9:73, ICC 9:76 to 9:81
supervisory authority, below
time of registration, ICC 9:72
validity of registration, ICC 9:71
International Registry
generally, ICC 9:1, ICC 9:55,
ICC 9:56

CAPE TOWN CONVENTION
—Cont’d
International Registry—Cont’d
access to registry, ICC 9:88
acquisition of interests by
assignment or subrogation,
ICC 9:60
Aircraft Protocol, ICC 9:55
amendments, ICC 9:66
asset-based, ICC 9:8
assignment, ICC 9:60, ICC 9:61
comparison with U.C.C. Article 9, ICC 9:8
contacting state search, ICC 9:76, ICC 9:80
Convention Article 16, ICC 9:55 to 9:66
discharges, ICC 9:66
electronic confirmations of
registration, ICC 9:57
electronic registrations, ICC 9:55
evidentiary value of search cer-
tificate, ICC 9:81
fractional shares, ICC 9:16,
ICC 9:65
informational search, ICC 9:76
informational search listing,
ICC 9:77, ICC 9:79
internal transactions, ICC 9:62
international interests subject to
registration, ICC 9:56 to 9:65
leasing agreement, international
interest held by lessor
under, ICC 9:57
Luxembourg Protocol, ICC 9:55
mobile assets, generally, ICC 9:1, ICC 9:55, ICC 9:56
non-consensual rights and
interests, ICC 9:59
notices of national interests,
ICC 9:62

© 2018 Thomson Reuters, 12/2018 Master Index-71
CAPE TOWN CONVENTION
—Cont’d
International Registry—Cont’d
pre-existing rights and interests, ICC 9:63.50
priority search, ICC 9:76
procedures, ICC 9:5
professional registry user, ICC 9:88
prospective assignments of international interests, ICC 9:61
prospective international interests, ICC 9:58
prospective sales, ICC 9:63
regulations, ICC 9:5
sales, ICC 9:63
searches and search results, generally, ICC 9:76 to 9:81
security agreement, international interest held by secured party under, ICC 9:57
subordinations of interests, ICC 9:64
subrogation, ICC 9:60
title reservation agreement, international interest held by conditional seller under, ICC 9:57
transacting registry user, ICC 9:88
uniquely identifiable objects, ICC 9:17
user entities, ICC 9:88
web site, ICC 9:74
Interpretation of Convention
Convention Articles 5 and 6, generally, ICC 9:25 to 9:28
extra-Convention matters, governing law, ICC 9:26

CAPE TOWN CONVENTION
—Cont’d
Interpretation of Convention
—Cont’d
governing law, ICC 9:26, ICC 9:27
protocols, ICC 9:28
Jurisdiction
Convention Articles 42 to 45, ICC 9:126 to 9:129
Convention-based claims, ICC 9:126
grant of interim relief, ICC 9:127
insolvency, ICC 9:104
insolvency proceedings, ICC 9:129
registrar, orders against, ICC 9:128
Language, ICC 9:6
Leasing agreement
comparison with U.C.C. Article 9, ICC 9:8
International Registry, ICC 9:57
priority, ICC 9:95, ICC 9:96
scope of application, ICC 9:11
Legal personality of supervisory authority, ICC 9:89
Limitations on priority of assignment, ICC 9:119
Luxembourg Protocol
generally, ICC 9:2
background, ICC 9:3
International Registry, ICC 9:55
mid 2010, ICC 9:3
status, ICC 9:3
Military, customs, or police services helicopters, ICC 9:17
Model designation of object, ICC 9:34
Name of manufacturer, ICC 9:34
CAPE TOWN CONVENTION
—Cont’d
Non-consensual rights and interests
arrest of object, ICC 9:123
Convention Articles 39 to 41, ICC 9:122 to 9:124
declarations, ICC 9:122 to 9:124
detention of object, ICC 9:123
priority, ICC 9:122
prospective sales, ICC 9:125
registrable non-consensual rights and interests, ICC 9:124
right to arrest or detain object, ICC 9:123
sales and prospective sales, ICC 9:125
Notice
assignment, ICC 9:112
creditor’s remedies, ICC 9:38
insolvency, ICC 9:112
Objects
categories, ICC 9:17
identification of object, ICC 9:32
uniquely identifiable object, ICC 9:17
Obligation secured, ICC 9:33
Official Commentary, ICC 9:7
Ottawa Convention, ICC 9:131
Partial shares
aggregate sum, ICC 9:99
international interest, ICC 9:16
priority, ICC 9:99
Parties
creditor, ICC 9:14
discharge of registration, ICC 9:82
Possession and disposition, ICC 9:36
Power to dispose, ICC 9:31
Preamble and Article 1 of Convention, ICC 9:1 to 9:9
CAPE TOWN CONVENTION
—Cont’d
Pre-existing rights and interests, ICC 9:149
Primary insolvency jurisdiction, ICC 9:104
Priority
accessions, ICC 9:101
assignment, ICC 9:117
assignor, ICC 9:107
buyer, ICC 9:94
Convention Article 29, ICC 9:93 to 9:101
fractional shares, ICC 9:99
leasing agreement, ICC 9:96
lessor’s international interest, ICC 9:95
non-consensual rights and interests, ICC 9:122
power to dispose, ICC 9:31
pre-existing rights and interests, ICC 9:149
proceeds, ICC 9:100
prospective assignment of international interests registration, ICC 9:61
prospective international interests registration, ICC 9:58
prospective sale registration, ICC 9:63
registered interest, ICC 9:93
subordination, below time of registration, ICC 9:72
title reservation agreement, ICC 9:97
United Nations Convention on Assignment of Receivables in International Trade, ICC 9:130
Priority search of International Registry, ICC 9:76
Privileges and immunities registrar, ICC 9:68
CAPE TOWN CONVENTION—Cont’d
Privileges and immunities—Cont’d
sovereign immunity, ICC 9:35, ICC 9:127
Proceeds of collection or disposition, ICC 9:40
Prospective assignments of international interests, ICC 9:61
Protocol on matters specific to aircraft assets. Aircraft protocol, above
Protocols
Aircraft Protocol, above
governing law, ICC 9:2
International Institute for Unification of Private Law (UNIDROIT), ICC 9:2
Space Protocol, ICC 9:3
structure of Convention, ICC 9:2
Rail Protocol
generally, ICC 9:2
background, ICC 9:3
international registry, ICC 9:55
mid 2010, ICC 9:3
status, ICC 9:3
Railway rolling stock protocol.
Rail Protocol, above
Rail working group (RWG), ICC 9:3
Ratification, ICC 9:134
Redemption, ICC 9:43
Regional Economic Integration Organizations, ICC 9:135
Registrar
generally, ICC 9:68

CAPE TOWN CONVENTION—Cont’d
Registrar—Cont’d
appointment, ICC 9:67
dismissal, ICC 9:67
insurance against liability, ICC 9:92
jurisdiction to make orders against, ICC 9:128
liability, ICC 9:91, ICC 9:92
privileges and immunities, ICC 9:68
supervision, ICC 9:67
Registration. International registration, above
Relation back of time of registration, ICC 9:72
Remedies
assignee, ICC 9:114 to 9:116
conditional seller, ICC 9:44 to 9:46
creditor’s remedies, above
declarations, ICC 9:141, ICC 9:142
modification, ICC 9:53
Reservations, ICC 9:145
Retroactive application of Convention, State of registry, ICC 9:23
Rome Convention, ICC 9:133
Scope of application
applicable law of forum State, ICC 9:13
associated rights, ICC 9:20
conditional seller under title reservation agreement, ICC 9:11
connection between Convention and transaction, ICC 9:22 to 9:24
Convention Article 2, generally, ICC 9:10 to 9:21
Convention Articles 3 and 4, ICC 9:22 to 9:24

Master Index-74
CAPE TOWN CONVENTION—Cont’d
Scope of application—Cont’d
Delaware corporation, ICC 9:24
fractional shares, ICC 9:16
interests included in international interest, ICC 9:15
international interest defined, ICC 9:11
leasing agreement, international interest held by lessor under, ICC 9:11
lessee under leasing agreement, ICC 9:11
location of debtor, ICC 9:22
mobile equipment, ICC 9:18
partial shares, ICC 9:16
parties to international interest, ICC 9:14
proceeds of object, ICC 9:19
relocation of debtor to noncontracting state, ICC 9:22
sales, ICC 9:21
secured party under security agreement, ICC 9:11
security agreement, international interest held by secured party under, ICC 9:11
shares, ICC 9:16
situation, where debtor is situated, ICC 9:24
state of registry, ICC 9:23
title reservation agreement, international interest held by conditional seller under, ICC 9:11
types of international interest, ICC 9:11, ICC 9:12
uniquely identifiable object, ICC 9:17
Searches of international registry, International Registry, above

CAPE TOWN CONVENTION—Cont’d
Security agreement, international interest held by secured party under international registry, ICC 9:57
priority of buyer, ICC 9:94
scope of application, ICC 9:11
Self-help, debtor’s agreement to, ICC 9:8, ICC 9:36 to 9:38
Serial number of manufacturer, ICC 9:34
Signature, ICC 9:134
Sovereign immunity aircraft protocol, ICC 9:35
territorial jurisdiction, ICC 9:127
Space Protocol, ICC 9:3
Strict foreclosure, ICC 9:42
Structure generally, ICC 9:2
Article 1 of Convention, ICC 9:1 to 9:9
Article 2 of Convention, ICC 9:10 to 9:21
Article 3 of Convention, ICC 9:22 to 9:24
Article 4 of Convention, ICC 9:22 to 9:24
Article 5 of Convention, ICC 9:25 to 9:28
Article 6 of Convention, ICC 9:25 to 9:28
Article 7 of Convention, ICC 9:29 to 9:34
Article 8 of Convention, ICC 9:35 to 9:43
Article 9 of Convention, ICC 9:35 to 9:48
Article 10 of Convention, ICC 9:35, ICC 9:44 to 9:46
Article 11 of Convention, ICC 9:35, ICC 9:47
Article 12 of Convention, ICC 9:35, ICC 9:48
CAPE TOWN CONVENTION
—Cont’d
Structure—Cont’d
Article 15 of Convention, ICC 9:35, ICC 9:53, ICC 9:54
Article 16 of Convention, ICC 9:55 to 9:66
Article 17 of Convention, ICC 9:67, ICC 9:68
Article 18 to 21 of Convention, ICC 9:69 to 9:75
Article 22 to 24 of Convention, ICC 9:76 to 9:81
Article 25 of Convention, ICC 9:82 to 9:87
Article 26 of Convention, ICC 9:88
Article 27 of Convention, ICC 9:89, ICC 9:90
Article 28 of Convention, ICC 9:91, ICC 9:92
Article 29 of Convention, ICC 9:93 to 9:101
Article 30 of Convention, ICC 9:102 to 9:105
Article 31 to 38 of Convention, ICC 9:106 to 9:121
Article 39 to 41 of Convention, ICC 9:122 to 9:125
Article 42 to 45 of Convention, ICC 9:126 to 9:129
Article 45BIS and 46 of Convention, ICC 9:130 to 9:133
Article 47 to 49 of Convention, ICC 9:134 to 9:136
Article 50 of Convention, ICC 9:137
Article 51 of Convention, ICC 9:138
Article 52 to 59 of Convention, ICC 9:139 to 9:148

CAPE TOWN CONVENTION
—Cont’d
Structure—Cont’d
Article 60 of Convention, ICC 9:149
Article 61 of Convention, ICC 9:150
Article 62 of Convention, ICC 9:151
protocols, generally, ICC 9:2
Subordination
international registry interests, ICC 9:64
priority, ICC 9:98
Subrogation
assignment, ICC 9:121
international registry, acquisition of interests, ICC 9:60
Subsequent declarations, ICC 9:146
Supervisory authority
generally, ICC 9:67
fee schedule, ICC 9:67
legal personality, ICC 9:89
Surplus, application, ICC 9:40
Territorial units, ICC 9:139
Text of Convention on International Interests in Mobile Equipment and Protocol to Convention on International Interests in Mobile Equipment, ICC App 9 to A
Time of registration, priority, ICC 9:72
Title reservation agreement
priority of interests, ICC 9:94, ICC 9:97
scope of application, ICC 9:11
U.C.C. Article 9, comparison
basic concept of international interest, ICC 9:8

UNIFORM COMMERCIAL SERIES
Master Index-76
CAPE TOWN CONVENTION —Cont’d
U.C.C. Article 9, comparison —Cont’d
conditions for constituting international interest, ICC 9:29
creditor’s remedies, ICC 9:38, ICC 9:40
duration of registration, ICC 9:75
international registry, ICC 9:8, ICC 9:57
mechanics of self-help, ICC 9:38
mobile equipment, ICC 9:18
priority of registered interest, ICC 9:93
sales, scope of Convention, ICC 9:21
types of international interest, ICC 9:12
uniquely identifiable object and collateral subject to security interest, ICC 9:17
United Nations Convention on Assignment of Receivables in International Trade, ICC 9:130
Waiver of sovereign immunity, ICC 9:35
Withdrawal of declarations, ICC 9:80, ICC 9:147
Words and phrases generally, ICC 9:9
aircraft engines, ICC 9:17
aircraft objects, ICC 9:17
airframes, ICC 9:17
applicable law, ICC 9:26
assignment, ICC 9:106
associated rights, ICC 9:20, ICC 9:106
courts, ICC 9:140

CAPE TOWN CONVENTION —Cont’d
Words and phrases—Cont’d
creditor, ICC 9:14
helicopters, ICC 9:17
insolvency proceedings, ICC 9:102
internal transaction, ICC 9:137
international interest, ICC 9:11, ICC 9:15
national interest, ICC 9:62
non-consensual rights and interests, ICC 9:122
party in whose favor it was made, ICC 9:82
proceeds, ICC 9:19
registration, ICC 9:66
sale, ICC 9:125
transactions, ICC 9:126
undue delay, ICC 9:83, ICC 9:86
unregistered interest, ICC 9:93
Writing requirement, ICC 9:30

CAPTIONS
Section captions, 1-107 [Rev]

CARMACK AMENDMENT, INTERSTATE COMMERCE ACT
Application of law, 7-103:1 [Rev]
Relation of Article, 7-103:2

CARRIAGE OF GOODS BY SEA ACT
Application of law, 7-103:1 [Rev]

CARRIERS
See also Carrier’s Liens; Connecting Carriers
Acts of God, 7-309:2
Bailee status, 7-102:6
Damages, 7-308:4, 7-309:13
Defects, inherent, 7-309:2
Defenses, 7-309:2
Definition, 7-102:6 [Rev]
CARRIERS—Cont’d
Duties
    generally, 7-309:3
termination, 7-309:3
Goods held without movement,
    2A-219:4
Instructions, 7-309:1
Insurers of goods, 7-309:2
Liability, bills of lading, 7-303:2
Limitation of liability
    generally, 7-309:8
    attorney’s fees, 7-309:12
declare higher value, 7-309:10
effectiveness, 7-309:11
notice requirements, 7-309:10
Multiple, damages, 7-309:13
Public enemy, 7-309:2
Risk of loss
    goods held without movement,
    2A-219:4
time of passage, 2A-219:3 et seq.
Security interests, contract provisions, 7-307:1
Standard of care
    instructions, 7-309:1
    insurer status, 7-309:2
    perishable goods, 7-309:1
Stoppage of delivery, 2A-526:3
Time of passage, 2A-219:3 et seq.

CARRIER’S LIENS
Charges, 7-307:1
Effectiveness, 7-307:2
Enforcement, sales
    application of proceeds, 7-308:3
commercially reasonable,
    7-308:2
notices, 7-308:1
Losses, 7-307:2
Notices, 7-307:2, 7-308:1
Parties, 7-307:2
Satisfaction, 7-308:1, 7-308:3
Specific, 7-307:1

CASH
    Sellers’ rights to reclamation of goods, 2-507:2

CASUALTY
    Assumption of risk, 2A-221:6
Goods, 2A-217:2
Identified goods
    generally, 2A-221:1
    assumption of risk, 2A-221:6
    impossibility
        effect of delivery, 2A-221:4
        without fault requirement, 2A-221:3
    partial loss, 2A-221:5
when contract made, 2A-221:2
Impossibility, identified goods
    delivery, 2A-221:4
    no fault requirement, 2A-221:3
Partial loss, 2A-221:5
Time of contract, 2A-221:2

CAUSES OF ACTION
    See also Negligence
Accrual
    ambiguous instruments, 3-118:3
    antedated instruments, 3-114:4,
        3-122:3
cashier’s checks, 3-122:3
certificates of deposit, 3-122:4
certified checks, 3-122:3
conversion, 3-420:7 [Rev]
date stated, 3-114:6
demand instruments, 3-122:3
installment instruments,
    3-122:2
interest, 3-122:6
leases, 2A-506:2
negotiable instruments, 3-118:6
[Rev]
postdated instruments, 3-114:3,
    3-122:3
presentment warranties, breach,
    3-417:9, 3-417:13 [Rev]
secondary parties, 3-122:5
CAUSES OF ACTION—Cont’d
Accrual—Cont’d
time instruments, 3-122:2
transfer warranties, breach, 3-416:9 [Rev], 3-417:18
Burden of proof, 3-307:3, 3-308:3 [Rev]
Characterization, 2A-506:3
Comparative negligence, 3-404:3 [Rev]
Conversion generally, 3-419:4
proper parties, 3-420:4 [Rev], 3-420:7 [Rev]
Defense, response, 3-308:5 [Rev], 3-308:6 [Rev]
Dishonor, underlying obligation, 3-310:5 [Rev]
Holders, 3-301:2
Investment securities, action on security, 8-105:2
Lost, destroyed or stolen instruments
generally, 3-309 [Rev], 3-309:1 [Rev] et seq., 3-804:1 et seq.
terms, 3-309:1 [Rev], 3-309:5 [Rev]
Negligence, 4-406:7 [Rev]
Nonholders, right to sue in own name, 3-301:2
Notice to third parties
generally, 3-119:2 [Rev], 3-803:1, 3-803:2
vouched in, 3-119:1 [Rev], 3-119:2 [Rev]
Ordinary care, failure to exercise, 3-406:6 [Rev]
Pleading requirements, 3-307:2, 3-308:2 [Rev]
Possession of instruments, 3-804:1
Presentment warranty, breach, 4-208:13 [Rev]
Prima facie cases, 3-307:2, 3-307:3, 3-308:3 [Rev]

CAUSES OF ACTION—Cont’d
Production of instruments, 3-307:3
Secondary parties, 3-501:1
Signature authenticity
burden of proof, 3-308:4 [Rev] to 3-308:6 [Rev]
genuineness presumption, 3-307:4, 3-308:4 [Rev]
pleading requirements, 3-308:2 [Rev]
Statute of limitations
generally, 3-118:1 [Rev], 4-111 [Rev], 4-111:1 [Rev], 4-207:9 [Rev]
accrual, 2A-506:2
certificates of deposit, 3-118:4 [Rev]
characterization, 2A-506:3
checks, 3-118:3 [Rev]
drafts, 3-118:3 [Rev], 3-118:5 [Rev]
notes, 3-118:2 [Rev]
state law, 3-122:1
Stop payment order, payment over, 4-403:6 [Rev]
Transfer warranty, breach, 3-416:9 [Rev], 4-207:9 [Rev]
Underlying obligation, dishonor of instrument, 3-802:5
Wrongful dishonor, 4-402:2 [Rev], 4-402:5 [Rev]

CERTIFICATED SECURITIES
Adverse claims, 1977 amendments, 8-403:6
Alteration of instrument, 8-206:1 [Rev]
Amendments affecting, 8-101:4
Attachment, 8-112:1 [Rev]
Completion of instrument, 8-206:1 [Rev]
Control, requirements, 8-106:2 [Rev]
Creditor’s legal process, 8-112:1 [Rev]

© 2018 Thomson Reuters, 12/2018
CERTIFICATED SECURITIES—Cont’d
Creditors’ rights, 1977 amendments, 8-317:8
Definitions, 1977 amendments, 8-102:7 to 8-102:9
Definitions, 1994 revision, 8-102:2 [Rev]
Delivery, 1977 amendments, 8-313:7
Destroyed, 1977 amendments, 8-405:5
Examples, 3-102:2 [Rev]
Exchanges, 8-407:3
Indorsements, 8-307:3, 8-310:1, 8-310:2
Issuers’ rights, 1977 amendments, 8-207:3
Lost, 1977 amendments, 8-405:5
Lost, owners’ duties, 8-406:1 [Rev], 8-406:2 [Rev]
Negotiability, 1977 amendments, 8-105:7
Negotiable instruments, comparison, 3-102:2 [Rev]
Perfection of security interests, 8-321:3
Pledges, 8-321:4
Security interests, creation, 8-321:3
Staleness, 1977 amendments, 8-203:5
Stolen, 1977 amendments, 8-405:5
Terms, 8-202:2 [Rev]
Transfer, restrictions, 8-204:1 [Rev]
Unauthorized signatures, 8-205:1 [Rev]
Warranty on registration, 8-108:3 [Rev]

CERTIFICATES—Cont’d
Title
goods covered, 9-103:6
Model Tribal Secured Transactions Act, this index
movement, 9-103:7
protection of nonmerchant buyers, 9-103:8
Title, leased goods, 2A-105, 2A-105:1

CERTIFICATES OF DEPOSIT
Statute of limitations, 3-118:4 [Rev]

CERTIFICATES OF TITLE
Jurisdiction change, four-month rule, 9-303:2 [Rev]
Model Tribal Secured Transactions Act, this index
Purchase-money security interest, motor vehicles, 9-309:2 [Rev]
Security interests, priorities, 9-337:1 [Rev]
State statutes
governing law change, 9-316:3 [Rev]
security interest notation generally, 9-311:1 [Rev]
amendments of 2010, 9-311:3 [Rev]
inventory exception, 9-311:1 [Rev]

C. & F.
Shipping terms, 2-320:3

CHANGE OR MODIFICATION
Generally, UETA 10
CISG, contract under, ICC 10:37
Contracts, this index
Federal E-Sign, UETA 10:2
Model Tribal Secured Transactions Act, this index
Modification or Impairment, this index
CHANGE OR MODIFICATION
—Cont’d
Related law
federal E-Sign, UETA 10:2
2005 Convention, UETA 10:3
Statutory text, UETA 10
2005 Convention, UETA 10:3
Warranty, effect of licensee’s
modification of computer
program on, UCITA 407

CHANGES IN CODES
Construction and interpretation, 1-103 [Rev]
Course of performance, course of
dealing, and usage of trade, 1-303 [Rev]
Electronic Signatures in Global
and National Commerce Act, 1-108 [Rev]
Good faith, 1-304 [Rev]
Lease, 1-203 [Rev]
Notice and knowledge, 1-202 [Rev]
Option to accelerate at will, 1-309 [Rev]
Reasonable time and seasonability, 1-205 [Rev]
Remedies to be liberally
administered, 1-305 [Rev]
Reservation of rights, 1-308 [Rev]
Subordinated obligations, 1-310 [Rev]
Territorial applicability and gen-
eral rules
parties’ power to choose
applicable law, 1-301 [Rev]
variation by agreement, 1-302 [Rev]
Third parties, prima facie evi-
dence, 1-307 [Rev]
Value, 1-204 [Rev]
Waiver or renunciation, 1-306 [Rev]

CHARACTERIZATION
Territorial applicability and gen-
eral rules, 1-301:4 [Rev]

CHARGE-BACKS
Clearinghouse time limitations, 4-212:3
Conditions precedent, 4-212:2
Currency fluctuations, risk of loss, 4-212:8
Depositary banks’ rights, 4-212:6
Estoppel, 4-212:9
Failure, 4-212:4
Final payments, 4-212:5, 4-215:6 [Rev]
Foreign currency exchange rates, 4-212:8,
4-214:6 [Rev]
Liability, failure to use ordinary
care, 4-212:9
Midnight deadlines
collecting banks, 4-212:3,
4-214:4 [Rev], 4-214:5 [Rev]
depositary banks, 4-212:6
Notice, nonpayment, 4-214:5 [Rev]
Optional remedies, 4-212:4
Procedures
generally, 4-212:1
collecting bank, 4-214:1 [Rev]
to 4-214:5 [Rev]
Procedures, collecting bank, 4-214 [Rev]
Provisional credit revocation, 4-212:1
Requirements, 4-214:4 [Rev]
Return, timely, 4-214:5 [Rev]
Rights
collecting banks, 4-212:2,
4-212:4
failure to use ordinary care,
effect, 4-212:9
termination, 4-212:5
CHARGE-BACKS—Cont’d
Time limitations, 4-212:3
Unpaid items, direct return, 4-212:7

CHARGE CARDS
Credit Card Transfers, this index

CHARGES AND FEES
See Regulation of Charges, Agreements and Practices, this index

CHATTEL PAPER
Assignments restrictions, ineffectiveness, 9-406:2 [Rev]
Definition, 9-105:3, 9-304:2, 9-308:2
Duty of inquiry, 9-308:2
Excluded transactions, 9-104:7
Holder in due course, protection, 9-309:1
Interest in more than mere proceeds of paper, 9-308:2
Model Tribal Secured Transactions Act, this index
Perfection
security interests, 9-304:2
special rules, 9-312:1 [Rev], 9-312:2 [Rev]
Priorities of purchasers, 9-308:1, 9-308:2
Proceeds, priorities, 9-330:4 [Rev], 9-330:5 [Rev]
Purchasers, holders in due course, protection, 9-309:1
Reasonable care, 9-207:3
Returned or repossessed, 9-306:8
Security interests
generally, 9-103:10
amendments of 2010, 9-330:6 [Rev]
interest in more than proceeds, 9-308:2
nonpossessory perfected, 9-308:2

CHATTEL PAPER—Cont’d
Security interests—Cont’d
priorities, 9-330:1 [Rev], 9-330:2 [Rev]
Treatment, 9-103:10

CHECK 21 EXPEDITED RECREDS FOR CONSUMERS
ECCHO electronic check presentation, NONUCCPY 7:47

CHECKS
See also Drafts; Indorsements; Items; Negotiable Instruments
Acceptance, 4-301:1
Account hold, 4-215:7 [Rev] to 4-215:9 [Rev]
Agency, authority to sign, 4-401:2
Amounts payable, balance in accounts, 4-401:4
Antedating, 3-113:2 [Rev]
Assignments
absence, liability of drawee, 3-409:4
treatment, 3-408:2 [Rev], 3-409:1, 3-409:3
Availability
exceptions, 4-215:15 [Rev]
extensions, 4-215:14 [Rev]
fifth day, 4-215:13 [Rev]
next day, 4-215:12 [Rev]
second day, 4-215:13 [Rev]
Bank
drawn upon, 3-104:13 [Rev]
refusal to pay, 3-411 [Rev], 3-411:1 [Rev]
Blanks, careless handling, 3-406:13
Cashier’s
defenses to payment, 3-104:16
former Article 3, treatment, 3-411:1 [Rev]
issuer, 3-412:2 [Rev]
CHECKS—Cont’d
Cashier’s—Cont’d
liability, 3-104:16
order to pay, 3-103:3 [Rev]
Revised Article 3, treatment, 3-411:2 [Rev]
stop payment orders, 4-403:11
time for presentment, 3-503:9
treatment, 3-104:14 [Rev]
underlying obligation, discharge, 3-802:2
Certification
acceptance, 3-409:1 [Rev] to
3-409:4 [Rev], 3-411:1
bank’s obligation, 3-411:4
drawers, 3-411:3
holders, 3-411:2
refusal, 3-409:5 [Rev], 3-411:1
[Rev], 3-411:4
Certified
generally, 3-104:19
former Article 3, treatment, 3-411:1 [Rev]
Revised Article 3, treatment, 3-411:2 [Rev]
stop payment orders, 4-403:11
time for presentment, 3-503:9
underlying obligation, discharge, 3-802:2
Collection systems
electronic sorting, 4-101:6
electronic transfers, statistics, 4-101:6
historical background, 4-101:4, 4-101:5
Counterfeit check disputes
ECCHO Electronic Check Presentment, this index
sales bonds, transmission of images of savings bonds for redemption, ECCHO error resolution rules,
NONUCCPY 5:22
U.S. Treasury Department, transmission of images of
CHECKS—Cont’d
Counterfeit check disputes
—Cont’d
savings bonds for redemption, ECCHO error resolution rules, NONUCCPY 5:22
Damages, remotely created checks, 3-416:11 [Rev]
Debit type transfers, 4-105:1
Definition, 3-104:15, 3-411:1
Deposit without indorsement, 3-404:2 [Rev]
Discrepancies, 4-401:5
Dishonor, 3-502:3 [Rev], 4-602:1 et seq.
Double forgery, 4-406:7 [Rev]
Drawer
authorized representative, liability, 3-402:2 [Rev]
death, 4-405:1 [Rev], 4-405:3 [Rev], 4-405:4 [Rev]
incompetence, 4-405:1 [Rev], 4-405:2 [Rev]
ECCHO Electronic Check Presentment, this index
Encoding warranties
application, 4-209:2 [Rev]
breach, damages, 4-209:1 [Rev], 4-209:3 [Rev], 4-209:5 [Rev]
Examination, 3-406:4 [Rev], 3-406:5 [Rev]
Federal preemption, 3-102:7 [Rev]
Foreign, presentment, 3-503:8
Forgeries, allocation of liability, 4-103:2
Four legals, 4-303 [Rev], 4-303:1 [Rev] to 4-303:3 [Rev]
Full payment, exceptions, 3-311 [Rev], 3-311:1 [Rev], 3-311:3 [Rev] to 3-311:5 [Rev]
Historical background,
NONUCCPY 1:3

© 2018 Thomson Reuters, 12/2018 Master Index-83
CHECKS—Cont’d

Improperly encoded, 4-302:4

Insufficient funds
   overdrafts, 4-401:2 [Rev]
   payment order, 4-303:4 [Rev]
   properly payable items, 4-401:1
      [Rev]

Local, definition, 4-215:11 [Rev]

Lost, destroyed or stolen
   claims, 3-312:3 [Rev] to
      3-312:5 [Rev]
   indorsee, 3-312:2 [Rev]
   liability, 3-312:1 [Rev]
   refund, 3-312:1 [Rev]
   right to recover, 3-312:2 [Rev]

Material alterations, 4-401:5

MICR lines, 4-302:4, 4-401:4 [Rev]

Negotiability, 3-104:1 [Rev]

Negotiable order of withdrawal
   (NOW), 3-104:18 [Rev], 3-104:21

Nonlocal, 4-215:11 [Rev]

Obligated banks, 3-411:2 [Rev]

Ordinary care
   blank, careless handling, 3-406:13 [Rev]
   employee supervision, 3-406:12 [Rev]
   failure to report, 3-406:14 [Rev]
   improper business practice, 3-406:11 [Rev]
   negligence, 3-406:7 [Rev]
   open space, 3-406:8 [Rev]
   third party, 3-406:10 [Rev]
   wrong party, mail, 3-406:6 [Rev], 3-406:9 [Rev]

Out-of-state, collection, 4-101:7

Overdue, 3-304:2 [Rev]

Payee, improper designation, 3-204:4 [Rev]

Payment
   evidence, 4-101:3 [Rev]
   order, 4-303:4 [Rev]

Postdated, early payment, 3-108:2 [Rev], 3-113:2 [Rev],
   4-302:3 [Rev], 4-401:4 [Rev], 4-407:3 [Rev]

Presentments
   generally, 3-503:8
   federal regulations, 3-504:4
   warranties, remotely created checks, 3-417:14 [Rev]

Receipt, off-premises data
   processing center, 4-204:2 [Rev]

Regulation CC, 3-104:13 [Rev]

Remitter, 3-103:2 [Rev]

Remotely-created checks
   damages, 3-416:11 [Rev]
   presentment warranties, 3-417:14 [Rev]
   transfer warranties, 3-416:11 [Rev]

Representation, 4-302:5

Retention
   generally, 4-101:14, 4-406:3 [Rev]
   by banks, 4-101:3 [Rev]
   warranties, 4-209:4 [Rev]

Return
   generally, 4-406:3 [Rev]
   depositary bank, 4-202:4 [Rev]
   expeditious, 4-301:6 [Rev]
   forward collection test, 4-301:6 [Rev]
   notice, nonpayment, 4-301:7 [Rev]
   two day/four day test, 4-301:6 [Rev]

Return process, 4-215:8 [Rev]

Revocable orders, 3-408:1 [Rev], 3-409:2

Revocation, 4-405:1 [Rev]

Savings bonds, transmission of
   images of savings bonds for
CHECKS—Cont’d
redemption, ECCHO error
resolution rules,
NONUCCPY 5:22
Settlement, bank, 4-213 [Rev]
Settlement amount warranties,
4-209:5 [Rev]
Settlements, 4-213:1 [Rev] to
4-213:3 [Rev]
Signatures, 4-401:2
Stale
generally, 4-404 [Rev], 4-404:1
[Rev]
good faith, 4-404:2 [Rev]
payment, 4-404:2 [Rev]
processing, 4-404:1
Statement, 4-406 [Rev], 4-406:1
[Rev], 4-406:2 [Rev]
Statute of limitations, 3-118:3
[Rev]
Teller’s
dishonor, 3-104:18, 3-411:1
[Rev]
former Article 3, treatment,
3-104:1 [Rev]
functions, 3-104:16 [Rev],
3-104:18
money order, 3-104:17 [Rev]
Revised Article 3, treatment,
3-112:2 [Rev]
stop payment orders, 4-403:12
time for presentment, 3-503:9
underlying obligation, discharge,
3-802:2
Transfer warranties, remotely-
created checks, 3-416:11
[Rev]
Traveler’s
generally, 3-104:15 [Rev],
3-104:17
countersignature, 3-106:5 [Rev]
forgery, 3-106:5 [Rev]
format, 3-106:5 [Rev]
stop payment orders, 4-403:13

CHECKS—Cont’d
Truncation
generally, 4-101:14, 4-101:15
agreement, 4-101:15, 4-110:2
[Rev]
consent of parties, 4-101:15
electronic presentment, 4-110:1
[Rev]
reasonable conduct for actions
not covered by Code,
4-103:7
Unauthorized signatures, duty to
inspect accounts, 4-406:2
Underlying obligation
discharge, 3-310:2 [Rev],
3-310:3 [Rev]
suspension, 3-310:4 [Rev]
CHICAGO CONVENTION
Cape Town Convention
connection between Convention
and transaction, ICC 9:23
creditor’s remedies, ICC 9:41
International Registry System,
ICC 9:57, ICC 9:70
CHOICE OF FORUM
Generally, UCITA 110:1 to 110:3
Bills of lading, 7-309:5, 7-309:5
[Rev]
Territorial applicability and gen-
eral rules, 1-301:2 [Rev]
Unconscionability, UCITA 110:3
CHOICE OF LAW
Generally, UCITA 109, 8-110:1
[Rev]
Agricultural liens
perfection, 9-302:1 [Rev]
priorities, 9-302:1 [Rev]
Applicable laws, general provi-
sions, 2A-104, 2A-104:1
Certificate of title goods
perfection of security interests,
9-303:1 [Rev]
priorities of security interests,
9-303:1 [Rev]
CHOICE OF LAW—Cont’d
Consumer leases, 2A-106, 2A-106:1
Debtor location
perfection of security interests, 9-307:1 [Rev]
priorities of security interests, 9-307:1 [Rev]
Deposit accounts
perfection of security interests, 9-304:1 [Rev]
priorities of security interests, 9-304:1 [Rev]
Investment property
perfection of security interests, 9-305:1 [Rev]
priorities of security interests, 9-305:1 [Rev]
Issuer’s jurisdiction
adverse claims, 8-110:2 [Rev]
registration of transfer, 8-110:2 [Rev]
validity of security, 8-110:2 [Rev]
Jurisdiction of certificate’s location, 8-110:3 [Rev]
Letters of credit
perfection of security interests, 9-306:1 [Rev]
priorities of security interests, 9-306:1 [Rev]
Parties’ Power to Choose Applicable Law, this index
Perfection
generally, 9-301 [Rev]
amendments of 2010, 9-301:4 [Rev]
security interests, 9-301:2 [Rev]
Priorities
generally, 9-301 [Rev]
amendments of 2010, 9-301:4 [Rev]
Scope of Article 2A, 2A-102:3
Securities intermediary’s jurisdiction
generally, 8-110 [Rev]

CHOICE OF LAW—Cont’d
Securities intermediary’s jurisdiction—Cont’d
adverse claims, 8-110:4 [Rev]
agreement specifying, 8-110:4 [Rev]
security entitlement issues, 8-110:4 [Rev]
C.I.F.
Shipping terms, 2-320:2
CISG (UNITED NATIONS CONVENTION ON INTERNATIONAL SALE OF GOODS)
CIVIL LAW
Construction and interpretation, 1-103:4 [Rev], 1-103:5 [Rev]
CLAIMS
Arbitration, 7-309:5
Assignees subject, 9-318:2
Bills of lading, provisions, 7-309:5 [Rev]
Conflicts, 7-603:1
Contracts between assignors and account debtors, 9-318:1
Conversion, 7-204:5
Deficiency judgments, barring, 9-507:7
Estoppel, 7-204:5
Excused performance, 2A-405:12
Manner of making, 7-204:5
Notices, 7-204:5, 7-309:6
Presentation
generally, 7-204:5
arbitration, 7-309:5
bills of lading provisions, 7-309:5

Master Index-86
CLAIMS—Cont’d
Presentation—Cont’d
tariff provisions, 7-309:5
Timeliness, 7-309:5
Time of making, 7-204:5
Torts, transfers, 9-104:12
Waiver
generally, 9-206:2
conditions of enforceability, 9-403:3 [Rev]
test of enforceability, 9-403:2 [Rev]
Warehouse receipts, provisions, 7-204:5 [Rev]

CLASSIFICATION
Documents of title, application of law, 7-103:1 [Rev]

CLEARING CORPORATIONS
Definition, 8-102:5, 8-102:5 [Rev]
Functions, 8-102:5, 8-102:5 [Rev]
Options, distinguished from security, 8-103:6 [Rev]
Pledges, 8-320:2
Priorities among security interests and entitlement holders, 8-511:5 [Rev]
Rules
effectiveness, 8-111:1 [Rev]
regulatory oversight, 8-111:2 [Rev]
Securities intermediaries distinguished, 8-102:5 [Rev]
Transfers, 8-320:2, 8-320:3

CLEARINGHOUSES
Automated, 4-101:19
Definition, 4-103:6, 4-104:1, 4-104:2 [Rev]
Item return, 4-301:4 [Rev]
Presentments, 3-504:8
Rules
compliance, ordinary care, 4-103:6
errors, correction, 4-103:6

CLEARINGHOUSES—Cont’d
Rules—Cont’d
midnight deadline, extension, 4-103:4
return of items, 4-301:7
variations, 4-103:2 [Rev]
variations of Code, 4-103:1

CLICKWRAP
Manifestation of assent, UCITA 112:2
Terms of records, UCITA 208:3

CMI / UNCITRAL
Reissuance in alternative medium, 7-105:1 [Rev]

COERCION
Documents of title, title and rights, 7-502:1 [Rev]

COLLATERAL
Acceptance by secured party, satisfaction of obligation, 9-505:8
Accounts, 9-103:9
requests for statements, noncompliance, 9-208:1
After-acquired, 9-108:2, 9-108:3, 9-204:1, 9-204:5
description, 9-203:10
After-acquired property, 9-204:1 [Rev]
Alienation of debtors’ rights, 9-301:1, 9-401:1 [Rev]
Antecedent obligations, after-acquired property, 9-204:1, 9-204:5
Assembling by debtors, 9-503:5
Categories, 9-103:1
Character
changes, 9-401:7, 9-401:8
filing financing statements, proper place, 9-401:7
Chattel paper, returned or repossessed, 9-306:8
COLLATERAL—Cont’d
Claims, trustees in bankruptcy, 9-301:6
Classifications, 9-106:3, 9-401:7
Conflicts, priorities, 9-312:1, 9-312:2, 9-312:8
Contents, reasonable care of secured parties, 9-207:3
Continuation of security interest after disposition by debtor generally, 9-306:2
buyer in ordinary course of business, protection, 9-307:2
proceeds, 9-306:3
Continuation of security interests, 9-315:1 [Rev]
Control
deposit accounts, duties, 9-208:1 [Rev]
duty to relinquish, 9-208:1 [Rev]
secured parties, 9-207:1 [Rev]
Convertible debentures, failure to convert, 9-207:3
Crops, 9-109:4, 9-110:5
Debtors’ rights, 9-203:12, 9-203:12 [Rev]
Definition, 4-208:1, 9-105:4
Description
after-acquired property, 9-203:10
financing statements, 9-110:2, 9-402:13
location, 9-203:9, 9-203:9 [Rev]
parol evidence, 9-203:8
permissible breadth, 9-203:7
proceeds, 9-203:10
purposes, 9-110:2
real estate, 9-203:9
signed security agreements, 9-203:5, 9-203:6
statute of frauds, 9-203:8
sufficiency, 9-110:1

COLLATERAL—Cont’d
Disposition generally, 9-205 [Rev], 9-504:1
advanced confirmations, 9-507:10
advertisements, 9-504:5
commercially reasonable generally, 9-504:4
advance confirmations, 9-507:10
methods, 9-507:9
rules, 9-507:8
compulsory, 9-505:2
continuation of security interest generally, 9-306:2
buyer in ordinary course of business, protection, 9-307:2
proceeds, 9-306:3
improper, damages, 9-507:3
modification, 9-505:3
notices, state retail installment sales act requirements, 9-504:9
renunciation, 9-505:3
Disposition after default generally, 9-610 [Rev]
amendments of 2010, 9-610:8 [Rev]
application of proceeds generally, 9-615 [Rev]
order of disposition of cash, 9-615:2 [Rev]
senior secured parties’ rights, 9-615:3 [Rev]
commercially reasonable disposition rule, 9-610:3 [Rev]
deficiencies of proceeds general rule, 9-615:4 [Rev]
junior secured parties’ protection, 9-615:7 [Rev]
special rules
disposition to secured party or secondary
Briefly, it seems like the image is a page from a legal or academic text, discussing various aspects of collateral law, with references to specific sections or paragraphs. Terms such as 'Impairment', 'Perfection by possession', 'Location', 'Option to accelerate at will', 'Ownership', 'Proceeds', and 'Priorities' are mentioned, along with references to other parts of the text for further reading. The page is part of a larger work that is titled 'Uniform Commercial Series', suggesting it's related to the Uniform Commercial Code, a set of laws for commerce that is used in many states in the U.S. for regulating commercial transactions.
COLLATERAL—Cont’d
Purchase money security interests, exceptions, 9-301:5
Purchasers for value, protection, 9-504:11
Purchasers’ priorities, 9-307:6
Real estate
description in financing statements, 9-402:13
removal, debtor’s default, 9-313:7
Redemption
Bankruptcy Code provisions, 9-506:7
debtors’ rights, 9-506:2
partial, 9-506:6
parties who may redeem,
9-623:3 [Rev]
period of redemption, 9-623:4 [Rev]
requirements, 9-623:2 [Rev]
rights, waiver, 9-506:5
secured parties’ rights, 9-506:3
time limitations, 9-506:4
waiver of rights, 9-623:5 [Rev], 9-624:4 [Rev]
Releases, partial, 9-406:1
Repossession
generally, 9-503:1, 9-504:12
assembly of collateral by debtor, right to require, 9-609:7 [Rev]
judicial process, 9-609:5 [Rev]
prior notice, 9-609:3 [Rev]
secured parties’ right, 9-609:1 [Rev]
self-help, 9-503:3, 9-609:4 [Rev]

Requests for statements
generally, 9-208:2

COLLATERAL—Cont’d
Requests for statements—Cont’d
noncompliance, 9-210:1 [Rev], 9-210:2 [Rev]
written, necessity, 9-210:2 [Rev]
Residual tests, 9-103:2
Retention rights of secured parties, 9-112:4, 9-505:8
Rights
acquisitions, 9-107:3
debtor’s alienation, 9-311:1
redemption, 9-506:2
secured parties, 9-112:4, 9-504:2, 9-506:3
subordination, unperfected security interest, 9-301:1 et seq.
transfers, 9-203:12
waiver, 9-506:5
Rights of transferees
generally, 9-617 [Rev], 9-617:1 [Rev]
effect of transfer on existing interests, 9-617:2 [Rev]
qualification for protection, 9-617:3 [Rev], 9-617:4 [Rev]
Sales, secured parties’ rights after default, 9-504:2
Secured parties in possession, reasonable care standard, 9-207:2 [Rev]
Secured parties right to dispose, 9-610:2 [Rev]
Security interests
continuation, 9-306:2, 9-315:1 [Rev]
perfection
30-day rule, 9-103:4
four-month rule, 9-103:5
last event test, 9-103:3
transfer of obligation, effect, 9-203:16 [Rev]
COLLATERAL—Cont’d
Security interests—Cont’d
unperfected, subordination of rights, 9-301:1 et seq.
Strict foreclosures, 9-505:1
objections, 9-505:7
proposals
notices, 9-505:5, 9-505:6
secured parties, 9-505:4
Timber, description of land, 9-110:5
Title, 9-202:1, 9-202:2
Transfers
generally, 9-504:12
after-acquired property clauses, 9-108:3
Types
generally, 9-102:6
mobile, 9-103:1
need to distinguish, 9-109:4 [Rev]
property, 9-102:2
Use
generally, 9-205 [Rev]
secured parties, 9-207:1
without accounting, 9-205:1
Warranties, 9-610:7 [Rev]

COLLECTING BANKS—Cont’d
Charge-backs—Cont’d
rights, 4-212:2, 4-214:2 [Rev]
to 4-214:5 [Rev]
termination of right, 4-212:5
time, 4-212:3
Conversion, 3-419:5
Customers
death, 4-405:1 [Rev], 4-405:3 [Rev], 4-405:4 [Rev]
incompetency, 4-405:1 [Rev], 4-405:2 [Rev]
Definition, 4-105:4, 4-105:4 [Rev], 9-302:10
Direct sending, 4-204:4
Documentary drafts, 4-501:1 et seq.
Duties
generally, 3-120:3
notice of dishonor or nonpayment, 4-202:3, 4-202:4
ordinary care, 4-202:1
presentment, 4-202:2
protest, 4-202:5
seasonable action, 4-202:7
settlement, 4-202:6
Final payments, accountability, 4-213:8
Forgery, instruments of federal government, 3-405:7
Good faith, 4-202:1 [Rev]
Holder in due course status, 4-201:2 [Rev], 4-209:1, 4-406:9
Impostor rule, instruments of federal government, 3-405:7
Insolvency, 4-214:1 et seq.
Instructions of principals
generally, 4-203:1
form, 4-203:2 [Rev]
liability, 4-203:1 [Rev], 4-203:3 [Rev]
Liability for conduct of third persons, 4-202:8
Negligence, 3-405:3
COLLECTING BANKS—Cont’d
Ordinary care
generally, 4-202:1, 4-212:9
damages, 4-103:6 [Rev]
midnight deadline, 4-103:4
[Rev], 4-202:1 [Rev],
4-202:3 [Rev]
Presentment
generally, 3-120:3
duties, 4-202:2
methods, 4-204:2 [Rev],
4-210:1, 4-212:1 [Rev]
proceeds, 4-208:1
Presentment methods, 4-212 [Rev]
Protection, 3-405:3
Protest, duty, 4-202:5
Provisional credits, revocation,
4-212:1
Remittances, timely actions,
4-211:3
Responsibility for collection or
return, 4-202 [Rev]
Returning bank, 4-202:5 [Rev]
Rights, 3-120:3, 3-502:1
Seasonable actions, 4-202:3
[Rev], 4-202:7
Security interests
generally, 9-203:2
accompanying documents,
4-210:1 [Rev] to 4-210:5
[Rev]
deposited items, 4-208:1 et seq.
favoring, 9-302:10
instruments, 3-303:5
items, 4-210:1 [Rev] to 4-210:5
[Rev]
proceeds, 4-210:1 [Rev] to
4-210:5 [Rev]
Sending or forwarding items,
4-204:1 et seq.
Setoffs, 4-201:5, 4-201:5 [Rev]
Settlements
duties, 4-202:6
final, 4-213:3 [Rev]
remittances, 4-211:1 et seq.

COLLECTING BANKS—Cont’d
Time limit
extension, 4-109:2 [Rev]
nonbank payor, 4-109:2 [Rev]
Transfer warranties, 4-207:2
[Rev]
Warranties, 3-417:1, 4-207:1 et
seq., 7-508:1

COLLECTION
Generally, 9-607 [Rev]
See also Presentment
Agency status of banks
generally, 4-201:1 [Rev]
collecting banks, 4-201:2
common-law background,
4-201:1
 presumption, rebuttal, 4-201:4
Amendments of 2010, 9-607:6
[Rev]
Application of proceeds
generally, 9-608 [Rev], 9-608:1
[Rev]
order of distribution of cash,
9-608:2 [Rev]
rights of senior secured parties,
9-608:3 [Rev]
surplus or deficiency
generally, 9-608:4 [Rev]
special rule for noncash
proceeds, 9-608:5 [Rev]
Bank duty, 4-106:3 [Rev]
Banking practices, variations by
agreements, 4-103:1 et seq.
Branch banks, 4-106:1, 4-107:1
[Rev]
Cash items, 4-101:1
Charge-backs, 4-212:1
Check truncation, 4-101:14,
4-101:15, 4-110:1 [Rev],
4-110:2 [Rev]
Circuitous routing, 4-204:2
Clean drafts, 4-101:11
Conflict of laws, 4-102:3, 4-102:5
[Rev]
COLLECTION—Cont’d
Correspondent bank networks, 4-101:7
Customer death, 4-405:3 [Rev]
incompetence, 4-405:2 [Rev]
Damages, failure to exercise ordinary care, 4-202:1
Deferred posting, 4-301:1 [Rev]
Deposit account, collateral as, 9-607:3 [Rev]
Depositary banks, 4-105:2
Direct payment from account debtor, right to receive,
9-607:2 [Rev]
Direct sending, 4-204:4
Dishonor, duty to send notice, 4-202:3
Documentary drafts, 4-101:9, 4-104:8 [Rev]
Emergency conditions, 4-108:4 et seq.
Encoding warranties, 4-209:1 [Rev]
Extension of time, 4-108:1, 4-109:2 [Rev], 4-109:3 [Rev]
Federal Reserve system, 4-101:7
Float, definition, 4-101:7
Force majeure rule generally, 4-108:4
diligence requirement, 4-108:6
limitations on time extensions, 4-108:5, 4-109:3 [Rev]
Guaranties, 3-419:14 [Rev]
Historical background, 4-101:4, 4-101:5
Improper handling, liability, 4-101:12
Indorsements missing, supplying generally, 4-205:1
customer versus noncustomer, 4-205:3
effect, 4-205:2
joint payees, 4-205:4

COLLECTION—Cont’d
Indorsements missing, supplying —Cont’d
restrictive indorsements, 4-205:5
Insolvency of bank, 4-214:1
Instructions of principals generally, 4-203:1
relevancy, 4-204:3
restrictive indorsements, 4-203:2
Methods, 4-204:2 [Rev]
Noncash items, 4-101:1
Nonpayment, duty to send notice, 4-202:3
Obligations regarding collection, 9-607:5 [Rev]
Off premises presentment, 4-204:5
One day rule, limitations on power to extend time, 4-108:3
Ordinary care generally, 4-101:5
action upon notice of dishonor or nonpayment, 4-202:4
banks, 4-103:3
failure to use, effect on chargeback rights, 4-212:9
presentment, 4-202:2
prima facie cases, 4-103:6
questions of fact, 4-202:1
responsibility, 4-202:1
Out of state checks, 4-101:7
Pay any bank indorsements, 4-201:6, 4-201:6 [Rev], 4-203:2
Payment transactions, statistics, 4-101:6
Proceeds, definition, 4-208:1
Provisional credits, revocation, 4-212:1
Provisional settlements, 4-201:5
Reaching of collateral securing obligation of secured party, 9-607:4 [Rev]
Regulation CC, 4-215:8 [Rev]
COLLECTION—Cont’d
Restrictive indorsements, 4-203:2
Secured parties’ rights
generally, 9-502:1
breach of peace, effect, 9-502:3
deficiencies, 9-502:4
payments from account debtors,
9-502:2
proceeds, distribution, 9-502:5
standard of care, 9-502:3
surpluses, 9-502:4
Security interest of banks, 4-208:1
et seq., 4-210:1 [Rev] to
4-210:2 [Rev]
Systems, 4-101:4
Time limits, branch banks,
4-106:1
Time paper, 4-101:11
Transferees’ rights, 4-201:3
Transfers between banks, 4-206
[Rev], 4-206:1, 4-206:1
[Rev], 4-206:2
Unpaid items, direct return,
4-212:7
Warranties
generally, 4-207:1 et seq.,
encoding, 4-209:1 [Rev] to
4-209:3 [Rev]
presentment, 4-208:1 to
4-208:13
transfer, 4-207
COMMENTARY
Organization of UCC, 1-101:2
[Rev]
COMMENTS
Official Comments, this index
COMMERCIAL CONTRACTS
Reservation of rights, 1-308:1
[Rev]
COMMERCIAL DOCUMENTS
Third parties, prima facie evi-
dence, 1-307:2 [Rev]
COMMERCIAL LEASES
Unconscionability doctrine,
2A-108:6
COMMERCIAL PAPER
See also Acceptance; Banks and
Banking; Checks; Discharge;
Dishonor; Drafts; Holders in
Due Course; Incomplete
Instruments; Indorsements;
Negotiable Instruments; Par-
ties to Instruments; Pay-
ments; Presentment;
Transfers; Warranties
Acceleration clauses, 3-109:4
Acceptance
generally, 3-410:1 et seq.,
certification, 3-411:1
drafts, variances, 3-412:1 et
seq.
finality, 3-418:1 et seq.,
payment, time allowed, 3-506:1
to 3-506:3
Actions, 3-307:1 et seq.
Additional terms, 3-104:14
Agency, liability, 3-403:2 et seq.
Alterations
generally, 3-406:1 et seq.,
3-407:1 et seq.
incomplete instruments, nones-
sential terms, completion,
3-115:6

© 2018 Thomson Reuters, 12/2018
Master Index-95
COMMERCIAL PAPER—Cont’d
Alterations—Cont’d
unauthorized completion, 3-115:5
Article 4, conflicts, 3-102:5 [Rev]
Article 8, compare, 3-102:2 [Rev]
Article 9, conflicts, 3-102:6 [Rev]
Background, 3-101:1 [Rev]
Bearer
generally, 3-104:13, 3-111:1
order instruments distinguished, 3-110:5, 3-111:2
unspecified payee, 3-111:3
Cancellation, 3-605:1 et seq.
Causes of action
accrual, 3-122:1 et seq.
generally, 3-122
ambiguous instruments, 3-118:3
antedated instruments, 3-114:4
date stated, 3-114:6
postdated instruments, 3-114:3
lost, destroyed or stolen instruments, 3-804:1 et seq.
notice to third parties, 3-803:1, 3-803:2
possession of instruments, 3-804:1
secondary parties, 3-501:1
Certificates of deposit, 3-102:10, 3-104:15
Certification, 3-411:1
Checks, 3-102:7 [Rev]
Classifications, 3-104:15
Clean drafts, 4-101:11
Collateral
cross-collateralization provisions, 3-112:5
impairment, 3-606:1 et seq.
right to dispose, 3-112:5
Collateral notes, 3-104:2, 3-104:5
Compliance, 3-104:4
Conditional delivery, 3-102:4

COMMERCIAL PAPER—Cont’d
Conditional sales contracts, 3-104:2, 3-104:5, 3-112:1
Conditions
express, 3-105:3
implied, 3-105:4
Confession of judgment clauses, 3-112:6
Conflicts
bank deposit provisions, 3-103:1, 3-103:6
secured transactions provisions, 3-103:1, 3-103:7
Consideration, 3-408:1 et seq.
Construction of instruments
ambiguous terms
generally, 3-118:1
reformation, 3-118:2
type of instrument, 3-118:3
conflicts
handwritten, typewritten and printed terms, 3-118:5
words and figures, 3-118:6
drafts drawn on drawer, 3-118:4
extensions of time, 3-118:9
interest rate, 3-118:7
parol evidence, 3-118:2
persons signing in same capacity, liability, 3-118:8
terms, handwritten, typewritten and printed, 3-118:5
Constructive delivery, 3-102:3
Contract of parties
generally, 3-413:1 et seq.
accommodation parties, 3-415:1 et seq.
guarantors, 3-416
indorsers, 3-414:1, 3-414:2
Conversion, 3-419:1 et seq.
Dates, 3-114:1 et seq.
Defenses
consideration, failure, 3-113:1
discharge, 3-602:1
notice or knowledge, 3-304:1 et seq.
COMMERCIAL PAPER—Cont’d
Defenses—Cont’d
real, 3-305:4 to 3-305:7
Definite time
acceleration clauses, 3-109:4
after date, 3-109:3
after sight, 3-109:3
determination, 3-109:1 et seq.
extensions, 3-109:5
Definitions, 3-102:1, 3-102:12
Delivery, 3-102:3, 3-102:6
Demand instruments
causes of action, accrual, 3-108:3
payments, 3-108:1 to 3-108:3
postdated instruments, 3-108:2
time not stated, 3-108:3
Discharge
generally, 3-502:3 to 3-502:6,
3-602:1
cancellation, 3-605:1 et seq.
impairment of recourse or collateral, 3-606:1 et seq.
payment, 3-603:1 et seq.
renunciation, 3-605:1 et seq.
satisfaction, 3-603:1 et seq.
tender of payment, 3-604:1 to 3-604:4
underlying obligations, 3-802:6
Discharges, 3-601:1 et seq.
Dishonor
generally, 3-507:1 et seq.
action on underlying obligation, 3-802:5
evidence, 3-510:1 et seq.
excused, 3-511:1 et seq.
waiver, 3-511:1 et seq.
Documentary drafts, 4-101:8 et seq.
Documents of title, 3-103:3
Drafts
assignments, treatment as, 3-409:1 et seq.
construction of instruments, 3-118:3
COMMERCIAL PAPER—Cont’d
Drafts—Cont’d
definition, 3-104:15
international sight drafts
consequences, 3-701:2
letters of advice, 3-701:1
negotiable order of withdrawal (NOW), 3-104:21
order to pay, 3-102:7
personal money orders, 3-104:20
post office money orders, 3-104:21
set of parts
generally, 3-112:9
formal requirements, 3-801:2
liability, 3-801:3
negotiation, 3-801:1
payments, 3-801:1
priorities, 3-801:1, 3-801:3
title, 3-801:3
trade acceptances, 3-104:21
Extrinsic evidence of other writings, 3-119:1 et seq.
Federal common law, 3-102:3
[Rev]
Federal government obligations, 3-103:5
Finality of payment or acceptance, 3-418:1 et seq.
Formal requirements
generally, 3-104:1 et seq.
additional terms, 3-112:1
clear equivalent language, 3-104:6
orders to pay, 3-104:9
payable
definite time, 3-104:12
on demand, 3-104:12
money, 3-104:11
order or bearer, 3-104:13
payments limited to a particular fund, 3-105:5
COMMERCIAL PAPER—Cont’d
Formal requirements—Cont’d
promises to pay
generally, 3-102:10, 3-104:9,
3-104:14
constructive conditions,
3-105:4
express conditions, 3-105:3
implied conditions, 3-105:4
payment limited to a particular fund, 3-105:5
references to other agreements, 3-105:2
unconditional, 3-105:1 et seq.
signatures, 3-104:8
sum certain
generally, 3-104:10, 3-106:1
attorneys’ fees, 3-106:6
collection costs, 3-106:6
determination from instrument, 3-106:2
discounts, 3-106:4
exchanges, 3-106:5
illegal terms, 3-106:7
interest, 3-106:2, 3-106:3
terms
generally, 3-104:6
additional, 3-112:1
collateral, 3-112:5
confession of judgment clauses, 3-112:6
full satisfaction clauses, 3-112:8
illegal, 3-112:2
omissions, 3-112:4
unauthorized, 3-112:3
waiver of protective statutes, 3-112:7
writing
generally, 3-104:7
electronic fund transfers, 3-104:7
Funds transfers, definition, 4A-102:1

COMMERCIAL PAPER—Cont’d
Government obligations, 3-102:3
[Rev]
Holders, rights, 3-301:1 et seq.,
3-306:1 et seq.
Holders in due course
cancellation of instruments,
3-605:2
renunciation, 3-605:2
right, 3-305:1 et seq.
taking for value, 3-303:1 et seq.
Identification of drawee, 3-102:8
Illegal terms, 3-106:7, 3-112:2
Impairment of recourse or collateral, 3-606:1 et seq.
Incomplete instruments
completion
authorized, 3-115:1, 3-115:4
unauthorized, 3-115:1,
3-115:5
enforcement, 3-115:2
intent, proof, 3-115:3
terms
necessary, 3-115:2
nonessential, 3-115:6
traveller’s checks, 3-115:2
Indorsements
generally, 3-204:1 et seq.
restrictive, 3-205:1 et seq.,
3-206:1 et seq.
right, 3-201:1 et seq.
Instruments payable at bank,
3-121:1 et seq.
Instruments payable through banks,
3-120:1 et seq.
Investment securities, 3-103:2,
3-104:3
Issue, 3-102:2, 3-102:6
Joint payees, 3-116:1 et seq.
Lack of delivery, 3-102:4
Legal tender, 3-107:2
Legislative history, 3-101:1
Lost, destroyed or stolen instruments
conversion, 3-419:2 et seq.
COMMERCIAL PAPER—Cont’d

Lost, destroyed or stolen instruments—Cont’d
liability, 3-804:7
posting of security, 3-804:6
proof
  burden, 3-804:2
facts preventing production of instruments, 3-804:4
ownership, 3-804:3
terms of instruments, 3-804:5
right to recover, 3-804:1

Misnomers, 3-203:1 et seq.
Misspelled names, 3-203:1 et seq.
Money
generally, 3-102:4 [Rev], 3-107:2
foreign currency, 3-107:3
Multiple payees, 3-116:1 et seq.
Names
misspelled, 3-203:1 et seq.
wrong, 3-203:1 et seq.
Negotiability
additional terms, 3-112:1
collateral provisions, inclusion, 3-112:5
collection of judgment clauses, inclusion, 3-112:6
determinations, 3-104:6
full satisfaction clauses, 3-112:8
illegal terms, 3-112:2
omissions of terms, 3-112:4
unauthorized terms, 3-112:3
waiver of protection statutes, inclusion, 3-112:7
Negotiation
generally, 3-202:1
reacquisition, 3-208:1 et seq.
rescission, 3-207:1 et seq.
Nondelivery, 3-102:4
Nonexclusivity, 3-104:2 [Rev]
Nonexclusivity of Article 3, 3-104:2, 3-104:4

COMMERCIAL PAPER—Cont’d

Nonnegotiable instruments, treatment, 3-805:1 to 3-805:2
Notice of dishonor
generally, 3-501:1 et seq.
delay, 3-502:1, 3-502:2
evidence, 3-510:1 et seq.
excused, 3-511:1 et seq.
waiver, 3-511:1 et seq.
Omissions of terms, 3-112:4
Order instruments
generally, 3-104:13, 3-110:1
bearer instruments
distinguished, 3-110:5, 3-111:2
payees
described with reasonable certainty, 3-110:3
fictitious, 3-110:4
nonexistent, 3-111:3
permissible, 3-110:4
requirements, 3-110:2
Orders to pay
alternate drawees, 3-102:9
drawee identification, 3-102:8, 3-102:9
joint drawees, 3-102:9
Organization, 3-101:2 [Rev]
Payees
multiple, 3-116:1 et seq.
special capacity, words of description, 3-117:1 et seq.
words of description used, 3-117:1 et seq.
Payments
generally, 3-107:1 et seq., 3-603:1 et seq.
finality, 3-418:1 et seq.
time allowed, 3-506
Personal money orders, 3-104:20
Preemption, 3-102:5 [Rev] to 3-102:7 [Rev]
Presentment
generally, 3-501:1 et seq.
delay, 3-502:1, 3-502:2

© 2018 Thomson Reuters, 12/2018 Master Index-99
COMMERCIAL PAPER—Cont’d
Presentment—Cont’d
dishonor, 3-507:1 et seq.
excused, 3-511:1 et seq.
procedures, 3-504:1 et seq.
rights of party to whom made, 3-505:1 et seq.
time, 3-503:1 et seq.
waiver, 3-511:1 et seq.
Principal, liability, 3-403:1
Problems with Article 3, 3-101:1
Promises to pay
automatically, 3-102:10
constructive conditions, 3-105:4
express conditions, 3-105:3
implied conditions, 3-105:4
payment limited to a particular fund, 3-105:5
references to other agreements, 3-105:2
unconditional, 3-105:1 et seq.
Protests
generally, 3-509:1 et seq.
excused, 3-511:1 et seq.
waiver, 3-511:1 et seq.
Reacquisition
generally, 3-208:1 to 3-208:4
discharge, 3-601:5
Recourse, impairment, 3-606:1 et seq.
Remitter, 3-102:5
Renunciation, 3-605:1 et seq.
Representments, 3-507:6
Restrictive indorsements, 3-205:1 et seq., 3-206:1 et seq.
Scope
generally, 3-101:1, 3-101:1 [Rev], 3-102 [Rev], 3-102:1 [Rev], 3-103:1
documents of title, 3-103:3
investment securities, 3-103:2
money, 3-103:4
Sealed instruments, 3-113:1
Secondary parties, 3-102:11
COMMERCIAL PAPER—Cont’d
Short title, 3-101
Signatures
generally, 3-307:3, 3-307:4, 3-401:1 et seq.
ambiguous capacity of signor, 3-402:1
authorized representatives, 3-403:1 et seq.
impostors, 3-405:1 et seq.
unauthorized, 3-404:1 et seq.
waiver of protective statutes, 3-112:7
Time paper, 4-101:11
Tender of payment, 3-604
Terms
effect on negotiability, 3-112:1
full satisfaction clauses, 3-112:8
missing, 3-104:6
unauthorized, 3-104:6
waiver of protective statutes, 3-112:7
Undated instruments, 3-108:3
Underlying obligations
bank instruments, 3-802:2
discharge, 3-802:1
discharge of instrument, 3-802:1, 3-802:6
dishonor of instrument, 3-802:5
effect, 3-802:1
suspension, 3-802:3, 3-802:4
taking, 3-802:1
Warranties, 3-417:1 et seq.
Wrong names, 3-203:1 et seq.
COMMERCIAL PRACTICE
Generally, UCITA 116
Codification of, UCITA 101:9
Uniform Computer Information Transactions Act, this index
Variation by agreement, UCITA 115

Master Index-100
COMMERCIAL REASONABLENESS
Model Tribal Secured Transactions Act, noncompliance, RMTSTA 9-627:1
Secured parties, determining whether conduct met standard generally, 9-627 [Rev], 9-627:1 [Rev]
advance approval, 9-627:3 [Rev]
dispositions meeting standards, 9-627:2 [Rev]
effect of disposition method and timing, 9-627:4 [Rev]

COMMERCIAL UNITS
Acceptance, 2A-515:6

COMMINGLING
Fungible goods, 7-207:2, 7-207:2 [Rev]
Goods generally, 9-207:1
defined, 9-336:1 [Rev]
distinguished from accessions, 9-336:1 [Rev]
priorities, 9-315:1
security interest, prior, 9-336:1 [Rev]
security interests, continuation, 9-315:1
warehousemen, fungible goods, 7-207:2 [Rev]
Overissue, 7-207:2
Proceeds, 9-306:5
Warehousemen, fungible goods, 7-207:2 [Rev]

COMMODITY CONTRACTS
Investment securities, 8-103:7 [Rev]

COMMON LAW
Construction and interpretation, 1-103:12 [Rev]

COMMON LAW—Cont’d
Contracts
auctions, formation, 2-328:1
background, 2-318:1
F.O.B., 2-319:2
modification, 2-209:1
open price terms, 2-305:1
performance, adequate assurance rights, 2-609:1
waiver, 2-209:4
Course of performance, course of dealing, and usage of trade, 1-303:4 [Rev]
Creditors’ rights
fraudulent retention of possession, 2-402:1
sold goods, 2-402:1
2003 and 2005 amendments, 2-402:4
Documents of title, scope of Article, 7-103:1
Fraudulent conveyances, 6-101:1
Fraudulent retention of possession, 2-402:1
Merchant, defined, 2-104:1
Reservation of rights, 1-308:2 [Rev]
Sales on approval
generally, 2-326:2
special incidents, 2-327:1
2003 and 2005 amendments, 2-327:3
Statute of frauds, 2-201
Title to goods
entrustment, 2-403:4
estoppel, 2-403:1
fraud punishable under criminal law, 2-403:3
power to transfer, 2-403:1
2003 and 2005 amendments, 2-403:5
voidable title doctrine, 2-403:1
COMMON LAW—Cont’d
Vouching, 2-607:6
Waiver of contracts, 2-209:4
Warranty against infringement, 2-312:3
Warranty of title, 2-312:1

COMPENSATORY DAMAGES
Liberal administration of remedies, 1-305:4 [Rev]

COMPETITION
Intellectual property and competition law, UCITA 105:9
Noncompetition agreements, UCITA 105:11

COMPLAINTS
BitLicense regulations, error prevention and resolution, NONUCCPY 5:43
Uniform Law Commission’s Regulation of Virtual Currency Business Act, error prevention and resolution, NONUCCPY 5:44

COMPLETE PERFORMANCE
Remedies to be liberally administered, 1-305:1 [Rev], 1-305:2 [Rev]

COMPLETION OF INSTRUMENTS
Generally, 8-206:1 [Rev], 8-206:2 [Rev]
Alterations, 8-206:2
Failure, 8-206:1
Incorrect, 8-206:1
1977 amendments, 8-206:3

COMPLETION OF MANUFACTURE
Default of lessee, 2A-524:2

COMPLEX NEGOTIATIONS
Formation of contract, UCITA 202:4

COMPREHENSION, LACK OF
Construction and interpretation, 1-103:3 [Rev]

COMPREHENSIVE CONSIDERATIONS
Construction and interpretation, 1-103:5 [Rev]

COMPREHENSIVENESS OF CODE
Construction and interpretation, 1-103:4 [Rev], 1-103:7 [Rev]

COMPUTER PROGRAM
Defined, UETA 2

CONDITIONAL SELLER
Cape Town Convention, this index

CONDITIONAL WAIVER OR RENUNCIATION
Generally, 1-306:4 [Rev]

CONDITIONS
International interest, conditions constituting. Cape Town Convention, this index
Letters of credit, value, applicant controlled conditions, 5-108:5 [Rev]

CONDUCT
Conforming, 2-106:3
Formation of contract, 2-207:5

CONDUIT LIABILITY
Federal Communications Decency Act, UCITA 404:4

CONFLICT BETWEEN TEXT AND COMMENTS
Remedies to be liberally administered, 1-305:5 [Rev]

CONFLICTING SECURITY INTERESTS
Priorities, 9-322:4 [Rev]
CONFLICT IN TERMS
Course of performance, course of dealing, and usage of trade, 1-303:2 [Rev]

CONFLICT OF LAWS
Agreement of parties, 4A-507:3
Application, 4-102:3, 4-102:4, 4-102:5 [Rev], 8-106:1 to 8-106:3
Construction and interpretation, 1-103:4 [Rev]
Depecage, 4A-507:4
Foreign instruments, 4-102:3, 4-102:5 [Rev]
Funds transfers generally, 4A-507, 4A-507:1
conflicting choices agreement of parties, 4A-507:5
multiple transfer systems, 4A-507:6
depecage, 4A-507:4
federal preemption, 4A-507:7
depoi, 4A-507:2
transfer system rule, 4A-507:4
Investment securities, 1977 amendments, 8-106:4
Model Tribal Secured Transactions Act, this index Payments, 4-102:5 [Rev]
Security interests, perfection, 9-103:1 et seq.
Territorial applicability and general rules, 1-301:1 [Rev], 1-301:3 [Rev]

CONFORMANCE OF GOODS
—Cont’d
Risk of loss, delivery of nonconforming goods, 2A-220:3

CONNECTING CARRIERS
Discharge of obligations, 7-302:2
Through bills of lading, liability, 7-302:2

CONSENT
Collateral, impairment of rights, 3-606:12
Contracts, this index
Discharge, secondary obligors, 3-605:9 [Rev]
Impairment of rights collateral, 3-606:12
recourse rights, 3-606:6
Manifestation of assent, UCITA 112, UCITA 113:2, UCITA 208:1
Model Tribal Secured Transactions Act, RMTSTA 9-609:2
Recourse rights, impairment, 3-606:6
Reissuance in alternative medium, 7-105:1 [Rev]
Uniform Computer Information Transactions Act, this index

CONSEQUENTIAL DAMAGES
Generally, UCITA 807:2, UCITA 808:4, UCITA 809:1
Accepted goods, 2A-519:7
Contractual modification of remedy, UCITA 803:8
Economic loss, 2A-520:5 et seq.
Incidental damages distinguished, 2A-530, 2A-530:1
Lessee’s damages, 2A-519:7,
2A-520:3 et seq.
Liberal administration of remedies, 1-305 [Rev], 1-305:4 [Rev]
Limitations, 2A-520:11
CONSEQUENTIAL DAMAGES — Cont’d
Modification or impairment of remedy, 2A-503:8
Ordinary damages, relationship, 2A-520:4
Personal injuries, 2A-520:10
Property damage, 2A-520:10

CONSIDERATION
Absence, 3-305:2, 3-408:3
Antecedent debt or obligation, payment or security, 3-303:6, 3-303:7 [Rev], 3-408:4
Definition, 3-303:2, 3-408:1
Executory, 3-303:5 [Rev], 3-303:7
Failure
   generally, 3-306:6, 3-408:2
   holder in due course, defense, 3-305:2
   sealed instruments, 3-113:1
Gifts
   adequacy, 3-408:3
   stopping payment on check, want of consideration, 3-409:2
Lack
   generally, 3-306:6, 3-408:1
   accommodation parties, 3-415:6, 3-415:7, 3-419:7 [Rev]
Negotiable instruments, 3-303 [Rev], 3-303:1 [Rev] et seq.
Parol evidence
   failure of consideration, 3-408:2
   want of consideration, 3-408:3
Performance of agreed consideration
   generally, 3-303:2
   defective performance, 3-303:3
   executory, 3-303:5 [Rev], 3-303:7
   partial performance, 3-303:4
   Promissory estoppel, 3-408:3

CONSIDERATION—Cont’d
Security for antecedent debt, 3-303:6, 3-303:7 [Rev], 3-408:4
Types, 3-408:3
Value distinguished, 3-303:2, 3-408:1
Want
   generally, 3-408:3
   holder in due course, defense, 3-305:2

CONSIGNMENTS
Application, 9-105:13
Defaults, 9-114:5
Determinations, 9-102:5
Filing
   generally, 9-408:2
   financing statements, 9-102:5
Financing statements, 9-102:5, 9-114:3
Intent, 9-102:5
Priorities, steps, 9-114:4
Problems, 9-114:1, 9-114:2, 9-114:5
Protection of consignors
   generally, 9-102:5, 9-114:2, 9-114:4
   financing statements, 9-114:3
Revised Article 9, 2-326:1
Sale on approval
   generally, 2-326:2
   special incidents, 2-327:1
   2003 and 2005 amendments, 2-327:3
Security interests, perfection, 9-408:1
True, 9-114:1

CONSIGNORS AND CONSIGNEES
Actions, immunity of carriers, 7-303:2
Bills of lading, delivery of goods, 7-303:2 [Rev]
CONSIGNORS AND
CONSIGNEES—Cont’d
Definitions
generally, 7-102:7, 7-301:1
consignees, 7-102:7 [Rev]
consignor, 7-102:7 [Rev]
Real parties in interest, 7-309:7
Receipt of goods, 7-303:1
Reconsignment of goods, 7-303:1
Stoppage of delivery, 7-504:3
Title to goods, 7-303:2, 7-504:4

CONSPICUOUS
Definition, 1-201 [Rev]

CONSPICUOUS TERMS
Generally, UCITA 102:38 to 102:43
Electronic agents, UCITA 102:43
Layered contracts, UCITA 102:41
On-lines terms, UCITA 102:42
Safe harbor, UCITA 102:39
Uniform Computer Information Transactions Act, this index
When required, UCITA 102:40

CONSTITUTIONAL LAW
Anti-UCITA statutes, UCITA 103:29 to 103:31
Due process, enforcement of warehouseman’s liens, 7-210:1
First Amendment
contract law rule, juxtaposition of, UCITA 101:10
implied warranties, UCITA 403:1, UCITA 404:2
Repossessions without notice, 9-503:2
Territorial applicability and general rules, 1-301:3 [Rev]
Uniform Computer Information Transactions Act, this index
Warehouseman’s liens, enforcement, 7-210:1

CONSTRUCTION AND
INTERPRETATION
Generally, 1-103 [Rev]
See also Construction of Instruments
Act, construction of, UCITA 106
Amendments, 1-103 [Rev], 1-103:5 [Rev]
Analogy, 1-103:6 [Rev], 1-103:7 [Rev], 1-103:11 [Rev]
Assignment of rights, 2-210:4
Books, 1-103:10 [Rev]
Cape Town Convention, ICC 9:7
Case law, 1-103:4 [Rev], 1-103:8 [Rev], 1-103:10 [Rev]
Changes, 1-103 [Rev]
CISG, ICC 10:23
Civil law, 1-103:4 [Rev], 1-103:5 [Rev]
Code, UCC as, generally, 1-103:1 [Rev] to 1-103:12 [Rev]
Common law, 1-103:12 [Rev]
Comprehension, lack of, 1-103:3 [Rev]
Comprehensive considerations, 1-103:5 [Rev]
Comprehensiveness of Code, 1-103:4 [Rev], 1-103:7 [Rev]
Conflicting laws, 1-103:4 [Rev]
Contracts, this index
Cross-references, 1-103:4 [Rev]
Definitions. Words and Phrases, this index
Delegation of duties, 2-210:4
English decisions, 1-103:3 [Rev]
European codes, 1-103:4 [Rev]
Fragmentary codes distinguished, 1-103:5 [Rev]
General policies, 1-103:11 [Rev]
Historical considerations, 1-103:3 [Rev]
Implied repeal, construction against, 1-104 [Rev]
Incorrect decisions, 1-103:8 [Rev]
CONSTRUCTION AND INTERPRETATION—Cont'd
Intent of Code, 1-103 [Rev], 1-104 [Rev]
Judges, 1-103:3 [Rev]
Judicial use of methodology and interpretative aids, 1-103:10 [Rev]
Law review articles, 1-103:10 [Rev]
Liberal construction to promote underlying policies, 1-103:11 [Rev]
Methodology, 1-103:6 [Rev], 1-103:10 [Rev]
Mitigation of harsh laws, 1-103:4 [Rev]
National Conference of Commissioners on Uniform State Laws (NCCUSL), 1-103:3 [Rev]
Negotiable Instruments Law (NIL), 1-103:3 [Rev]
1972 Code comments, 1-103:10 [Rev]
Nominal considerations, 1-103:3 [Rev]
Nominal definitions, 1-103:4 [Rev]
Official Code text and comments, 1-103 [Rev], 1-104 [Rev]
Official comment, UETA 6
Operational-body-of-law requirement, 1-103:5 [Rev]
Optional provisions, 1-103:5 [Rev]
Out of state cases, 1-103:8 [Rev]
Permanent precedential value of decisions, 1-103:6 [Rev]
Persuasive value, 1-103:8 [Rev]
Precedential value, 1-103:6 [Rev], 1-103:8 [Rev]
Preemption, 1-103:5 [Rev]
Remedies to be liberally administered, 1-305:3 [Rev]
Repeal, implied, 1-104 [Rev]

CONSTRUCTION AND INTERPRETATION—Cont'd
Retroactive amendments, 1-103:5 [Rev]
Safety valve rules, 1-103:4 [Rev]
Sales and Sales Financing Law, 1-103:10 [Rev]
Sales law, 1-103:3 [Rev]
Source of law, 1-103:4 [Rev]
Stare decisis doctrine, 1-103:8 [Rev], 1-103:10 [Rev]
State decisions, 1-103:6 [Rev]
State legislation, 1-103:3 [Rev]
Statutes, 1-103:2 [Rev], 1-103:3 [Rev], 1-103:12 [Rev], 1-104:1 [Rev]
Statutory text, UETA 6
Super-eminent provisions, 1-103:4 [Rev]
Supplemental codes distinguished, 1-103:5 [Rev]
Supplemental principles of law, application of, 1-103:12 [Rev]
System, lack of, 1-103:3 [Rev]
Systematic considerations, 1-103:4 [Rev]
Terminology, 1-103:4 [Rev]
Territorial applicability and general rules, 1-301:4 [Rev]
The-unprovided-for case, 1-103:5 [Rev]
Uniform commercial statutes, 1-103:3 [Rev]
Uniform Computer Information Transactions Act, this index
Uniform Electronic Transactions Act, this index
Uniform Sales Act (USA), 1-103:3 [Rev]
Words and Phrases, this index

CONSTRUCTION OF INSTRUMENTS
See also Incomplete Instruments
CONSTRUCTION OF INSTRUMENTS—Cont’d

Ambiguities
- generally, 3-103:3 [Rev], 3-104:7 [Rev], 3-118:1
- extrinsic evidence, 3-119:4, 3-119:5
- reformation, 3-118:2
- type of instrument, 3-118:3

Conflicts
- handwritten, typewritten and printed terms, 3-104:7 [Rev], 3-114 [Rev], 3-118:5
- words and figures, 3-104:7 [Rev], 3-114:2 [Rev], 3-118:6

Drafts
- ambiguity as to type of instrument, 3-118:3
- drawn on drawer, 3-118:4

Extensions of time, 3-118:9

Interest rates, 3-104:7 [Rev], 3-112:1 [Rev], 3-118:7

Notes, ambiguity as to type of instrument, 3-118:3

Parol evidence, 3-117:1 [Rev], 3-117:4 [Rev], 3-117:5 [Rev], 3-118:2

Persons signing in the same capacity, liability, 3-118:8

Separate writings, 3-104:3 [Rev], 3-106:2 [Rev], 3-117:1 [Rev]

Terms
- handwritten, 3-104:7 [Rev], 3-114:1 [Rev], 3-118:5
- missing, 3-104:3 [Rev], 3-104:11 [Rev], 3-113 [Rev], 3-113:1 [Rev], 3-115:1 [Rev] to 3-115:3 [Rev]
- printed, 3-104:7 [Rev], 3-114:1 [Rev], 3-118:5
- typewritten, 3-114:1 [Rev], 3-118:5

CONSULAR INVOICE
- Third parties, prima facie evidence, 1-307 [Rev]

CONSUMER
- Definition, 1-201 [Rev]
- Non-UCC payment methods, consumer defined, NONUCCPY 2:17

CONSUMER ACCOUNT
- Words and phrases, 3-103:7 [Rev], 3-103:12 [Rev]

CONSUMER CREDIT ACT
- Other applicable law, 2A-104:1
- Unconscionability doctrine, 2A-108:1

CONSUMER CREDIT CODE
- Default, 2A-501:4
- Lessor’s right to possession, 2A-525:10
- Other applicable law, 2A-104:1
- Repossession of goods, 2A-525:10
- Unconscionability doctrine, 2A-108:1

CONSUMER CREDIT CONTRACTS
- Holder in due course status
  - Federal Trade Commission rule, 3-302:8 [Rev]
  - state laws, 3-302:6 [Rev], 3-302:7 [Rev], 3-302:9 [Rev]
- Notices, 9-206:4, 9-403:4 [Rev]
- Waiver of defense clauses, 9-206:4, 9-403:4 [Rev]

CONSUMER GOODS
- Actions, deficiency or surplus in issue, nonapplicability of 9-626 rules, 9-626:6 [Rev]
- After-acquired property clauses, 9-204:3
- Classifications, 9-109:1, 9-109:2
- Definitions, 9-109:2, 9-302:6
CONSUMER GOODS—Cont’d
Disposition of collateral after default
notification of disposition, contents and form, 9-614 [Rev]
notification required, 9-612:2 [Rev], 9-614:1 [Rev], 9-614:2 [Rev]
Fixtures, purchase money security interests, 9-302:7
Perfection of security interests, motor vehicles to be registered, 9-302:8
Protection of buyers, qualifications, 9-307:4
Purchase-money security interest fixtures, 9-309:2 [Rev]
motor vehicles, 9-309:2 [Rev]
Purchase money security interests, perfection, 9-302:6
Remedies, secured parties noncompliance with Article, statutory damages, 9-625:6 [Rev]
Repossession, secured parties, bankruptcy and consumer protection statutes, 9-609:8 [Rev]
Strict foreclosure, special rules, 9-620:7 [Rev]
Waiver of defenses, 9-206:4

CONSUMER LEASES—Cont’d
Regulation M disclosures—Cont’d
Vehicle lease, form, App. 2A-A4, App. 2A-A5
Unconscionability doctrine, 2A-108:6
Vehicle lease, form
model closed-end or net vehicle lease disclosures (Regulation M), App. 2A-A5
model open-end or finance vehicle lease disclosures (Regulation M), App. 2A-A4
Regulation M disclosures, App. 2A-A4, App. 2A-A5

CONSUMER LEASING ACT
Applicable laws, 2A-104:1
Definitions and index of definitions, 2A-103:2
Finance lease, 2A-103:2, 2A-103:3
Other applicable law, 2A-104:1
Scope, 2A-102, 2A-102:1

CONSUMER PROTECTION
Lessor’s right to possession, 2A-525:10
Written information, satisfying requirement for provision of, UETA 8:3

CONSUMER TRANSACTIONS
Consumer protection law, UCITA 104
Definitions relating to, UCITA 102:27, UCITA 102:28
Electronic Funds Transfer Act, 4A-108:2
Federal preemption, 4A-108:2
Territorial applicability and general rules, 1-301 [Rev]
Uniform Computer Information Transactions Act, this index
Words and phrases, 3-103:8 [Rev]
CONTAINERS
Warranty of merchantability,
affirmations of fact,
2A-212:13
CONTENTS OR CONDITION
OF CONTENT OF
PACKAGES UNKNOWN
Bills of lading, 7-301:2 [Rev]
CONTENTS OR CONDITION
OF CONTENTS UNKNOWN
Bills of lading, 7-301:2
CONTINGENCIES
Contract formation contingent on
later agreement, UCITA
202:3
CONTINUATION FILING
Model Tribal Secured Transactions Act, RMTSTA 9-502:1
CONTINUATION STATEMENTS
Amendments distinguished,
9-403:3
Effectiveness, filing outside six-
month window, 9-510:5
[Rev]
Filing, 9-403:3, 9-403:4
Financing statements
bankruptcy, 9-403:5
distinguished, 9-403:3
Requirements, 9-403:3
Signatures, 9-403:3
CONTRACTS—Cont’d
Acceptance—Cont’d
definition, 2-201:7
material variance standard,
UCITA 204:1
revocation, 2-608:1 et seq.
sales on approval, 2-327:1
Access contracts
conspicuous terms, UCITA
102:42
control of access after breach,
UCITA 814:1
definitions regarding, UCITA
102:9 to 102:11, UCITA
611:1
framework and goals of act,
UCITA 103:5
Performance, this index
Agents, assent by, UCITA 112:8
Agreement defined, 1-306:2 [Rev]
Allocation of risk or burden, varia-
tion by agreement of, UCITA
101:9
Amendment, See Change or
modification, below
Anticipatory repudiation
generally, 2-610:1
Convention on International
Sale of Goods, 2-610:1
remedies, 2-610:2
requisites, 2-610:1
retractions, 2-611:1
Assent
agents and installers, UCITA
112:8
browserwrap, UCITA 112:3
clickwrap, UCITA 112:2
electronic agents, UCITA 112:7
layered and rolling contracts,
UCITA 112:4
manifestation of, UCITA 112,
UCITA 112:1, UCITA
113:2, UCITA 208:1
standards for proof of assent,
UCITA 112:6

© 2018 Thomson Reuters, 12/2018
CONTRACTS—Cont’d
Assent—Cont’d
third party user obligated by another’s assent, UCITA 112:9
Assignments
generally, 9-318:1
construction of terms, 2-210:4
rights
generally, 2-210:1, 2-210:3
notice, 9-318:3
proof, 9-318:3
Auctions
formation, 2-328:1
fraud, 2-328:3
2003 and 2005 amendments, 2-328:4
Automated systems, definitions regarding contracts or performance by, UCITA 102:12 to 102:14
Bank’s contract to issue letters of credit, 5-103:5 [Rev]
Breach of Contract, this index
Browsewrap, UCITA 112:3
Cancellation, 2-612:3, 8-202:7
Cancellation of Contract, this index
C. & F.
generally, 2-320:3
2003 and 2005 amendments, 2-320:4, 2-321:3
variances, 2-321:2
Change or modification
agreement to modify, 2-209:1
assigned contracts, 9-405:1
[Rev]
consideration not required, UCITA 303:1
construction, generally, UCITA 302:2
continued use, modifications agreed to by, UCITA 303:2

Master Index-110

CONTRACTS—Cont’d
Change or modification—Cont’d
formation of contract, UCITA 202:1
oral modification, terms preventing, UCITA 303:3, 2-209:2
practical construction of contract, relationship to modification of, UCITA 302:2
procedures, contract provisions setting forth modification, UCITA 304:1
relationship to practical construction of modification, UCITA 302:2
remedies
generally, 2-719:1
Convention on International Sale of Goods, 2-719:1
disclaimers distinguished, 2-719:1
failure of essential purpose, 2-719:3
fair quantum of remedy doctrine, 2-719:2
2003 and 2005 amendments, 2-719:4
unconscionability, 2-719:2
statute of frauds, 2-209:3
2003 and 2005 amendments, 2-209:5
unilateral amendment of contract, UCITA 305:1
Choice of forum, UCITA 110:1 to 110:3
Choice of law, UCITA 109
C.I.F.
generally, 2-320:2
2003 and 2005 amendments, 2-320:4, 2-321:3
variances, 2-321:2
Clickwrap and other standards forms, UCITA 112:2, UCITA 208:3
CONTRACTS—Cont’d
Collateral, impairment of remedies, 2-701:1, 2-701:2
Conditional offer or acceptance, UCITA 205:2
Confirmations, 2-201:4, 2-207:4
Consensual variations, 4-103:2
Consideration not required to modify, UCITA 303:1
Conspicuous Terms, this index
Construction
close as waiver, 2-209:4
course of performance generally, 2-208:1
waiver, 2-209:4
modification procedures, contract provisions setting forth contract, UCITA 304:1
obligation of parties, 2-301:1
Parol or Extrinsic Evidence, this index
performance under open terms, UCITA 306:1 to 306:4
posting and implied license, UCITA 307:6
practical construction generally, UCITA 102:36, UCITA 116
course of performance and contract formation, UCITA 302:3
hierarchy in handling sources of practical construction, UCITA 302:1
preference for, UCITA 302:1
waiver and modification, relationship to, UCITA 302:2
rescission, UCITA 303
satisfaction, agreement for performance to party’s, UCITA 308
source code, obligation of licensor to provide, UCITA 307:7

© 2018 Thomson Reuters, 12/2018
Master Index-111
CONTRACTS—Cont’d
Enforceability of agreement, UCITA 215:1
Estoppel
application, 2-201:8
entrustment, 2-403:4
nonstatutory exception, 2-201:8
Events, 10-101:4
Exclusive territory, 2-306:3
Exculpatory clauses, 4-103:1
Express terms, dominance, UCITA 115
Extension agreements, financing statements, 9-403:2
Federal law
Federal Preemption, this index relationship of formation-of-contract provisions to, UCITA 201:1
Financing arrangements, definitions relating to, UCITA 102:15 to 102:17
F.O.B., 2-319:2
Formal requirements
admissions of parties, 2-201:6
applicability, 2-201:2
contracts between parties, 2-201:3
exemptions, 2-201:4 to 2-201:7
letter of confirmation, 2-201:4
merchant confirmation, 2-201:4
overview, 2-201:1
signed, 2-201:3
2003 and 2005 amendments, 2-204:4
writing, 2-201:3
Formation
generally, UCITA 201 to 207
acceptance
generally, UCITA 203, UCITA 205:2
additional or different terms, 2-207:3
confirmations, 2-207:4

Master Index-112
CONTRACTS—Cont’d
Formation—Cont’d
open textured approach,
UCITA 202:1
overview, 2-204:1, 2-206:1
prompt or current shipment,
offer to buy, 2-206:3
rationale of statute, UCITA
201:2
reasonableness of manner or
medium, 2-206:2
release of informational rights,
UCITA 207
right to control terms,
UCITA 205:1
scope, disagreements about,
UCITA 202:2
statute of frauds, UCITA 201:1
to 201:3
time not identified, 2A-204:2
time of formation, 2-204:2
time of performance, 2-206:4
2003 and 2005 amendments,
2-204:4, 2-206:5, 2-207:6
writing requirement, UCITA
201:1 to 201:3
Forms
additional or difference terms,
2-207:3
background, form of accept-
tance, 2-207:1
confirmations, 2-207:4
firm offers, irrevocability
period, 2-205:3
2003 and 2005 amendments,
2-207:6
Framework and Goals of Act, this
index
Freedom of contract, UCITA
101:9
Fundamental public policy and
contract terms, UCITA 101:6
to 105:10
Good Faith, this index

CONTRACTS—Cont’d
Governing Law in Absence of
UCITA, this index
Hyperlinks and reason to know,
UCITA 113:2
Idea and information submissions,
UCITA 215
Identification of goods, 2-501:1
Incorporation of terms by refer-
ence, UCITA 208:5
Insolvency of sellers
buyer’s right to reclaim goods,
2-502:1 et seq.
specific performance as remedy,
2-502:1
2003 and 2005 amendments,
2-502:4
Inspection of goods
C.O.D. agreement, 2-513:2
time of formation, 2-513:1
place, 2-513:1
prior payments, 2-512:1,
2-512:2
rights of buyers, 2-513:1
Installers, assent by, UCITA 112:8
Installment
cancellation
rights of buyers, 2-612:3
seasonable notice, 2-612:3
Convention on International
Sale of Goods, 2-612:3
definition, 2-612:1
nonconforming
documents, rejection, 2-612:2
goods, rejection, 2-612:2
2003 and 2005 amendments,
2-612:4
International shipments
bills of lading, 2-323:2, 2-323:3
2003 and 2005 amendments,
2-323:4
Layered contracts
generally, UCITA 112:4
conspicuous terms, UCITA
102:41
CONTRACTS—Cont’d
Layered contracts—Cont’d
formation of contract, UCITA 202:3
terms of records, UCITA 208:4
Lease agreement as contractual base, 2A-301:2
Legal recognition of electronic contracts, UETA 7:2
Licenses, this index
Limitation of Actions, this index
Limitation of remedies generally, 2-719:1
Convention on International Sale of Goods, 2-719:1
failure of essential purpose, 2-719:3
fair quantum of remedy doctrine, 2-719:2
2003 and 2005 amendments, 2-719:4
unconscionability, 2-719:2
Liquidated damages clauses
consequence of invalidation
unreasonably large, 2-718:1
unreasonably small, 2-718:1
Convention on International Sale of Goods, 2-718:1
criterion, 2-718:1
forfeiture of prepayments, 2-718:2
reasonableness tests
generally, 2-718:1
elements, 2-718:1
other adequate remedies available, 2-718:1
proof of loss, 2-718:1
restitution of deposit to breaching buyer, 2-718:2
2003 and 2005 amendments, 2-718:3
Manifestation of assent, UCITA 112, UCITA 112:1, UCITA 113:2, UCITA 208:1

CONTRACTS—Cont’d
Material variance standard,
UCITA 204
Merger clauses and integrated contracts, UCITA 301:4
Modification. Change or modification, above
Non-UCC Payment Methods, this index
Obligations of parties, 2-301:1
Offer and acceptance generally, UCITA 203, UCITA 205:2, 2A-206:1 et seq.
firm offers
generally, 2A-205:1 et seq.
definition, 2-205:1
elements, 2-205:2
period of irrevocability,
2-205:3
purpose, 2-205:2
revocation, 2-205:3
2003 and 2005 amendments, 2-205:4
firm offers, leases, 2A-205, 2A-205:1 et seq.
form of acceptance
background, 2-207:1
confirmations, 2-207:4
definite expression of acceptance, 2-207:2
expression of acceptance,
2-207:2
qualifying language, 2-207:2
seasonable expression of acceptance, 2-207:2
2003 and 2005 amendments, 2-207:6
initiation of performance,
2-206:4
leases, 2A-206:1 et seq.
manner, reasonableness,
2-206:2
master of offer, 2A-206, 2A-206:1

Master Index-114
CONTRACTS—Cont’d
Offer and acceptance—Cont’d
medium, reasonableness, 2-206:2
overview, 2-206:1
prompt or current shipment, 2-206:3
reasonableness of manner or
medium, 2-206:2
revocation of acceptance,
2A-517:1
time of performance, effect,
2-206:4
2003 and 2005 amendments,
2-206:5
unilateral contract trick,
2A-206:3
Opting in or out of UCITA coverage,
UCITA 103:16
Oral modification clauses, UCITA
303:3, 2-209:2
Output
quantity, determination, 2-306:2
2003 and 2005 amendments,
2-306:4
validation, 2-306:1
Parol or Extrinsic Evidence, this
index
Participation agreements, 9-402:9
Parties, conduct, creation of
contract, 2-207:5
Payments
generally, 9-318:1
checks, 2-511:3
credit periods, 2-310:4
defective documents, 2-605:2
documentary sales transactions,
2-310:3
prior to inspection of goods,
2-512:1, 2-512:2
right of inspections, conditions
precedent, 2-511:1
shipments of goods, 2-310:2
tender, 2-507:1, 2-507:2,
2-511:1, 2-511:2

CONTRACTS—Cont’d
Payments—Cont’d
terms, 2-310:1
time, 2-310:2
2003 and 2005 amendments,
2-310:5, 2-511:4
Performance
adequate assurances
generally, 2-609:1
Convention on International
Sale of Goods, 2-609:1
procedures, 2-609:4
promisees as merchants,
2-609:3
promisees as nonmerchants,
2-609:3
rights, 2-609:1
2003 and 2005 amendments,
2-609:5
anticipatory repudiation
generally, 2-609:1, 2-610:1
Convention on International
Sale of Goods, 2-610:1
remedies, 2-610:2
requisites, 2-610:1
retraction, 2-611:1
2003 and 2005 amendments,
2-611:2
cooperation, failure, 2-311:3
delegation
generally, 2-210:1, 2-210:2
assignment of rights, 2-210:3
construction of terms,
2-210:4
excused
buyer’s excuse, 2-615:4
casualty to identified goods,
2-613:1 et seq.
commercially impractical,
2-615:1
compliance with
governmental regulations,
2-615:2
CONTRACTS—Cont’d
Performance—Cont’d
excused—Cont’d
Convention on International 
Sale of Goods, 2-613:1,  
2-615:1
cost increases, 2-615:2
crop failures, 2-615:2
force majeure clause, 2-613:1
remedies, 2-613:2
supply sources, failure,  
2-615:2
2003 and 2005 amendments,  
2-615:5
failure of presupposed condi-
tions
generally, 2-615:1
allocation, 2-615:3
buyer’s excuse, 2-615:4
compliance with  
governmental regula-
tions, 2-615:2
Convention on International 
Sale of Goods, 2-615:1
cost increases as excuse,  
2-615:2
crop failure as excuse,  
2-615:2
exceptions, agreements of 
parties, 2-615:2
options of buyers, 2-616:1,  
2-616:2
supply source, failure,  
2-615:2
2003 and 2005 amendments,  
2-615:5, 2-616:2
unanticipated events, 2-615:2
failure to exercise options,  
2-311:3
initiation of performance,  
2-206:4
open time term, 2-309:1
part, satisfaction of statute of 
frauds, 2-201:7
promisee as merchant, 2-609:3
CONTRACTS—Cont’d
Records, this index  
Release of informational rights,  
UCITA 207  
Remedies, this index  
Requirements  
quantity, determination, 2-306:2  
2003 and 2005 amendments,  
2-306:4  
validation, 2-306:1  
Rescission, UCITA 303  
Review terms, opportunity to,  
UCITA 113:1  
Revocation of acceptance  
buyer’s obligation for goods after revocation, 2-608:3  
conditions  
reasonable assumption of cure, 2-608:1  
substantial impairment of value, 2-608:1  
continued use by buyer after revocation, 2-608:3  
Convention on International Sale of Goods, 2-608:1  
procedure, 2-608:2  
rejection distinguished, 2-608:4  
rescission distinguished, 2-608:4  
time limits, 2-608:2  
Rightfully rejected goods—Cont’d  
commission on sale, 2-603:2  
Convention on International Sale of Goods, 2-603:1  
defects  
specifying, 2-605:1  
unstated, waiver, 2-605:1  
disposal by buyers, 2-604:1  
duties of buyers, 2-602:2  
good faith, 2-603:1  
merchant buyers  
duties, 2-603:1  
options, 2-604:2  
Rightfully rejected goods—Cont’d  
nonmerchant buyers, duties, 2-604:2  
reimbursement of expenses, 2-603:2  
sellers’ instructions, 2-604:2  
Rights  
accounts distinguished, 9-106:2  
assignments, 2-210:1, 2-210:3, 2-210:4, 9-318:1, 9-318:3  
definition, 9-106:1, 9-106:2  
2003 and 2005 amendments, 2-210:5  
Risk of loss  
allocation, 2-303:1, 2-509:2  
destination contracts, 2-509:3  
shipment contracts, 2-509:3  
2003 and 2005 amendments, 2-303:2  
Rolling contracts, UCITA 112:4  
Sale on approval  
special incidents, 2-327:1  
2003 and 2005 amendments, 2-327:3  
Sales, definition, 2-106:2  
Satisfaction, agreement for performance to party’s, UCITA 308  
Seals, ineffective, 2-203  
Shipments and shipping  
documents required, tender, 2-504:1  
notice requirements, 2-504:1  
proper arrangements, necessity, 2-504:1  
responsibilities of sellers, 2-504:1  
seller’s noncompliance, consequences, 2-504:2  
tender of delivery, 2-503:3, 2-504:1  
Shipping terms  
generally, 2-319:1, 2-320:1, 2-322:1
CONTRACTS—Cont’d

Shipping terms—Cont’d
- bills of lading, international shipments, 2-323:1
- C. & F., 2-320:3
- C.I.F., 2-320:2
- delivery ex ship, 2-322:2
- F.A.S., 2-319:3
- F.O.B., 2-319:2
- 2003 and 2005 amendments, 2-319:4, 2-322:3

Shrinkwrap agreements, UCITA 208:4

Specific performance, enforcing contracts calling for, UCITA 811:2

Statute of frauds
- contracts between parties, 2-201:3
- exemptions, 2-201:4 to 2-201:7
- noncompliance, 2-201:9
- signed, 2-201:3
- writing, 2-201:3

Statute of limitations. Limitation of Actions, this index

Subject matter of contract, definitions relating to, UCITA 102:52 to 102:55

Subordinated obligations, 1-310:1 [Rev]

Substitution for assigned contract, 9-405:1 [Rev]

Tender of payments
- conditional deliveries, 2-507:2
- deliveries, concurrent conditions, 2-507:1
- seller’s duty to deliver, conditions, 2-511:1

Tender of payments—Cont’d
- 2003 and 2005 amendments, 2-507:3
- Termination of contract. Performance, this index

Terms
- additional, 2-202:5, 2-207:3
- additional terms, evidence, 2-202:5
- assignment of rights, 2-210:4
- confirmations, 2-207:4
- Conspicuous Terms, this index
- contemporaneous oral agreement, evidence, 2-202:3
- course of dealing, evidence, 2-202:4
- course of performance, 2-202:4
- definitions relating to, UCITA 102:34 to 102:46
- delegation of performance, 2-210:4
- delivery
- destination locale, 2-308:1
- documents, 2-308:2
- goods, 2-308:1
- locale, 2-308:1
- single lot presumption, 2-307:1
- 2003 and 2005 amendments, 2-307:3, 2-308:3
- different, 2-207:3
- open performance
- assortment of goods, 2-311:2
- indefinite duration, 2-309:2
- shipping arrangements, 2-311:2
- time, 2-309:1
- 2003 and 2005 amendments, 2-311:4
- open price
- generally, 2-305:1
- intent to be bound, 2-305:2
- reasonable prices, 2-305:3
- seller or buyer to fix, 2-305:4

Master Index-118
Terms—Cont’d
oral, admissibility, 2-202:3
parol evidence to establish,
2-202
payments
credit periods, 2-310:4
statutory, 2-310:1
2003 and 2005 amendments, 2-310:5
price
generally, 2-304:1
exchange of goods, 2-304:2
exchange of goods for real
estate, 2-304:3
exchange of goods for serv-
ices, 2-304:4
prior agreement, 2-202:3
quantity
exclusive dealing, 2-306:3
output contracts, 2-306:1
requirement contracts,
2-306:5
Records, this index
risk of loss, allocation, 2-303:1
termination notices, 2-309:3
time provisions, 2-309
trade usage, 2-202:4
2003 and 2005 amendments, 2-304:5, 2-305:5
waiver, 2-209:4
Territorial applicability and gen-
eral rules, 1-301 [Rev]
Third parties’ rights on buyer’s insolvency
buyers in ordinary course,
2-702:3
good faith purchasers, 2-702:3
Third party user obligated by another’s assent, UCITA
112:9
Time or date
duration of contract and former
section 308, UCITA 306:2
to 306:4

Unconscionability

generally, UCITA 111
finding, 2-302:2
limitations, 2-302:5
overview, 2-302:1
procedural, 2-302:3
remedies, 2-302:5
substantive, 2-302:4
2003 and 2005 amendments, 2-302:6
Uniform Computer Information
Transactions Act, this index
Uniform Electronic Transactions
Act, this index
Unilateral contract tricks,
2A-206:3
Variation by agreement, UCITA
115
Vouching, 2-607:6
Waivers
purpose of provision, 2-209:4
relationship to practical
construction, UCITA
302:2
2003 and 2005 amendments, 2-209:5
When, as and if issued, 8-202:7
When distributed, 8-202:7
Writing requirement
formation of contract, UCITA
201:1 to 201:3
oral modification, terms
preventing, UCITA 303:3

© 2018 Thomson Reuters, 12/2018

Master Index-119
CONTRIBUTION
Accommodation parties, 3-415:13
Negotiable instruments, 3-116:2 [Rev]

CONTROL
Collateral, duty to relinquish, 9-208:1 [Rev]
Electronic chattel paper, 9-105:1 [Rev]
Investment property, 9-106:1 [Rev], 9-106:2 [Rev], 9-309:4 [Rev]
Letter-of-credit right, 9-107:1 [Rev]
Secured parties, duty to relinquish, 9-208:1 [Rev]

CONVENTION FOR THE UNIFICATION OF CERTAIN RULES RELATING TO PRECAUTIONARY ATTACHMENT OF AIRCRAFT
Cape Town Convention, ICC 9:133

CONVENTION ON INTERNATIONAL SALE OF GOODS
Performance
identification of goods, 2-501:1
risk of loss, 2-509:1
tender of delivery, cure by seller following improper, 2-508:1
tender of payments and delivery, 2-507:2
Remedies
actions for price, 2-709:1
breach of collateral contracts not impaired, 2-701:1
buyers, generally, 2-711:2 to 2-711:4
cancellation or rescission, 2-720:1
contractual modifications or limitations, 2-719:1
damages, measurement of, 2-708:1, 2-708:2, 2-713:1
deduction of damages from price, 2-717:1
incidental and consequential damages, 2-715:1
insolvency of buyer, seller’s remedies on discovery of, 2-702:1, 2-702:2
liquidated damages, 2-718:1
market quotations, 2-724:1

Master Index-120
CONVENTION ON
INTERNATIONAL SALE OF
GOODS—Cont’d
Remedies—Cont’d
market value, 2-723:1
resale of goods, 2-706:1
sellers, generally, 2-703:2,
2-703:3
specific performance, 2-716:1
statute of limitations, 2-725:1
Sales
acceptance of goods, 2-606:1
adequate assurance of perfor-
mance, 2-609:1
anticipatory repudiation,
2-610:1
excused performance, 2-615:1
installment contracts, 2-612:3
perfect tender rule, 2-601:3
performance of contracts,
2-609:1, 2-613:1
revocation of acceptance,
2-608:1
rightful rejection of goods,
2-602:1, 2-602:2, 2-603:1,
2-605:2
shipment contracts, 2-504:1
substituted performance,
2-614:1
Title of goods, 2-401:1

CONVERSION—Cont’d
Bills of lading
generally, 7-308:4 [Rev]
carrier’s sale to enforce lien,
7-308:4 [Rev]
Carrier’s liens, noncompliance,
7-308:4
Causes of action
generally, 3-420:7 [Rev]
proper parties, 3-419:4, 3-420:4
[Rev]
Common law, 3-419:1
Damages
generally, 3-419:10
fair market value, 7-308:4
interest, 7-210:5
limitations, 7-308:4
offsetting, 7-308:4
value of property, 3-420:7
[Rev], 7-210:5
Defenses
contributory negligence,
3-420:6 [Rev]
estoppel, 3-419:7, 3-420:6
[Rev]
negligence of indorsees,
3-419:6
ratification, 3-420:6 [Rev]
statute of limitations, 3-419:10
Definition, 3-419:1, 7-204:4,
7-204:4 [Rev], 7-308:4
Failure to deliver goods, 7-403:4
Failure to pay or return instru-
ments, 3-419:9
Indorsements, ratification, 3-404:2
Innocent, protection, 8-318:1
Intentional torts, 7-204:4
Investment securities, refusal to
transfer shares, 8-204:3
Joint payee indorsement, 3-110:4
[Rev]
Liability
generally, 3-419:1, 3-419:3
agents, 8-318:3, 8-318:4
CONVERSION—Cont’d
Liability—Cont’d
bailees, 7-404:1, 8-318:3, 8-318:4
representatives, 3-419:5, 3-420:5 [Rev]
warehousemen, 3-420:1 [Rev] to 3-420:3 [Rev], 7-204:4, 7-210:5, 7-403:5
Limitation of liability, 7-204:4
Lost instruments, 3-419:2
Manner of making claims, 7-204:5
Mental distress, 7-210:5, 7-308:4
Negligence, 7-204:4
Negotiable instruments, 3-420:1 [Rev] et seq.
Own use, 7-204:4
Possessory interest, interference, 3-420:1 [Rev]
Refusal to register transfers, 8-204:3
Restrictive indorsements, inconsistent payments, 3-419:8
Secured parties, 9-503:3
Statute of limitations, 3-419:10, 3-420:7 [Rev]
Stolen instruments, 3-419:2
Time of making claims, 7-204:5
Title and rights, 7-502:1 [Rev]
Warehouseman’s lien, enforcement, 7-210:5 [Rev]
Warehouseman’s liability, 7-204:4, 7-210:5, 7-403:5
Warehouse receipts, damages, 7-204:4 [Rev]
Wrongful retention of instrument, 3-419:9

COPIES
Breach of Contract, this index
Cancellation of contract, returning of copies on, UCITA 802:5
Duplicates, this index
Ownership and Transfer of Interests and Rights, this index

COPYRIGHT
Access contracts, UCITA 611:2
Anti-circumvention rules, UCITA 605:2 to 605:5
Damages, UCITA 808:5
Digital Millennium Copyright Act (DCMA), this index
Federal preemption, UCITA 105:4
Intellectual property misuse, UCITA 105:8
Notices, UCITA 105:10
Relationship of formation-of-contract provisions to Copyright Act, UCITA 201:1
Right to enjoin future infringement, UCITA 815:4
Uniform Computer Information Transactions Act, this index

CORE TRANSACTIONS AND SUBJECT MATTER
Framework and Goals of Act, this index

COSTS AND EXPENSES
Attorneys’ fees
interpleader actions, 7-603:1
unconscionability doctrine, 2A-108:7
Carrier’s lien limitations, 7-307:1
Expenses and Expenditures, this index
Repair, warranty damages, 2A-519:6
Replacement, warranty damages, 2A-519:6
Storage of goods, 7-206:1
Warehouseman’s liens generally, 7-209:3
proceeds of sale, application, 7-210:2

COUNTERCLAIMS
Deduction of damages compared, 2A-508:4
COUNTERFEIT CHECK DISPUTES
ECCHO Electronic Check Presentation, this index
U.S. Treasury Department, transmission of images of savings bonds for redemption,
ECCHO error resolution rules, NONUCCPY 5:22

COURSE OF PERFORMANCE, COURSE OF DEALING,
AND USAGE OF TRADE
Generally, 1-303 [Rev], 2A-207:1 et seq.
Acceptance of performance, 1-303 [Rev]
Additional contract terms, establishing of, 1-303:2 [Rev]
Burden of proof, 1-303:4 [Rev]
Changes in Code, 1-303 [Rev]
CISG, ICC 10:35
Common law custom, 1-303:4 [Rev]
Conflict in terms, 1-303:2 [Rev]
Conveyancer’s reading of commercial agreement, 1-303:2 [Rev]
Course of dealing, generally, 1-303:3 [Rev]
Course of performance, generally, 1-303:3 [Rev]
Customary norm, 1-303:4 [Rev]
Definitions
course of dealing, 1-303 [Rev]
course of performance, 1-303 [Rev], 2A-207:2
usage of trade, 1-303 [Rev]
Evidence, 1-303 [Rev], 2-202:4
Existence of contract, 1-303:1 [Rev]
Express terms, 1-303 [Rev], 1-303:2 [Rev]
Hierarchy of probative value, 1-303:1 [Rev]

Parol evidence
course of performance, 2A-202:3
terms supplementation, course of dealing, 2A-202:3
Parties, probable intent of, 1-303:4 [Rev]
Prior acts and matters, 1-303:2 [Rev]
Probable intent of parties, 1-303:4 [Rev]
Probative value, 1-303:1 [Rev]
Reasonableness, 1-303:4 [Rev]
Relationship to terms of lease, 2A-207:3
Relevant evidence, 1-303:1 [Rev]
Sale contracts, 1-303:1 [Rev]
Sequence of previous conduct, 1-303:3 [Rev]
Statutory terms, 1-303:2 [Rev]
Supplying missing terms, 1-303:2 [Rev]
Universal customs, 1-303:4 [Rev]
Usage of trade, generally, 1-303:4 [Rev]
Use, 2-202:4
Vocation or trade, 1-303 [Rev]
Written contract, 1-303:1 [Rev], 1-303:2 [Rev]
COVER
CISG, ICC 10:78
Default by lessor, 2A-518:1, 2A-518:2

CREDIT CARD TRANSFERS
Additional limits on interest rate increases (15 U.S.C.A. § 1665i-2), NONUCCPY 6:23
Advertising open end credit plans, NONUCCPY 3:26
Agency review of consumer credit plans and regulations (15 U.S.C.A. § 1616), NONUCCPY 6:16
Annual percentage rate in oral disclosures, NONUCCPY 3:23
Arbitration agreements, NONUCCPY 2:18
Arbitration clauses, NONUCCPY 6:38
Assertion by cardholder against card issuer of claims and defenses arising out of credit card transaction, NONUCCPY 6:15
Basic open end credit disclosures, NONUCCPY 3:25
Bifurcated state law structure, NONUCCPY 6:29
Business credit cards, unauthorized transfers, NONUCCPY 4:10
Changes in terms of open end consumer credit plans, NONUCCPY 3:30
Charge cards, historical background, NONUCCPY 1:4, 1:5
Consideration of ability to repay (15 U.S.C.A. § 1665e), NONUCCPY 6:21
Consumer, defined, NONUCCPY 2:17

CREDIT CARD TRANSFERS —Cont’d
Consumers under age 21, NONUCCPY 6:36
Credit, defined, NONUCCPY 2:15
Credit CARD Act of 2009 limitations, NONUCCPY 6:35
Creditor, defined, NONUCCPY 2:16
Decedent obligors, timely settlement of estates of, NONUCCPY 6:18
Defenses, limitation, NONUCCPY 6:15
delivery or mailing of statement not timely, NONUCCPY 6:8 Disclosure and evidence of transfers generally, NONUCCPY 3:17 et seq.
additional information, NONUCCPY 3:19
advertising open end credit plans, NONUCCPY 3:26
annual percentage rate in oral disclosures, NONUCCPY 3:23
basic open end credit disclosures, NONUCCPY 3:25
exceptions to use of annual percentage rate in oral disclosures, NONUCCPY 3:23
exemption, NONUCCPY 3:24
CREDIT CARD TRANSFERS
—Cont’d
Disclosure and evidence of transfers—Cont’d
15 U.S.C.A. § 1637a,
NONUCCPY 3:22
15 U.S.C.A. § 1665a,
NONUCCPY 3:23
form of disclosure,
NONUCCPY 3:19
guidelines for disclosure,
NONUCCPY 3:17
open end consumer credit plans,
NONUCCPY 3:21
open end consumer credit plans secured by consumer’s principal dwelling,
disclosure requirements,
NONUCCPY 3:22
preemption, NONUCCPY 3:24
principal dwelling of consumer as security, disclosure requirements for open end consumer credit plans,
NONUCCPY 3:22
requirements of disclosure,
NONUCCPY 3:18
rescission right as to certain transactions, NONUCCPY 3:20
statutes and rules,
NONUCCPY 3:17 to 3:23
Disclosures for open end credit,
NONUCCPY 3:27 et seq.
Electronic fund transfers, authorization, 4-101:22
Employee’s liability, business credit cards, NONUCCPY 4:10
Enforcement generally, NONUCCPY 7:9 to 7:25
administrative enforcement [15 U.S.C.A. § 1607],
NONUCCPY 7:9
certain limitations on liability [15 U.S.C.A. § 1649],
NONUCCPY 7:14
civil liability [15 U.S.C.A. § 1640],
NONUCCPY 7:12
criminal liability for willful and knowing violation [15 U.S.C.A. § 1611],
NONUCCPY 7:10
federal law enforcement, generally, NONUCCPY 7:20 et seq.
15 U.S.C.A. § 1607,
NONUCCPY 7:9
15 U.S.C.A. § 1611,
NONUCCPY 7:10
15 U.S.C.A. § 1635,
NONUCCPY 7:11
15 U.S.C.A. § 1640,
NONUCCPY 7:12
15 U.S.C.A. § 1644,
NONUCCPY 7:13
15 U.S.C.A. § 1649,
NONUCCPY 7:14
15 U.S.C.A. § 1666a,
NONUCCPY 7:15
fraudulent use of credit cards; penalties [15 U.S.C.A. § 1644],
NONUCCPY 7:13
1974 Uniform Consumer Credit Code and other state laws generally, NONUCCPY 7:16 to 7:18
Oklahoma statutes annotated,
NONUCCPY 7:17
Vermont statutes annotated,
NONUCCPY 7:18
regulation of credit reports [15 U.S.C.A. § 1666a],
NONUCCPY 7:15
right of rescission as to certain transactions [15 U.S.C.A. § 1640],
NONUCCPY 7:12
15 U.S.C.A. § 1640,
NONUCCPY 7:11
15 U.S.C.A. § 1653,
NONUCCPY 7:13
15 U.S.C.A. § 1666a,
NONUCCPY 7:15
fraudulent use of credit cards; penalties [15 U.S.C.A. § 1644],
NONUCCPY 7:13
1974 Uniform Consumer Credit Code and other state laws generally, NONUCCPY 7:16 to 7:18
Oklahoma statutes annotated,
NONUCCPY 7:17
Vermont statutes annotated,
NONUCCPY 7:18
regulation of credit reports [15 U.S.C.A. § 1666a],
NONUCCPY 7:15
right of rescission as to certain transactions [15 U.S.C.A. § 1640],
NONUCCPY 7:12
15 U.S.C.A. § 1640,
NONUCCPY 7:11
15 U.S.C.A. § 1653,
NONUCCPY 7:13
15 U.S.C.A. § 1666a,
NONUCCPY 7:15
fraudulent use of credit cards; penalties [15 U.S.C.A. § 1644],
NONUCCPY 7:13
1974 Uniform Consumer Credit Code and other state laws generally, NONUCCPY 7:16 to 7:18
Oklahoma statutes annotated,
NONUCCPY 7:17
Vermont statutes annotated,
NONUCCPY 7:18
regulation of credit reports [15 U.S.C.A. § 1666a],
NONUCCPY 7:15
right of rescission as to certain transactions [15 U.S.C.A. § 1640],
NONUCCPY 7:12
15 U.S.C.A. § 1640,
NONUCCPY 7:11
15 U.S.C.A. § 1653,
NONUCCPY 7:13
15 U.S.C.A. § 1666a,
NONUCCPY 7:15
fraudulent use of credit cards; penalties [15 U.S.C.A. § 1644],
NONUCCPY 7:13
1974 Uniform Consumer Credit Code and other state laws generally, NONUCCPY 7:16 to 7:18
Oklahoma statutes annotated,
NONUCCPY 7:17
Vermont statutes annotated,
NONUCCPY 7:18
regulation of credit reports [15 U.S.C.A. § 1666a],
NONUCCPY 7:15
right of rescission as to certain transactions [15 U.S.C.A. £1640],
NONUCCPY 7:12
15 U.S.C.A. § 1640,
NONUCCPY 7:11
15 U.S.C.A. § 1653,
NONUCCPY 7:13
15 U.S.C.A. § 1666a,
NONUCCPY 7:15
fraudulent use of credit cards; penalties [15 U.S.C.A. § 1644],
NONUCCPY 7:13
1974 Uniform Consumer Credit Code and other state laws generally, NONUCCPY 7:16 to 7:18
Oklahoma statutes annotated,
NONUCCPY 7:17
Vermont statutes annotated,
CREDIT CARD TRANSFERS — Cont’d
Enforcement — Cont’d
§ 1635], NONUCCPY 7:11
state law enforcement, generally, NONUCCPY 7:19, 7:25
Error prevention and resolution
correction of billing errors [15
U.S.C.A. § 1666],
NONUCCPY 5:5
error resolution
federal law, NONUCCPY 5:7
state laws, NONUCCPY 5:6
statutes and rules,
NONUCCPY 5:5 to 5:7
Exceptions to use of annual per-
centage rate in oral
disclosures, NONUCCPY 3:23
Exemption to disclosure and evi-
dence of transfers,
NONUCCPY 3:24
Failure of timely mailing or
delivery of statement,
NONUCCPY 6:8
Federal laws limiting liability,
NONUCCPY 4:12
Fee limits (15 U.S.C.A. § 1665i-1), NONUCCPY 6:22
15 U.S.C.A. § 1602,
NONUCCPY 2:12
15 U.S.C.A. § 1602(o),
NONUCCPY 4:8
15 U.S.C.A. § 1604,
NONUCCPY 3:17
15 U.S.C.A. § 1607,
NONUCCPY 7:9
15 U.S.C.A. § 1611,
NONUCCPY 7:10
15 U.S.C.A. § 1616,
NONUCCPY 6:16
15 U.S.C.A. § 1631,
NONUCCPY 3:18

CREDIT CARD TRANSFERS — Cont’d
15 U.S.C.A. § 1632,
NONUCCPY 3:19
15 U.S.C.A. § 1635,
NONUCCPY 3:20
15 U.S.C.A. § 1637,
NONUCCPY 3:21
15 U.S.C.A. § 1640,
NONUCCPY 7:12
15 U.S.C.A. § 1642,
NONUCCPY 4:7
15 U.S.C.A. § 1643,
NONUCCPY 4:8
15 U.S.C.A. § 1644,
NONUCCPY 4:9, 7:13
15 U.S.C.A. § 1645,
NONUCCPY 4:10
15 U.S.C.A. § 1649,
NONUCCPY 7:14
15 U.S.C.A. § 1650,
NONUCCPY 6:17
15 U.S.C.A. § 1651,
NONUCCPY 6:18
15 U.S.C.A. § 1647(b), (c), (d),
(e), NONUCCPY 6:7
15 U.S.C.A. § 1637a,
NONUCCPY 3:22
15 U.S.C.A. § 1665a,
NONUCCPY 3:23
15 U.S.C.A. § 1666a,
NONUCCPY 7:15
15 U.S.C.A. § 1665c,
NONUCCPY 6:19
15 U.S.C.A. § 1666c,
NONUCCPY 6:9
15 U.S.C.A. § 1665d,
NONUCCPY 6:20
15 U.S.C.A. § 1666d,
NONUCCPY 6:10
15 U.S.C.A. § 1665e,
NONUCCPY 6:21
15 U.S.C.A. § 1666e,
NONUCCPY 6:11
15 U.S.C.A. § 1666f,
NONUCCPY 6:12

Master Index-126
CREDIT CARD TRANSFERS — Cont’d
15 U.S.C.A. § 1666g,
NONUCCPY 6:13
15 U.S.C.A. § 1666h,
NONUCCPY 6:8, 6:14
15 U.S.C.A. § 1665i-1,
NONUCCPY 6:22
15 U.S.C.A. § 1665i-2,
NONUCCPY 6:23
15 U.S.C.A. § 1666i,
NONUCCPY 6:15
Finance charge for sales transac-
tions involving cash
discounts, NONUCCPY
6:12
Finance charge increases
applicable to outstanding
balances, limits (15 U.S.C.A.
§ 1665i-1), NONUCCPY
6:22
Fraudulent use of credit card,
NONUCCPY 4:9
Functions, 4-101:13
General federal preemption,
NONUCCPY 6:30
Guidelines for disclosure,
NONUCCPY 3:17
Historical background,
NONUCCPY 1:4, 1:5
Home equity plans, NONUCCPY
6:7
Inducements to cardholders by
sellers of cash discounts for
payments by cash, check or
similar means, NONUCCPY
6:12
Interchange fees litigation,
NONUCCPY 6:37
Interest rate limits (15 U.S.C.A.
§ 1665i-1), NONUCCPY
6:22
Issuance of credit cards,
NONUCCPY 4:7
Length of billing period in credit
statement for imposition of

CREDIT CARD TRANSFERS — Cont’d
finance charge,
NONUCCPY 6:8
Liability of holder of credit card,
NONUCCPY 4:8
Limitation on amount of credit card or
defenses, NONUCCPY 6:15
Limitations on liability,
NONUCCPY 4:10, 4:12,
4:13
Loss allocation, 4-101:13
Mailing or delivery of statement
not timely, NONUCCPY 6:8
1974 Uniform Consumer Credit
Code, NONUCCPY 6:24
Notification of credit card issuer
by seller of return of goods,
etc., by obligor; credit for
account of obligor,
NONUCCPY 6:11
Offset of cardholder’s indebted-
ness by issuer of credit card
with funds deposited with
issuer by cardholder,
NONUCCPY 6:14
Open end consumer credit plans
advertising plans,
NONUCCPY 3:26
basic disclosures, NONUCCPY
3:25
changes in terms, NONUCCPY
3:30
consumer’s principal dwelling
as security, disclosure
requirements,
NONUCCPY 3:22
disclosure and evidence of
transfers, NONUCCPY
3:21
interest rate reduction on open
end consumer credit plans,
NONUCCPY 6:19
open end credit, defined,
NONUCCPY 2:14
reasonable penalty fees on open
end consumer credit plans

© 2018 Thomson Reuters, 12/2018
CREDIT CARD TRANSFERS
—Cont’d
Open end consumer credit plans
—Cont’d
(15 U.S.C.A. § 1665d),
NONUCCPY 6:20
state statutes, NONUCCPY 3:31
Open end credit secured by dwellings, NONUCCPY 6:32
Overdraft protection programs, NONUCCPY 6:34
Penalties for fraudulent use of credit card, NONUCCPY 4:9
Penalty fees on open end consumer credit plans (15 U.S.C.A. § 1665d), NONUCCPY 6:20
Preemption, disclosure and evidence of transfers, NONUCCPY 3:24
Preemption of state laws, NONUCCPY 2:20
Prerequisites, assertion by cardholder against card issuer of claims and defenses arising out of credit card transaction, NONUCCPY 6:15
Preventing unfair and deceptive practice educational lending practices, NONUCCPY 6:17
Principal dwelling of consumer as security, disclosure requirements for open end consumer credit plans, NONUCCPY 3:22
Prompt crediting of payments; imposition of finance charge, NONUCCPY 6:9
Reasonable penalty fees on open end consumer credit plans (15 U.S.C.A. § 1665d), NONUCCPY 6:20

CREDIT CARD TRANSFERS
—Cont’d
Regulation of charges, agreements and practices generally, NONUCCPY 6:7 to 6:40
additional limits on interest rate increases (15 U.S.C.A. § 1665i-2), NONUCCPY 6:23
agency review of consumer credit plans and regulations (15 U.S.C.A. § 1616), NONUCCPY 6:16
assertion by cardholder against card issuer of claims and defenses arising out of credit card transaction, NONUCCPY 6:15
bifurcated state law structure, NONUCCPY 6:29
conflicts of interest elimination, NONUCCPY 6:17
consideration of ability to repay (15 U.S.C.A. § 1665e), NONUCCPY 6:21
deceased obligors, timely settlement of estates of, NONUCCPY 6:18
defenses, limitation, NONUCCPY 6:15
failure of timely mailing or delivery of statement, NONUCCPY 6:8
fee limits (15 U.S.C.A. § 1665i-1), NONUCCPY 6:22
15 U.S.C.A. § 1647(b), (c), (d), (e), NONUCCPY 6:7
15 U.S.C.A. § 1665c, NONUCCPY 6:19

Master Index-128
CREDIT CARD TRANSFERS
—Cont’d
Regulation of charges, agreements and practices—Cont’d

15 U.S.C.A. § 1665d,
NONUCCPY 6:20
15 U.S.C.A. § 1666d,
NONUCCPY 6:10
15 U.S.C.A. § 1665e,
NONUCCPY 6:21
15 U.S.C.A. § 1666e,
NONUCCPY 6:11
15 U.S.C.A. § 1666f,
NONUCCPY 6:12
15 U.S.C.A. § 1666g,
NONUCCPY 6:13
15 U.S.C.A. § 1666h,
NONUCCPY 6:8, 6:14
15 U.S.C.A. § 1665i-1,
NONUCCPY 6:22
15 U.S.C.A. § 1665i-2,
NONUCCPY 6:23
15 U.S.C.A. § 1666i,
NONUCCPY 6:15

finance charge for sales transactions involving cash discounts, NONUCCPY 6:12
finance charge increases applicable to outstanding balances, limits (15 U.S.C.A. § 1665i-1), NONUCCPY 6:22
general federal preemption, NONUCCPY 6:30
home equity plans, NONUCCPY 6:7
inducements to cardholders by sellers of cash discounts for payments by cash, check or similar means, NONUCCPY 6:12
interest rate limits (15 U.S.C.A. § 1665i-1), NONUCCPY 6:22
interest rate reduction on open end consumer credit plans,

CREDIT CARD TRANSFERS
—Cont’d
Regulation of charges, agreements and practices—Cont’d

NONUCCPY 6:19
length of billing period in credit statement for imposition of finance charge, NONUCCPY 6:8
limitation on amount of claims or defenses, NONUCCPY 6:15
1974 Uniform Consumer Credit Code, NONUCCPY 6:24
notification of credit card issuer by seller of return of goods, etc., by obligor; credit for account of obligor, NONUCCPY 6:11
offset of cardholder’s indebtedness by issuer of credit card with funds deposited with issuer by cardholder, NONUCCPY 6:14
prerequisites, assertion by cardholder against card issuer of claims and defenses arising out of credit card transaction, NONUCCPY 6:15
preventing unfair and deceptive practice educational lending practices, NONUCCPY 6:17
prompt crediting of payments; imposition of finance charge, NONUCCPY 6:9
reasonable penalty fees on open end consumer credit plans (15 U.S.C.A. § 1665d), NONUCCPY 6:20
return of goods, etc. by obligor, notification of credit card issuer by seller, NONUCCPY 6:11
specific federal law,
CREDIT CARD TRANSFERS  — Cont’d
Regulation of charges, agreements and practices—Cont’d
NONUCCPY 6:31 et seq.
state law other than the Uniform Consumer Credit Code,
NONUCCPY 6:40
statutes and rules,
NONUCCPY 6:7 to 6:27
tie-in services prohibited for issuance of credit card,
NONUCCPY 6:13
treatment of credit balances,
NONUCCPY 6:10
Uniform Consumer Credit Code, NONUCCPY 6:39
Vermont statutes and rules generally, NONUCCPY 6:25 to 6:27
attorney general’s consumer fraud rules,
NONUCCPY 6:27
Department of Banking, Insurance, Securities and Health Care Administration rules,
NONUCCPY 6:26
Rescission right as to certain transactions, NONUCCPY 3:20
Return of goods, etc. by obligor, notification of credit card issuer by seller,
NONUCCPY 6:11
Specific federal law,
NONUCCPY 6:31 et seq.
State law other than the Uniform Consumer Credit Code,
NONUCCPY 6:40
State laws limiting liability,
NONUCCPY 4:13
Statutes and rules coverage, generally,
NONUCCPY 2:12
disclosure and evidence of

CREDIT CARD TRANSFERS  — Cont’d
Statutes and rules—Cont’d
transfers, NONUCCPY 3:17 to 3:23
regulation of charges, agreements and practices,
NONUCCPY 6:7 to 6:27
unauthorized transfers,
NONUCCPY 4:7 to 4:11
Uniform Consumer Credit Code, NONUCCPY 6:39
Vermont statutes and rules, below
Surcharge practices,
NONUCCPY 1:5, 2:19
Tie-in services prohibited for issuance of credit card,
NONUCCPY 6:13
Timely mailing or delivery of statement, NONUCCPY 6:8
Treatment of credit balances,
NONUCCPY 6:10
types, 4-101:13
Unauthorized transfers generally, NONUCCPY 4:7 to 4:13
business credit cards,
NONUCCPY 4:10
employee’s liability, business credit cards, NONUCCPY 4:10
federal laws limiting liability,
NONUCCPY 4:12
15 U.S.C.A. § 1602(o),
NONUCCPY 4:8
15 U.S.C.A. § 1642,
NONUCCPY 4:7
15 U.S.C.A. § 1643,
NONUCCPY 4:8
15 U.S.C.A. § 1644,
NONUCCPY 4:9
15 U.S.C.A. § 1645,
NONUCCPY 4:10
fraudulent use of credit card,
NONUCCPY 4:9

Master Index-130
CREDIT CARD TRANSFERS—Cont’d
Unauthorized transfers—Cont’d
issuance of credit cards, NONUCCPY 4:7
liability of holder of credit card, NONUCCPY 4:8
limitations on liability,
NONUCCPY 4:10, 4:12, 4:13
penalties for fraudulent use of credit card, NONUCCPY 4:9
state laws limiting liability, NONUCCPY 4:13
statutes and rules,
NONUCCPY 4:7 to 4:11
Uniform Consumer Credit Code, NONUCCPY 6:39
Vermont statutes and rules generally,
NONUCCPY 6:25 to 6:27
attorney general’s consumer fraud rules, NONUCCPY 6:27
Department of Banking, Insurance, Securities and Health Care Administration rules,
NONUCCPY 6:26
Words and phrases generally,
NONUCCPY 2:13 to 2:17
consumer, NONUCCPY 2:17
credit, NONUCCPY 2:15
creditor, NONUCCPY 2:16
open end credit, NONUCCPY 2:14
statutory definitions,
NONUCCPY 2:12
CREDITORS—Cont’d
Bulk sales—Cont’d
exceptions, 6-103:11 [Rev]
protection, 6-103:11 [Rev]
remedies, 6-107:1 [Rev], 6-107:2 [Rev]
risk, assumption, 6-103:7 [Rev]
Bulk transfers
conveyances to bona fide purchasers, liability of transferees, 6-110:3
credit for payments, 6-109:2
definition, 6-104:4
exceptions, 6-103:1 et seq.
lists, 6-104:2, 6-104:3
notices, 6-105:1 et seq., 6-107 et seq.
protected class, 6-106:3 to 6-106:5, 6-109:1
remedies, 6-104:5, 6-104:6
schedule of property, 6-104:4
Common law, 2A-308:1
Definition, 1-201 [Rev]
Documents covering goods, 2A-308:6
Enforceability of lease, 2A-308:3
Fraudulent retention of possession
common law, 2A-308:1
documents covering goods, 2A-308:6
lease enforceability, 2A-308:3
lessee’s right to goods, 2A-308:5
lessors, 2A-308:2
rights to goods, 2A-308:4
sale-leaseback, 2A-308:3
Governmental, 8-317:6
Judicial assistance, 8-317:4
Lessees’s right to goods, 2A-308:5
Liens, 2A-307:1
1977 amendment rights
certificated securities, 8-317:8
uncertificated securities, 8-317:9
CREDITORS—Cont’d
  Notices, 6-105:1 et seq., 6-107:1 et seq.

CREDITOR’S RIGHTS—Cont’d
  Investment securities—Cont’d
    levies—Cont’d
      certificated securities, 8-317:8
      constitutional considerations, 8-317:5
      governmental creditors, 8-317:6
      securities in possession of
        financial intermediaries, 8-317:11
      securities in possession of
        nonfinancial intermediaries, 8-317:10
      seizure of security, 8-317:2
      surrender of security, 8-317:3
      uncertificated securities, 8-317:9
      liens, 8-317:12

Sold goods
  common law, 2-402:1
  fraudulent retention of possession,
  2-402:1, 2-402:2
  2003 and 2005 amendments, 2-402:4

CREDIT PERIOD
  Option to accelerate at will, 1-309:1 [Rev]

CRIMINAL LAW
  Fraud, voidable title, 2A-304:4
  Non-UCC Payment Methods, this index

CRIMINAL SANCTIONS
  Remedies to be liberally administered, 1-305:2 [Rev]

CROPS
  After-acquired property clauses, 9-204:3
  Collateral, description of land, 9-110:5, 9-402:13
  Department of Agriculture entitlement payments as proceeds, 9-306:1
CROSSES—Cont’d
Failures, excused performance, basis, 2A-405:15
Location, 9-203:9
Security interests, priorities, 9-312:3

CROSS-REFERENCES
Construction and interpretation, 1-103:4 [Rev]

CROSS REFERENCE TABLE
Derivation of Article 2A sections, App. 2A-A1

CURE
CISG, ICC 10:44

CUSTOMARY NORM
Course of performance, course of dealing, and usage of trade, 1-303:4 [Rev]

DAMAGES—Cont’d
Anticipatory repudiation of contract, 2-610:2
Bad faith, 4-103:6 [Rev], 4-103:10, 4-401:1 [Rev]
Bailee’s liability, 7-403:7
Bad faith, 4-103:6 [Rev], 4-103:10, 4-401:1 [Rev]
Bailee’s liability, 7-403:7

DAMAGES—Cont’d
Attorney’s fees, 7-309:12
Availability, deduction from rent, 2A-508:6
Bad faith, 4-103:6 [Rev], 4-103:10, 4-401:1 [Rev]
Bailee’s liability, 7-403:7

Availability, deduction from rent, 2A-508:6
Bad faith, 4-103:6 [Rev], 4-103:10, 4-401:1 [Rev]
Bailee’s liability, 7-403:7

CROSS-REFERENCES
Construction and interpretation, 1-103:4 [Rev]

CROSS REFERENCE TABLE
Derivation of Article 2A sections, App. 2A-A1

CURE
CISG, ICC 10:44

CUSTOMARY NORM
Course of performance, course of dealing, and usage of trade, 1-303:4 [Rev]

DAMAGES
Generally, UCITA 807 to 810
See also Remedies
Accepted goods
consequential, 2A-519:7
incidental, 2A-519:7
market rent, 2A-519:1
nonwarranties, 2A-519:5
nonwarranty, 2A-519:3
warranties, 2A-519:4
Action for rent, 2A-530:1
Actions for price
Convention on International Sale of Goods, 2-709:1
due under contract, 2-709:1
other remedies, relationship to, 2-709:2
specific performance, 2-709:1
2003 and 2005 amendments, 2-709:3
Allocation, 8-107:4
Alternative basis for recovery,
UCITA 808:5
Alternatives, redemption, 9-507:4

© 2018 Thomson Reuters, 12/2018

Master Index-133
DAMAGES—Cont’d
Buyers—Cont’d
accepted goods, 2-714:1
—Cont’d
2003 and 2005 amendments, 2-714:3
warranty, 2-714:2
consequential
generally, 2-715:1, 2-715:3
breach of warranty, 2-715:3
Convention on International
Sale of Goods, 2-715:1
incidental distinguished, 2-710:1
limitations, 2-715:3
2003 and 2005 amendments, 2-715:4
incidental
generally, 2-715:1
consequential distinguished, 2-710:1
expenses, inclusion, 2-710:1
losses, inclusion, 2-715:2
market price
basis of computation, 2-713:1
Convention on International
Sale of Goods, 2-713:1
repudiation, 2-713:1
2003 and 2005 amendments, 2-713:2
repair and replacement costs, 2-714:2
Carrier’s liability
generally, 7-308:4
multiple carriers, 7-309:13
Categories of damages, generally,
UCITA 807:2, UCITA 808:1, UCITA 808:4
Charge-backs, bank’s failure to
use ordinary care, 4-212:9
Collections, failure to use ordinary
care, 4-202:1
Comparison with other remedies, 2A-508:4

DAMAGES—Cont’d
Compensatory, wrongful dishonor, 4-402:8
Computation
generally, UCITA 807:1, UCITA 808:1, UCITA 809:1, 2A-528:4, 2A-528:5
market rent, 2A-528, 2A-528:1
Consequential
generally, UCITA 803:8, UCITA 807:2, UCITA 808:4, UCITA 809:1, 2-715:1 et seq., 4A-305:5, 4A-404:2, 4A-404:3, 4-103:10
accepted goods, 2A-519:7
economic loss, 2A-520:5 et seq.
incidental damages,
distinguished, 2A-530:1, 2-710:1
lessee’s damages, 2A-519:7, 2A-520:3 et seq.
limitations, 2A-520:11
modification or impairment of
remedy, 2A-503:8
ordinary damages, relationship,
2A-520:4
personal injuries, 2A-520:10
property damage, 2A-520:10
Constructing, market value,
2A-507:2
Consumers’ remedies, 9-507:6
Contractual modification of rem-
ey, UCITA 803:4, UCITA 803:8
Conversion
fair-market value, 7-308:4
interest, 7-210:5
limitations, 7-308:4
negotiable instruments, 3-420:7
offs[Rev]
offsetting charges, 7-308:4
value of property, 7-210:5

Master Index-134
DAMAGES—Cont’d
 Conversion, warehouse receipts, 7-204:4 [Rev]
 Cover costs, 4-103:10
 Damaged goods, 7-204:6
 Deduction from rent availability, 2A-508:6
 comparison with other remedies, 2A-508:4
 notice, 2A-508:5
 Direct damages, generally, UCITA 807:2, UCITA 808:4, UCITA 809:1
 Disposal of goods, 2A-527:5
 Disposition of collateral, 9-507:3
 Documentary drafts, delayed holding, 4-501:2
 Economic loss, 2A-520:5 et seq.
 Encoding warranty, breach, 4-209:3 [Rev]
 Failure to exercise ordinary care banks, charge-backs, 4-212:9, 4-214:2 [Rev]
 collecting banks, 4-103:8, 4-202:1
 comparative negligence, 4-301:8 [Rev]
 consequential damages, 4-103:10
 measure, 4-103:6 [Rev], 4-202:2 [Rev]
 payor banks, 4-103:9
 punitive damages, 4-103:10
 Regulation CC, 4-301:8 [Rev]
 returning bank, 4-202:5 [Rev], 4-202:6 [Rev]
 Fraud, measure of damages, 2A-505:3, 2-721:1
 Full value of goods, 7-403:7
 Improper tender under documentary drafts, 4-502:1
 Incidental generally, UCITA 807:2, UCITA 808:4, UCITA 809:1, 2-715:1

DAMAGES—Cont’d
 Incidental—Cont’d
 accepted goods, 2A-519:7
 actions for rent, 2A-530:1
 consequential damages distinguished, 2A-530:1, 2-710:1
 examples, 2A-530:2
 lessees, 2A-520:1, 2A-520:2
 Injuries to stored goods, 7-204:6
 Intellectual property claims, UCITA 808:5
 Invalidation, consequences, 2A-504:4
 Investment securities, 8-107:3, 8-107:4
 Lessees consequential, 2A-520:3 et seq.
 incidental, 2A-520:1, 2A-520:2
 Lessors, release rent, 2A-527:1
 Letters of credit, 5-114:6, 5-114:9, 5-115:1
 Licensee’s damages, UCITA 809:1
 Licensor’s damages generally, UCITA 808:1 to 808:5
 accepted performances, UCITA 808:2
 alternative basis for recovery, UCITA 808:5
 consequential and incidental damages, UCITA 808:4
 resale, option of, UCITA 808:1
 substitute transactions, UCITA 808:3
 Limitation of liability, 7-204:3
 Limitations
 bills of lading, 7-309:9 [Rev]
 consequential, 2A-520:11
 through bills of lading provisions, 7-302:3
 warehouse receipts, 7-204:3 [Rev]
DAMAGES—Cont’d
Liquidated
generally, UCITA 804:1,
UCITA 804:2, 2A-504:1
et seq.
Convention on International
Sale of Goods, 2-718:1
criterion, 2-718:1
forfeiture of prepayments,
2-718:2
invalidation, consequences,
2A-504:4
leases, generally, 2A-504,
2A-504:1 et seq.
proof of loss, 2A-504:3
reasonableness, 2A-504:1,
2A-504:2
reasonableness tests
generally, 2-718:1
elements, 2-718:1
other adequate remedies
available, 2-718:1
proof of loss, 2-718:1
remedies, 2A-504:3
restitution of deposit to breach-
ing buyer, 2-718:2
restitution of payments,
2A-504:5
2003 and 2005 amendments,
2-718:3
unconscionability, 2A-503:8
unreasonably large clauses,
invalidation, 2-718:1
unreasonably small clauses,
invalidation, 2-718:1
Lost goods, 7-204:6
Lost profits, 7-204:6
Market price
generally, 2-708:1
basis of computation, 2-713:1
Convention on International
Sale of Goods, 2-713:1,
2-723:1, 2-724:1
lost goods, 7-204:6

DAMAGES—Cont’d
Market price—Cont’d
place, 2-708:1, 2-723:1 to
2-723:3
quotations, use, 2A-507:3,
2-724:1
repudiation, 2-708:1, 2-713:1
time, 2-708:1, 2-723
2003 and 2005 amendments,
2-723:3, 2-724:2
Market rent
accepted goods, 2A-519:1
computation, 2A-528:1
time and place for measuring,
2A-507:1 et seq.,
2A-519:2, 2A-528:2
Market value
generally, 7-309:12
constructing, 2A-507:2
market quotations, admissibil-
ity, 2A-507:3
place, 2A-507:1
time, 2A-507:1
Measurement
generally, 7-204:6, 7-309:12
bad faith, 4-103:10
Convention on International
Sale of Goods, 2-708:1,
2-708:2
fraud, 2-721:1
fraudulent breach, 2-721:2
incidental damages, 2-708:2
market price
Convention on International
Sale of Goods, 2-723:1,
2-724:1
place, 2A-507:1, 2-708:1,
2-723:1 to 2-723:3
quotations, use, 2-724:1
repudiation, 2-708:1
time, 2A-507:1, 2-708:1,
2-723:1 to 2-723:3
2003 and 2005 amendments,
2-723:3, 2-724:2
nondelivery of goods, 7-403:7
DAMAGES—Cont’d
Measurement—Cont’d
profits, lost volume, 2-708:2
reliance expenses, 2-708:2
repudiation of contract, 2-708:1
secured parties’ noncompliance
with default provisions,
4-103:6 [Rev], 9-507:3,
9-507:6
secured party’s noncompliance
with default provisions,
9-507:3, 9-507:6
warehouse receipts, 7-204:6
[Rev]
Misdescription of goods
generally, 7-203:1, 7-203:1
[Rev]
consignee, 7-301:1 [Rev]
Mitigation
generally, UCITA 807:4,
8-107:3
wrongful dishonor, 4-402:10
Modification or impairment of
remedy, 2A-503:8
Multiple carriers, 7-309:13
Negotiable instruments
conversion, 3-420:7 [Rev]
presentment warranties, breach,
3-417:8 [Rev]
remotely created checks,
3-416:11 [Rev]
transfer warranties, 3-416:11
[Rev]
transfer warranties, breach,
3-416:10 [Rev]
2002 Official Amendments,
3-416:11 [Rev]
Nonaccepted goods, market rent,
2A-519:1
Nondelivery of goods, 7-403:7
Nonreceipt of goods, 7-203:1,
7-203:1 [Rev], 7-301:1 [Rev]
Nonwarranty damages for
accepted goods, 2A-519:3
DAMAGES—Cont’d
Notice, deduction from rent,
2A-508:5
Ordinary damages, relationship,
consequential, 2A-520:4
Overissued securities, 8-104:4
Penalty, unenforceability of liqui-
dated damages clause
constituting, UCITA 804:2
Personal injuries, 2A-520:10
Place factors
market rent, 2A-528:2
market value, 2A-507:1
measurement, market price,
2A-507:1
Presentment, breach of warranty,
3-417:8 [Rev], 3-417:10,
4-207:10, 4-208:7 [Rev],
4-208:9 [Rev]
Price, 8-107:4
Profit, 2A-528:3, 2A-528:4
Proof of loss, 2A-504:3
Property, breach of warranty,
2A-520:10
Property damage, 2A-520:10
Proximateness, 4-103:6 [Rev]
Published information content and
consequential loss, UCITA
807:5
Punitive
generally, 7-309:2
carrier’s liability, 7-309:2
Punitive Damages, this index
Reasonableness, liquidated,
2A-504:1, 2A-504:2
Recoupment, UCITA 810:1
Regulation CC, violation, 4-301:8
[Rev]
Remedies
leases, 2A-504:3
Remedies to be Liberally
Administered, this index
Repair, warranties, 2A-519:6
Replacement, warranties,
2A-519:6
DAMAGES—Cont’d
Reservation of rights, 1-308:1 [Rev]
Restitution, liquidated damages, restitution of payments, 2A-504:5
Retention warranties, breach, 4-209:4 [Rev]
Return item, warranty breach, 4-301:9 [Rev]
Settlement amount warranties, breach, 4-209:5 [Rev]
Shipper’s recovery, 7-302:3
Special, 7-302:3, 7-309:13
Speculative damages not recoverable, UCITA 807:3
Standard of care, 7-204:1
Stop payment orders, incorrect payments, 4-403:6 [Rev], 4-403:10
Time factors
market rent, 2A-507:1 et seq., 2A-519:2, 2A-528:2
market value, 2A-507:1
measurement, market price, 2A-507:1
Trader rule, 4-402:6
Transfer warranties, breach, 3-416:10 [Rev], 3-417:19, 4-207:10 [Rev], 4-207:20
2002 Official Amendments, negotiable instruments, 3-416:11 [Rev]
Unauthorized indorsement cases, 4-401:3
Unconscionability, 2A-503:8
Uniform Computer Information Transactions Act, this index
Warehouseman, sale to enforce lien, 7-210:5 [Rev]
Warehousemen’s liability, 7-204:1, 7-210:5
Warehouse receipts
genearly, 7-204:3 [Rev]
conversion, 7-204:4 [Rev]

DAMAGES—Cont’d
Warehouse receipts—Cont’d
description of goods, reliance, 7-203:1 [Rev]
enforcement of warehouseman’s lien, 7-210 [Rev]
market value, 7-204:6 [Rev]
measure, 7-204:6 [Rev]
non-receipt or misdescription, 7-203:1 [Rev]
overissue, 7-402:1 [Rev]
Warranties
accepted goods, 2A-519:4
encoding, 4-209:3 [Rev], 4-209:5 [Rev]
presentment, 3-417:10
repair, 2A-519:6
replacement, 2A-519:6
returned check, 4-202:6 [Rev]
transfers of negotiable instruments, 3-417:19
Warrant of title, breach, 2-312:5
Wrongful dishonor
generally, 4-402:6
compensatory damages, 4-402:8
incorrect reason for return, 4-402:11
mitigation, 4-402:6 [Rev], 4-402:10
proximate cause, 4-402:6 [Rev], 4-402:7
punitive, 4-402:6 [Rev], 4-402:9
Wrongful transfers, 8-315:2
Wrongful use of information, compensation for, UCITA 807:6

DATABASES
Record and sign, 7-102:11 [Rev]

DATE
Time or Date, this index
DCMA
Digital Millennium Copyright Act (DCMA), this index

DEALERS
Performance, UCITA 613

DEALING, COURSE OF
Course of Performance, Course of Dealing, and Usage of Trade, this index

DEATH
Agents, effect on outstanding items, 4-405:1
Banks’ knowledge, 4-405:2
Drawer’s, 4-401:2, 4-405:1 [Rev], 4-405:3 [Rev], 4-405:4 [Rev]
Drawers’ effect on bank’s ability to pay, 4-405:1
Notice, 4-406:5
Payees’, effect on deposits, 4-405:3
Payments, effect, 4-405:3 [Rev], 4-405:4 [Rev]
Stop payment order, 4-405:4 [Rev]
Subrogation, 4-407:3 [Rev]

DEBIT CARD TRANSFERS
Account, defined, NONUCCPY 2:5
Administrative enforcement, NONUCCPY 7:5
Civil liability, NONUCCPY 7:3
Consumer liability for unauthorized transfers, NONUCCPY 4:3
Criminal liability, NONUCCPY 7:4
Definitions. Words and phrases, below
Disclosure and evidence of transfers generally, NONUCCPY 3:1 et seq.

DEBIT CARD TRANSFERS—Cont’d
Disclosure and evidence of transfers—Cont’d
documentation of transfers, NONUCCPY 3:4 to 3:6
Dodd-Frank limitations, NONUCCPY 3:15
exemption, NONUCCPY 3:7 et seq.
format rules for EFTA and Regulation E disclosures, NONUCCPY 3:16
preemption, NONUCCPY 3:7 et seq.
proposed coverage of prepaid reloadable cards, NONUCCPY 3:14
statutes and rules, NONUCCPY 3:1 et seq.
terms and conditions of transfers, NONUCCPY 3:2, 3:3
12 C.F.R. §§ 1005.4 et seq., NONUCCPY 3:3
Documentation of transfers, NONUCCPY 3:4 to 3:6
Electronic fund transfer, defined, NONUCCPY 2:4
Enforcement generally, NONUCCPY 7:1 to 7:8
administrative enforcement [15 U.S.C.A. § 1693o], NONUCCPY 7:5
civil liability [15 U.S.C.A. § 1693m], NONUCCPY 7:3
criminal liability [15 U.S.C.A. § 1693n], NONUCCPY 7:4
DEBIT CARD TRANSFERS
—Cont’d

Enforcement—Cont’d

error resolution [15 U.S.C.A. § 1693f], NONUCCPY 7:1

federal law enforcement, generally, NONUCCPY 7:8
15 U.S.C.A. § 1693f,
NONUCCPY 7:1
15 U.S.C.A. § 1693h,
NONUCCPY 7:2
15 U.S.C.A. § 1693m,
NONUCCPY 7:3
15 U.S.C.A. § 1693n,
NONUCCPY 7:4
15 U.S.C.A. § 1693o,
NONUCCPY 7:5
liability of financial institutions
[15 U.S.C.A. § 1693h],
NONUCCPY 7:2
representative state laws,
NONUCCPY 7:6
state law enforcement patterns,
gen generally, NONUCCPY 7:7

Error prevention and resolution
documentation of transfers [15
U.S.C.A. § 1693d],
NONUCCPY 5:2
enforcement, NONUCCPY 7:1
error resolution
federal law, NONUCCPY 5:1, 5:4
15 U.S.C.A. § 1693f,
NONUCCPY 5:1
state laws, NONUCCPY 5:3
15 U.S.C.A. § 1693d,
NONUCCPY 5:2
statutes and rules
documentation of transfers
[15 U.S.C.A. § 1693d],
NONUCCPY 5:2
error resolution,
NONUCCPY 5:1, 5:3, 5:4

DEBIT CARD TRANSFERS
—Cont’d

Error prevention and resolution
—Cont’d

statutes and rules—Cont’d
15 U.S.C.A. § 1693d,
NONUCCPY 5:2
Exemption to disclosure and evi-
dence of transfers,
NONUCCPY 3:7 et seq.
Federal law enforcement, generally,
NONUCCPY 7:8
Federal laws limiting consumer
loss, NONUCCPY 4:6
15 U.S.C.A. § 1693a,
NONUCCPY 2:2
NONUCCPY 6:1
15 U.S.C.A. § 1693c,
NONUCCPY 3:2
15 U.S.C.A. § 1693c(b),
NONUCCPY 6:2
15 U.S.C.A. § 1693d,
NONUCCPY 3:4
15 U.S.C.A. § 1693e,
NONUCCPY 4:2
15 U.S.C.A. § 1693f,
NONUCCPY 7:1
15 U.S.C.A. § 1693g,
NONUCCPY 4:3
15 U.S.C.A. § 1693h,
NONUCCPY 7:2
15 U.S.C.A. § 1693i,
NONUCCPY 4:1
15 U.S.C.A. § 1693k,
NONUCCPY 6:3
15 U.S.C.A. § 1693l,
NONUCCPY 6:4
15 U.S.C.A. § 1693m,
NONUCCPY 7:3
15 U.S.C.A. § 1693n,
NONUCCPY 7:4
15 U.S.C.A. § 1693o,
NONUCCPY 7:5
Format rules for EFTA and
Regulation E disclosures,
DEBIT CARD TRANSFERS
—Cont’d
NONUCCPY 3:16
Issuance of cards or other means of access, NONUCCPY 4:1
Liability of financial institutions, NONUCCPY 7:2
Limitations on consumer loss, NONUCCPY 4:5, 4:6
Preauthorized transfers, NONUCCPY 4:2
Preemption, disclosure and evidence of transfers, NONUCCPY 3:7 et seq.
Regulation of charges, agreements and practices
case law, generally,
NONUCCPY 6:6
compulsory use of electronic fund transfers,
NONUCCPY 6:3
fee disclosures at automated teller machines,
NONUCCPY 6:1
NONUCCPY 6:1
15 U.S.C.A. § 1693c(b),
NONUCCPY 6:2
15 U.S.C.A. § 1693k,
NONUCCPY 6:3
15 U.S.C.A. § 1693l,
NONUCCPY 6:4
notification of changes to consumer, NONUCCPY 6:2
statutes and rules, generally,
NONUCCPY 6:5
waiver of rights, NONUCCPY 6:4
Representative state laws,
NONUCCPY 7:6
State law enforcement patterns, generally, NONUCCPY 7:7
State laws limiting consumer loss,
NONUCCPY 4:5

DEBIT CARD TRANSFERS
—Cont’d
Statutes and rules
coverage, generally,
NONUCCPY 2:2
disclosure and evidence of transfers, NONUCCPY 3:1 et seq.
regulation of charges, agreements and practices,
NONUCCPY 6:1 to 6:6
unauthorized transfers,
NONUCCPY 4:1 to 4:4
Terms and conditions of transfers,
NONUCCPY 3:2, 3:3
12 C.F.R. §§ 1005.4 et seq.,
NONUCCPY 3:3
Unauthorized transfers
consumer liability,
NONUCCPY 4:3
federal laws limiting consumer loss,
NONUCCPY 4:6
15 U.S.C.A. § 1693a,
NONUCCPY 4:3
15 U.S.C.A. § 1693e,
NONUCCPY 4:2
15 U.S.C.A. § 1693g,
NONUCCPY 4:3
15 U.S.C.A. § 1693l,
NONUCCPY 4:1
issuance of cards or other means of access,
NONUCCPY 4:1
limitations on consumer loss,
NONUCCPY 4:5, 4:6
other statutes and rules,
NONUCCPY 4:4
preauthorized transfers,
NONUCCPY 4:2
state laws limiting consumer loss, NONUCCPY 4:5
statutes and rules,
NONUCCPY 4:1 to 4:4
Words and phrases
generally, NONUCCPY 2:3
account, NONUCCPY 2:5

© 2018 Thomson Reuters, 12/2018 Master Index-141
DEBIT CARD TRANSFERS
—Cont’d
Words and phrases—Cont’d
electronic fund transfer,
NONUCCPY 2:2 to 2:5
DEBTORS
See also Nondebtor Owners
Addresses, financing statements,
9-402:11
After-acquired property rights,
9-203:12
Alienation, 9-401:1 [Rev]
Bankruptcy, repossession of collateral, 9-503:7
Codebtors, right of redemption, 9-506:2
Collateral
assemblage, 9-503:5
repossession, 9-503:7
rights, 9-203:12, 9-311:1
Consumers, 9-507:6
Default
generally, 9-501:1, 9-501:2
removal of fixtures, 9-313:7
rights
variation, 9-501:9
waiver, 9-501:9
secured parties
election of remedies, 9-501:7
noncompliance with provisions, 9-507:1
Deficiencies, liability, 9-502:4
Deficiency judgments, barring claims, 9-507:7
Definitions, 9-105:5, 9-112:1,
9-203:5, 9-402:4, 9-506:2
Disposition of collateral, protection,
9-505:2
Guarantors
right of redemption, 9-506:2
rights, 9-504:9
Husband and wife, 9-402:6
Interest in collateral, sale account, 9-318:1 [Rev]

DEBTORS—Cont’d
Interest in collateral, sale—Cont’d
chattel paper, 9-318:1 [Rev]
payment intangible, 9-318:1 [Rev]
promissory note, 9-318:1 [Rev]
Lawful possession, 9-113:3
Liability
deficiencies, 9-502:4
imposition on secured parties, 9-507:5
Location, 9-103:9, 9-307:1 [Rev]
Multiple
generally, 9-105:5
husband and wife, 9-402:6
Name in financing statement
decedents’ estates, 9-503:3 [Rev]
individuals, 9-503:5 [Rev]
multiple debtors, 9-503:8 [Rev], 9-520:4 [Rev]
organizations other than registered, 9-503:6 [Rev]
registered organizations, 9-503:2 [Rev]
trade names, 9-503:7 [Rev]
trusts, 9-503:4 [Rev]
Names
business entities, 9-402:5
changes after filing, 9-402:7
corporations, 9-402:5
financing statements containing, 9-402:3 to 9-402:7
individuals, 9-402:4
partnerships, 9-402:5
sole proprietorships, 9-402:4
trade names, 9-402:4
Partial redemptions, 9-506:6
Place of business, 9-307:1 [Rev]
Possession, 9-113:3
Redemption rights
generally, 9-506:2
Bankruptcy Code provisions, 9-506:7
partial redemptions, 9-506:6
DEBTORS—Cont’d
Redemption rights—Cont’d
time limitations, 9-506:4
waiver, 9-506:5
Remedies, default, 9-501:8
Requests, 9-112:3
Rights
alienation, 9-311:1
default, 9-501:8
modification, 9-505:3
redemption rights, above
renunciation, 9-505:3
Secured parties’ obligations, 9-317:1
Security agreements
new debtor provisions, 9-203:15 [Rev]
signatures, 9-203:5
Security interests, new debtor
amendments of 2010, 9-326
[Rev]
priorities, 9-326:1 [Rev]
Signatures, 9-203:5
Spouses, 9-402:6
Strict foreclosures
agreements, 9-505:3
involuntary, 9-505:9
objections, 9-505:7

DEBT SECURITIES
Bearer form, 8-102:3
Blanks, maturity date, 8-206:1
Registered form, 8-102:3

DECEDENTS’ ESTATES
Perfection, assignment of beneficial interest in estate, 9-309:8 [Rev]

DECLARATIONS
Cape Town Convention, this index

DEFAMATION
Limitation of actions, UCITA 805:5

DEFAULTS
Generally, 2A-501
Acceleration clauses, 2A-501:3, 2A-501:4
Agricultural liens, 9-606:1 [Rev]
Burden of proof, 2A-516:11
Collection rights, 9-502:1 et seq.
Completion of manufacture, 2A-524:2
Consignees, 9-114:5
Damages
computation, 2A-528:4,
2A-528:5
market rent, 2A-528:1,
2A-528:2
nonwarranty, 2A-519:3
profit, 2A-528:3, 2A-528:4
Debtors
generally, 9-501:1, 9-501:2
duties of secured parties, 9-501:9
remedies, 9-501:8
removal of fixtures, 9-313:7
repossession of collateral, 9-503:1
rights, 9-501:8, 9-501:9
secured parties’ actions
remedies of debtors, 9-507:1
remedies of secured creditors, 9-507:1
secured parties’ actions, remedies,
9-507:1
variation of rights, 9-501:9
waiver of rights, 9-501:9
Definition, 2A-501:2
Disposal of collateral
commercially reasonable, 9-504:4, 9-507:8 to 9-507:10
compulsory, 9-505:1 et seq.
secured parties’ rights, 9-504:2
subsequent, 9-504:1 et seq.
DEFAULTS—Cont’d
Disposal of unfinished goods, 2A-524:2
Duties of secured parties, 9-501:6
Fixtures, right to remove, 2A-309:7
Foreclosure, 9-501:11
Forfeited collateral, 9-503:7
Fulfillment of obligations prior to redemption, 9-506:6
Identification of goods, 2A-524:1
Insecurity clauses, 2A-109:1, 2A-501:4, 9-501:4
Judicial procedure, 2A-501:11
Lessees
cancellation of contract, 2A-523:3
duties, 2A-501:8
lesser right to identify goods, 2A-524:1
lesser’s remedies, index, 2A-523:1
property rights, 2A-501:10
remedies, 2A-501:8
rights, 2A-501:8
withholding of goods, 2A-523:2
Lessor
accord and satisfaction, 2A-508:4
availability of deduction of damages, 2A-508:6
comparison of remedies, 2A-508:2, 2A-508:4
counterclaims, 2A-508:4
deduction of damages, 2A-508:4, 2A-508:6
duties, 2A-501:6
election of remedies, 2A-501:7
index of lessee’s remedies, 2A-508:1
lessee’s remedies compared, 2A-508:2
lessee’s remedies index, 2A-508:1
DEFAULTS—Cont’d
Lessor—Cont’d
notice of deduction of damages, 2A-508:5
property rights, 2A-501, 2A-501:10
recoupment, 2A-508:4
rights and remedies, 2A-501:5
security interest of lessee, 2A-508:3
Manufacture, completion, 2A-524:2
Model Tribal Secured Transactions Act, this index
Modification or impairment of ancillary obligations, 2A-503:9
collateral obligations, 2A-503:9
competence to limit or modify, 2A-503:1
consequential damages, 2A-503:8
failure of essential purpose, 2A-503:3
limitations, 2A-503:2
repair, 2A-503:4, 2A-503:5
replacement, 2A-503:4, 2A-503:5
unconscionability, 2A-503:7, 2A-503:8
unwilling or unable to repair or replace, 2A-503:5
Notice
contents, 2A-516:9
manner, 2A-516:9
person required to give, 2A-516:7, 2A-516:8
procedure, 2A-502, 2A-502:1
social policies underlying, 2A-516:6
timeliness, 2A-516:5, 2A-516:6
who must provide, 2A-516:7, 2A-516:8
Postdefault waivers, 2A-501:9
Procedure, 2A-501

UNIFORM COMMERCIAL SERIES
Master Index-144
DEFICIENCIES—Cont’d
Property rights of parties, 2A-501:10
Redemption rights
  generally, 9-506:1 et seq.
  fulfillment of obligations prior, 9-506:6
time limitations, 9-506:4
Remedies of secured parties, 9-501:5
Repossession
  generally, 9-501:5
  notices, 9-503:2
  rights, 9-503:1 et seq.
Revocation of acceptance, conditions, 2A-517:2
Rights of secured parties, 9-501:5, 9-501:10
Risk of loss
  generally, 2A-220:1
  lessee repudiation, 2A-220:4
  lessor delivers nonconforming goods, 2A-220:3
  lessor failure to tender or deliver, 2A-220:2
Secured parties rights, 9-606:1 [Rev]
Secured party’s noncompliance
  with provisions
  consumer remedies, 9-507:6
  consumers’ remedies, 9-507:6
  damages, 9-507:3
deficiency judgments, bar, 9-507:7
imposition of liability, 9-507:5
injunctive relief, 9-507:2
redeemption as remedy, 9-507:4
Secured transactions, 9-501:1
Strict foreclosures, 9-505:1 et seq.
DEFICIENCIES
Bills of lading, 7-309:2 [Rev]
Effectiveness, burden of establishing, 8-105:6
Lemon laws, effect, 2-608:5

DEFICIENCIES—Cont’d
Notice, revoked calls, 8-203:4
Revocation of acceptance, latent defects, 2A-517:4, 2A-517:6
Validity of securities, 8-202:4
Waiver by lessee
documents, 2A-514:3,
  2A-514:4
  particularizing, 2A-514:1
  unstated, 2A-514:2
DEFENDANT
Definition, 1-201 [Rev]
DEFENSES
See also Limitation of Actions;
Parol Evidence
Accommodation, 3-302:18 [Rev], 3-304:8
Accommodation parties
  generally, 3-415:6
  accommodated party, 3-415:11, 3-419:11 [Rev]
  failure of condition precedent, 3-415:8, 3-419:8 [Rev]
lack of consideration, 3-415:7, 3-419:7 [Rev]
  real, 3-415:10, 3-419:10 [Rev]
special agreement with creditor, 3-305:11 [Rev], 3-415:9, 3-419:6 [Rev], 3-419:9 [Rev]
Affirmative defenses, want of consideration, 3-408:3
Antecedent debt, payment or security, 3-303:7 [Rev], 3-408:4
Assignees, 9-206:1, 9-318:2
Breach of warranty, 4-208:7 [Rev]
Burden of proof, 3-307:5, 3-307:6, 3-308:5 [Rev]
Carriers, 7-309:2
Claims in recoupment, 3-305:1 [Rev]
Claims of other parties, 3-306:3
Conditional deliveries, 3-102:4, 8-202:6, 8-202:6 [Rev]
DEFENSES—Cont’d
Condition precedent, nonperformance, 3-306:7
Consideration
  failure, 3-113:1, 3-302:18
  [Rev], 3-303:6 [Rev],
  3-306:6, 3-408:2
lack, 3-306:6, 3-408:1, 3-415:7
want, 3-303:6 [Rev], 3-303:7
  [Rev], 3-408:3
Consumer protection, 3-302:6
  [Rev] to 3-302:9 [Rev]
Contract defenses, 3-306:5
Contracts between assignors and
account debtors, 9-318:1
Conversion
generally, 3-419:7
  negligence of indorsee, 3-419:6
  statute of limitations, 3-419:10,
  3-420:6 [Rev]
Delivery, 3-105:3 [Rev]
Discharge
generally, 3-602:1
  alteration, 3-407:2 [Rev]
Discharge, secondary obligors,
3-605:10 [Rev]
Duress, 3-202:5 [Rev], 3-305:5
Effectiveness, burden of establish-
ing, 8-105:6
Estoppel, acceleration clauses,
  prevention of use, 9-501:3
Failure to deliver goods, 7-403:4
Failure to return items, 4-102:1
Forgery, undetectable, 4-406:4
Fraud
generally, 3-201:4, 3-305:6
  accommodation parties, 3-415:9
  intent to defraud, 4-302:6 [Rev]
Funds transfers
generally, 4A-203:5
  consequential damages,
  4A-404:3
Genuineness of security, 8-202:5,
  8-202:6 [Rev]
Holders, availability, 3-306:4

DEFENSES—Cont’d
Holders in due course
generally, 3-302:2
forfeiture, 3-103:5 [Rev]
notice, 3-302 [Rev], 3-302:1
  [Rev], 3-305:6 [Rev]
Illegality, 3-305:5
Incacity, 3-305:5
Infancy, 3-305:4
Intent to defraud, 4-302:6 [Rev]
Invalidity of security, 8-202:6
  [Rev]
Invalid securities, 8-202:4
Investment securities
genuineness of security, 8-202:5
  staleness, 8-203:1
  validity, 8-202:4
Issuers
generally, 8-201:3, 8-202:1
  bills of lading, prohibitions,
  7-301:1
Items not properly payable,
  4-302:4, 4-401:3
Lack of delivery, 3-102:4, 3-105:3
  [Rev]
Limitation of liability clauses,
  7-309:8
Negligence, 4-406:9
Negotiable instruments
  accommodated party, 3-419:11
    [Rev]
  burden of proof, 3-308:5 [Rev]
  delivery, 3-105:3 [Rev]
  failure of condition precedent,
  3-419:8 [Rev]
  lack of consideration, 3-415:7,
  3-419:7 [Rev]
  parol evidence rule, 3-117:5
    [Rev]
  presentment warranties, 3-417:7
    [Rev]
  real, 3-419:10 [Rev]
  special understanding with
  creditor, 3-419:6 [Rev],
  3-419:9 [Rev]
DEFENSES—Cont’d
Nondelivery
generally, 3-102:4, 3-105:3
[Rev], 7-403:4, 8-202:6,
8-202:6 [Rev]
delivery for specific purpose,
3-105:3 [Rev], 3-306:7
failure to pay or tender
warehouseman’s liens,
7-403:5
Notice
generally, 3-201:5
actual knowledge, 3-302:12
[Rev], 3-304:3
alteration, 3-302:11 [Rev],
3-302:20 [Rev]
authenticity, 3-302:11 [Rev],
3-302:20 [Rev]
claim, 3-302:11 [Rev],
3-302:18 [Rev]
claim in recoupment, 3-302:11
[Rev], 3-302:18 [Rev]
completion of incomplete
instruments, 3-304:10,
3-304:11
default, 3-302:11 [Rev]
discharge, 3-302:19 [Rev],
3-304:9
dishonor, 3-302:11 [Rev],
3-304:1 [Rev], 3-304:12
due diligence, 3-302:16 [Rev]
duty to inquire, 3-302:14 [Rev],
3-304:5
effectiveness, 3-302:15 [Rev]
to 3-302:17 [Rev]
executory promises, 3-302:18
[Rev], 3-304:7
fiduciaries, breach of trust,
3-304:6, 3-307:3 [Rev],
3-307:5 [Rev]
forged instruments, 3-304:11
forgotten notice doctrine,
3-302:17 [Rev], 3-304:15
good faith, 3-302:10 [Rev]
holders in due course, 3-302:1
[Rev], 3-304:1, 3-304:2
DEFENSES—Cont’d
Notice—Cont’d
inferable knowledge test,
3-302:14 [Rev], 3-304:5
irregular instruments, 3-302:20
[Rev], 3-304:11
organization, 3-302:16 [Rev],
3-304:14
overdue instruments, 3-302:11
[Rev], 3-304:1 [Rev],
3-304:2 [Rev], 3-304:12
reason to know, 3-302:14 [Rev]
receipt of notification, 3-302:13
[Rev], 3-304:4
revoked calls, 8-203:4
separate agreements, 3-304:7
time, 3-304:13
unauthorized signature,
3-302:11 [Rev]
Ownership, claim, 3-305:9 [Rev],
3-306:1 [Rev]
Payees, 3-302:2 [Rev]
Payor banks, 4-302:6 [Rev]
Personal
instruments, alteration, 3-407:2
[Rev]
voidable transaction, 3-305:3
[Rev], 3-305:6 [Rev]
Preclusion, 4-406:9
Presentment warranties, 3-417:7
[Rev], 4-302:6 [Rev]
Qualifying agreement, 3-117:1
[Rev]
Real
generally, 3-305:4 to 3-305:7
accommodation parties,
3-415:10, 3-419:10 [Rev]
discharge in insolvency
proceeding, 3-302:19
[Rev], 3-305:5 [Rev]
duress, 3-305:3 [Rev], 3-305:5
fraud, 3-305:4 [Rev], 3-305:6
illegality, 3-305:3 [Rev],
3-305:5
DEFENSES—Cont’d
Real—Cont’d
incapacity, 3-305:3 [Rev], 3-305:5
infancy, 3-305:2 [Rev], 3-305:4
void transaction, 3-305:3 [Rev]
Recoupment, compare accommodation parties,
3-305:11 [Rev]
third party, 3-305:7 [Rev], 3-305:9 [Rev]
Regulation CC, violation,
4-215:17 [Rev]
Restrictive indorsements, payments in violation,
3-306:8
Secured transactions
types, 9-206:2
waiver, 9-206:2 to 9-206:4, 9-318:2
Setoffs, 3-306:5
Spent documents, 7-502:1
Staleness, 8-203:1, 8-203:1 [Rev]
purchaser’s ability to become bona fide, 8-203:3
Theft, 3-306:8
Timely return, 4-302:2, 4-302:2 [Rev]
Transfer warranty, breach, 4-207:7 [Rev]
Unauthorized signatures, 8-205:1 [Rev], 8-205:3
Waiver
generally, 4-406:9, 9-206:2 to 9-206:4, 9-318:2
conditions of enforceability,
9-403:3 [Rev]
test of enforceability, 9-403:2 [Rev]
DEFICIENCY
Model Tribal Secured Transactions Act, this index
DEFINITIONAL
CROSS-REFERENCES
Construction and interpretation,
1-103:4 [Rev]
DEFINITIONS
Words and Phrases, this index
DELAY
Delivery of goods by bailee,
7-403:4 [Rev]
DELEGATION OF PERFORMANCE
Assignments distinguished,
2A-303:2
DELIVERY
See also Delivery Orders; Negotiable Instruments; Shipping;
Words and Phrases
Acknowledgments, 8-313:4
Bailee, duty to deliver goods,
7-403:2 [Rev]
Bailees’ obligations, 7-403:1
persons receiving, 7-403:2
Book entry transfers as equivalent,
8-320:4
Brokers, transactions involving,
8-313:3, 8-314:2
Certificated securities
generally, 8-301:1 [Rev]
agent, 8-301:2 [Rev]
possess
possess
possession
by agent, 8-301:2 [Rev]
direct holding system rules,
8-301:3 [Rev]
indirect holding system rules,
8-301:3 [Rev]
by securities intermediary,
8-301:3 [Rev]
Conditional, 2-507:2, 8-202:6
Conduct constituting, 8-313:2, 8-313:4
Damages, lessor’s failure, 2A-519, 2A-519:1
Defense, 8-202:6
Definitions, 1-201 [Rev], 2-103:3, 8-201:3, 8-309:1
Delay, bailee, 7-403:4 [Rev]
DELIVERY—Cont’d

Duties
- generally, 8-314:1
- fulfillment, 8-314:3
- transactions involving brokers, 8-314:2

Ex ship
- generally, 2-322:2
- definition, 2-322:2

Gifts, failure to make, 8-309:2

Good faith, 7-404:1

Goods
- apparent good order, 7-309:4
- bailees, 7-602:1
- condition, 7-309:4
- definition, 2-103:3
- destinations, 7-303:1
- excuses, 7-204:2, 7-403:4
- failure, 7-204:2, 7-403:1
- persons, 7-303:1, 7-403:2, 7-403:3, 7-506:1
- place, 2-308:1
- several lots, 2-307:2
- single lot presumption, 2-307:1, 2-307:2
- 2003 and 2005 amendments, 2-307:3

Improper tender, cure by sellers
- further reasonable time, allowance, 2-508:3
- reasonable grounds to believe, 2-508:3
- rejection of goods, 2-508:1
- replacement, 2-508:2, 2-508:3
- shaken faith doctrine, 2-508:2, 2-508:3
- time for performance, 2-508:2, 2-508:3

Indorsements, 8-304:5 [Rev], 8-309:1, 8-309:3

Investment securities, forms, 8-107:2
DELIVERY—Cont’d
Presumption of single lot delivery, 2-307:1
Prima facie evidence, 7-309:4
Purchaser’s rights, 8-301:1, 8-301:7, 8-302:1 [Rev], 8-302:2 [Rev]
Refusal, lessee’s insolvency, 2A-525:1
Registered form without indorsements, 8-307:1
Risk of loss, 8-314:3
Securities, 8-107:1
Several lots
  circumstances allowing, 2-307:2
  right to make or demand, 2-307:2
  single lot presumption, 2-307:1
  2003 and 2005 amendments, 2-307:3
Single lots
  presumption, 2-307:1
  2003 and 2005 amendments, 2-307:3
Statute of frauds, satisfaction, 8-319:5
Stoppage in transit
  generally, 2A-526:1, 2A-526:2, 2-705:1, 7-504:3
  attornment, 2A-526:6
  breach of contract, 2A-526:4
  conditions permitting, 2-705:1
Convention on International
  Sale of Goods, 2-507:1
  definition, 2-503:1
  destination contracts, 2-503:3
  goods in possession of bailees, 2-503:4
  manner, 2-503:2
  obligation of sellers, 2-503:1
  payments, concurrent conditions, 2-507:1, 2-511:1
  place, 2-503:2
  put and hold conforming goods, requirements, 2-503:2
  required documents, 2-503:5
  shipment contracts, 2-503:3
  time, 2-503:2
Transactions involving brokers, 8-313:3, 8-314:2
Uncertificated securities
  generally, 8-301:4 [Rev]
  acknowledgment by registered owner, 8-301:5 [Rev]
  registration of third party, 8-301:5 [Rev]
Valid transfers of securities, 8-308:8
Waiver, document containing, 2A-107:5
DELIVERY—Cont’d
Waiver or renunciation, 1-306:5 [Rev]

DELIVERY ORDERS
Bailees’ obligations, 7-403:6
Definition, 7-102:4, 7-102:4 [Rev]
Issuance, 7-102:9
Negotiable, 7-104:1
Nonnegotiable, 7-104:1
Purposes, 7-102:4
Right to goods, 7-403:6
Unaccepted, 7-503:2

DEMAND FOR PAYMENT
Option to accelerate at will, 1-309:1 [Rev]

DE MINIMIS DOCTRINE
Sales, 2-601:2

DEMURRAGE
Bill of lading, lien of carrier, 7-307:1 [Rev]
Warehouse receipts, lien of warehouseman, 7-209 [Rev]

DENUNCIATIONS
Cape Town Convention, ICC 9:148

DEPOSIT ACCOUNTS
Generally, 9-104 [Rev], 9-104:1 [Rev]
Amendments of 2010, 9-104:3 [Rev]
Banks
right of recoupment, 9-340:1 [Rev]
right of set-off, 9-340:1 [Rev]
rights and duties, 9-341:1 [Rev]
Collection, collateral as deposit account, 9-607:3 [Rev]
Definition, 9-104:13, 9-105:6
Perfection
governing law change, effect, 9-316:4 [Rev]
special rules, 9-312:9 [Rev]

DEPOSIT ACCOUNTS—Cont’d
Security interests
perfection, 9-304:1 [Rev]
priorities, 9-327:1 [Rev]
Security interests, excluded transactions, 9-104:13
Transfers of funds, rights of transferees, 9-332:1 [Rev]

DEPOSITARY
Cape Town Convention, ICC 9:151

DEPOSITARY BANKS
See also Banks and Banking;
Branch Banks; Collecting Banks; Payor Banks
Agency status, 4-201:1 [Rev], 4-201:2, 4-201:3 [Rev]
Charge-back rights, 4-212:6
Check return, 4-202:4 [Rev]
Conversion, 3-419:5
Definition, 4-104:3, 4-105:2, 4-105:2 [Rev]
Holder in due course status, 4-201:2 [Rev], 4-205:2 [Rev]
Hold policies, 4-302:4
Regulation CC, 4-202:4 [Rev]
Rights in items, 4-208:1
Unindorsed item, 4-205:2 [Rev]
On us items, charge-back, 4-212:6
Warranties, 4-205:3 [Rev]

DEPOSITS
Adverse claims, 4-303:1
Availability
exceptions, 4-215:15 [Rev]
extensions, 4-215:14 [Rev]
fifth day, 4-215:13 [Rev]
next day, 4-215:12 [Rev]
second day, 4-215:13 [Rev]
Cash items, 4-101:1
Noncash items, 4-101:1

DERIVATION OF ARTICLE 2A SECTIONS
Cross reference table showing,
App. 2A-A1

© 2018 Thomson Reuters, 12/2018
Master Index-151
DEROGATION
Cape Town Convention, this index

DESCRIPTIONS
After-acquired property problems, 9-110:6
validity, 9-203:10
Bills of lading, description of goods
damages, 7-203:1 [Rev],
7-301:1 [Rev]
misdescription of goods,
7-203:1 [Rev], 7-301:1 [Rev]
reliance, 7-203:1 [Rev],
7-301:1 [Rev]
Collateral
after-acquired property,
9-203:10
financing statements, 9-402:13
location, 9-203:9
parol evidence, 9-203:8
permissible breadth, 9-203:7
proceeds, 9-203:10
real estate, 9-203:9
security agreements versus financing statements,
9-108:2 [Rev]
signed security agreements,
9-203:6
statute of frauds, 9-203:8
Incomplete, 9-203:8
Land, signed security agreements, 9-203:6
Parol evidence, 9-110:4, 9-203:8
Problems
after-acquired property, 9-108:3
[Rev], 9-110:6, 9-203:6
[Rev], 9-203:10 [Rev]
incorporation by reference,
9-108:3 [Rev]
location of collateral, 9-108:3
[Rev], 9-110:5, 9-203:6
[Rev], 9-203:9 [Rev]
parol evidence rule, 9-203:8 [Rev]

DESCRIPTIONS—Cont’d
Problems—Cont’d
parol evidence rules, 9-110:4
permissible breadth, 9-110:3,
9-203:7 [Rev] to 9-203:9 [Rev]
proceeds, 9-108:3 [Rev],
9-110:6, 9-203:6 [Rev],
9-203:10 [Rev]
real estate, 9-110:5, 9-203:9 [Rev]
security agreements, 9-203:6
statute of frauds, 9-108:3 [Rev],
9-110:4, 9-203:8 [Rev]
Proceeds, 9-110:6
Property, 9-110:5
Purposes, 9-110:2
Real estate, 9-110:5, 9-203:9
Requirements, 9-110:1
Security agreements, problems, 9-203:6
Sufficiency
security agreements versus financing statements,
9-110:2, 9-203:6 [Rev]
Warehouseman’s liens, enforcement, 7-210:3
Warehouse receipts, description of goods
generally, 7-202:1 [Rev]
enforcement of warehouseman’s lien,
7-210:3 [Rev]
reliance, 7-203:1 [Rev]
Warranties, express, 2A-210:7

DESTINATION BILL OF LADING
Request of consignor, 7-305:1 [Rev]

DETENTION OF OBJECT
Cape Town Convention, ICC 9:123
DIGITAL MILLENNIUM
COPYRIGHT ACT (DCMA)
Access contracts, UCITA 611:2
Performance of obligations,
UCITA 605:2 to 605:5
Right to possession and to prevent
use, UCITA 815:4
Uniform Computer Information
Transactions Act, this index

DISCHARGE
Accelerated instruments, timely
presentment, 3-503:6
Acceptance of negotiable instru-
ment, 3-414:3 [Rev]
Acceptors, domiciled instruments,
3-502:5
Accord and satisfaction, 3-311:2
[Rev] to 3-311:5 [Rev]
Adverse claims
assertion, 3-603:6
double liability, 3-603:5
indemnity, 3-602:4 [Rev],
3-603:6
notice, 3-602:2 [Rev], 3-602:3
[Rev], 3-603:4, 3-603:5
theft, 3-603:7
Agreements, 3-601:3
All parties to instrument
generally, 3-601:4
reacquisition by prior party,
3-601:5
Altered instruments
generally, 3-407:2, 3-407:4
[Rev]
requirements
generally, 3-407:3
alteration by holder or agent,
3-407:4
change of party’s contract,
3-407:5
fraudulent intent, 3-407:7
material alteration, 3-407:2
[Rev] to 3-407:4 [Rev],
3-407:6

DISCHARGE—Cont’d
Bank instruments, 3-310:2 [Rev],
3-802:2
Cancellation
generally, 3-605:1 et seq.
collusion, 3-605:3
effect, 3-605:1
fraudulent, 3-605:6
holders in due course, 3-605:2
intent, 3-604:5 [Rev], 3-605:6
manner, 3-604:3 [Rev], 3-605:4
mistakes, 3-605:6
persons eligible, 3-605:3
unauthorized, 3-605:6
unintentional, 3-604 [Rev],
3-604:1 [Rev] to 3-604:3
[Rev], 3-605:6
Cape Town Convention, discharge
dergistration, ICC 9:82 to
9:87, ICC 9:128
Certification of negotiable instru-
ment, 3-411:2, 3-414:3 [Rev]
Collateral
impairment, 3-606:1, 3-606:9
consent, 3-605:8 [Rev],
3-606:12
extensions of time, 3-606:2
extent, 3-605:5 [Rev],
3-605:7 [Rev], 3-606:11
reasonable care, 3-605:6
[Rev]
releases, 3-606:2
requirements, 3-605:6 [Rev]
unjustified, 3-606:10
reasonable care, 3-605:6 [Rev]
Consent, 3-605:4 [Rev], 3-605:8
[Rev], 3-605:9 [Rev],
3-606:6
Constructive, tender of payment,
3-604:4
Defenses
generally, 3-603:2
notice to purchasers, 3-304:9,
3-305:7
DISCHARGE—Cont’d

Delays
generally, 3-502:1
drawers, release from liability, 3-502:4
indorsers, release from liability, 3-502:3
presentment, 3-414:2 [Rev]

Drawers
limitations, 3-502:4
necessary conditions, 3-502:4

Effect
generally, 3-601:2
holders in due course, 3-601:3
[Rev], 3-602:1
underlying obligations, 3-603:2
[Rev], 3-802:6

Extends, 3-603:2 [Rev], 3-606:5
Funds transfers, 4A-406:2
Holder in due course, notice of defense, 3-304:9, 3-305:7
Incomplete instruments, 3-407:4
[Rev], 3-407:8

Index of rules, 3-601:1

Indorsers
accommodation parties, 3-605:1
[Rev]
delay, 3-415:4 [Rev], 3-416:2
[Rev]
notice of dishonor, 3-415:4
[Rev], 3-416:2 [Rev], 3-502:3
presentment, 3-415:4 [Rev], 3-416:2 [Rev], 3-502:3

Makers, domiciled instruments, 3-502:5

Miscellaneous provisions, 3-601:6
Notice, 3-302:19 [Rev]
Notice of dishonor, 3-415:4 [Rev], 3-416:2 [Rev], 3-508:1

Oral agreements, 3-601:3

Parties
all, 3-601:4
reacquisition by prior parties, 3-601:5

DISCHARGE—Cont’d

Payment, 3-602:1 [Rev], 3-603:1, 3-603:2

Protests, delay, 3-502:6

Recourse rights
binding agreement, 3-606:4
consent to impairment, 3-606:6
exceptions, 3-606:8
existence, 3-606:3
extensions of time, 3-605:3
[Rev], 3-606:2
extent of discharge, 3-606:5
impairment, 3-606:1
consent, 3-606:6
modifications, 3-605:3 [Rev]
releases, 3-605:2 [Rev], 3-606:2

Releases, 3-605:2 [Rev], 3-606:2
Remitter payments, 3-103:2 [Rev]

Renunciation
generally, 3-605:1 et seq.
effectiveness, 3-604:4 [Rev]
effect on title, 3-605:2
fraudulent, 3-605:6
intent, 3-604:4 [Rev], 3-604:5
[Rev], 3-605:5, 3-605:6
manner, 3-604:4 [Rev], 3-605:5
mistakes, 3-605:6
parties eligible, 3-605:3
unauthorized, 3-605:6
unintentional, 3-605:6
writing requirements, 3-604
[Rev], 3-604:1 [Rev], 3-604:2 [Rev], 3-605:1

Reservation of rights, 3-606:7

Rules, 3-601:1, 3-601:1 [Rev], 3-601:2 [Rev]
Satisfaction, 3-603:1, 3-603:2

Secondary obligors
burden of persuasion, 3-605:9
[Rev]
burden of proof, 3-605:15
[Rev]
consent, 3-605:9 [Rev]
defenses, 3-605:10 [Rev]
DISCHARGE—Cont’d
Secondary obligors—Cont’d
estoppel, 3-605:16 [Rev]
extensions of time, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:13 [Rev]
impairment of collateral, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:18 [Rev]
modifications, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:14 [Rev]
releases, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:12 [Rev]
reservation of rights, 3-605:17 [Rev]
waiver, 3-605:16 [Rev]
Secondary parties
generally, 3-511:1
burden of proof, 3-502:1
delay, 3-502:1
Surrender of instruments
generally, 3-605:1 et seq.
fradulent, 3-605:6
intent, 3-604:4 [Rev], 3-604:5 [Rev], 3-605:5, 3-605:6
manner, 3-604:2 [Rev], 3-604:4 [Rev], 3-605:5
mistakes, 3-605:6
unauthorized, 3-605:6
unintentional, 3-605:6
Tender of payment
generally, 3-604:1
constructive, 3-604:4
effective date, 3-604:3
refusal, 3-603:2 [Rev], 3-604:2
requirements, 3-604:3
2002 Official Amendments
official text, 3-605:10 [Rev]
secondary obligors, 3-605:9 [Rev] et seq.
DISCHARGE—Cont’d
Underlying obligation
generally, 3-310:3 [Rev], 3-802:6
obligation, 3-310:6 [Rev]
obligor, 3-310:6 [Rev]
DISCHARGED
Definition, 1-306:2 [Rev]
DISCLAIMER
ECCHO Electronic Check Presentation, this index
Warranties, 2-316
DISCLOSURE
Consumer leases
model closed-end or net vehicle lease disclosures (Regulation M), App. 2A-A5
model open-end or finance vehicle lease (Regulation M), App. 2A-A4
Non-UCC Payment Methods, this index
Pretransacation disclosures in internet-type transactions, UCITA 114
DISCOVER
Definition, 1-202 [Rev]
DISHONOR
Acceptance
acceptance for honor, 3-410:4
express refusal, 3-507:4
revocation, 3-418:3 [Rev]
variance, 3-412:1, 3-412:2, 3-507:4
variance of draft, 3-410:2 [Rev]
Accepted drafts, 3-502:7 [Rev]
Accountability, 3-502:3 [Rev]
Actions
instruments, 3-310:5 [Rev], 3-802:5
underlying obligations, 3-310:5 [Rev], 3-802:5
DISHONOR—Cont’d
Alternative drawees, 3-102:9
Burden of proof, 3-510:1, 3-510:2
Certification, refusal, 3-411:4
Conditions precedent
generally, 3-507:1
burden of proof, 3-502 [Rev], 3-502:1 [Rev], 3-510:1
Correct returns, incorrect reasons, 4-402:11
Delays
generally, 3-502:1, 3-502:2, 3-502:2 [Rev]
discharge, 3-502:3
Documentary drafts, 3-502:6 [Rev], 3-511:11, 4-212:1 [Rev], 4-503:1
Evidence
books or records, 3-505:4 [Rev], 3-510:5
burden of proof, 3-505 [Rev], 3-505:1 [Rev]
 presumption, 3-505:1 [Rev]
stamp or writing on instrument, 3-510:4
witnesses, 3-505:1 [Rev]
Foreign currency, rates of exchange, 4-212:8
Holders, recourse rights, 3-507:5
Indorsements after maturity, 3-501:7
International sight drafts, 3-701:2
Items, 4-301:5 [Rev]
Joint drawees, 3-102:9
Joint makers, 3-504:11
Notes, 3-502:2 [Rev]
Notice and notices
accommodation makers, 3-501:3
Article 4, conflict, 3-503:4 [Rev]
bank collection rules, 3-508:5
banks
return, 3-502:3 [Rev]

DISHONOR—Cont’d
Notice and notices—Cont’d
banks—Cont’d
timeliness, 3-502:3 [Rev], 3-503:2 [Rev]
defenses, 3-302:11 [Rev], 3-304:1 [Rev], 3-304:12
delay, 4-103:9
delay, discharge, 3-503:1 [Rev]
documentary drafts, 3-511:11
duty to send, 4-202:3, 4-202:4
excused
generally, 3-501:2, 3-511:1, 3-511:2, 3-511:9
circumstances beyond party’s control, 3-504:2 [Rev], 3-511:4
deceased party, 3-511:11
dishonored instruments, 3-511:7
futility, 3-511:8
improper grounds for refusal, 3-511:12
insolvency, 3-511:11
knowledge, 3-511:8
lack of knowledge, 3-511:3
nonacceptance of draft, 3-511:13
payments countermanded, 3-511:6
reasonable diligence, 3-504:2 [Rev], 3-511:5
waiver, 3-504:1 [Rev], 3-504:5 [Rev]
function, 4-103:4
identification of instruments, 3-508:4
mail, 3-503:2 [Rev], 3-503:3 [Rev], 3-508:4
manner of giving, 3-503:3 [Rev], 3-508:4
midnight deadlines, 4-301:4 [Rev]
necessary, 3-503:1 [Rev], 3-507:5, 3-508:1
DISHONOR—Cont’d
Notice and notices—Cont’d
ordinary care, 4-202:1 [Rev]
purpose, 3-503 [Rev], 3-503:1
[Rev], 3-508:2
requirements, 3-501:4
sources, 3-508:2
timeliness
generally, 3-507:5, 3-508:2
banks, 3-508:3
unavailable item, 4-301:4 [Rev]
undomiciled instruments,
3-501:3
waiver
generally, 3-507:6
express, 3-511:9
implied, 3-511:10
writing, 4-301:4 [Rev]
Payment, refusal, 3-502:3 [Rev],
3-507:4
Payor banks, 3-502:3 [Rev],
3-507:4
Presentment
cut-off hour, 3-502:4 [Rev]
delay, 3-502:2 [Rev]
on demand, 3-502:2 [Rev],
3-502:4 [Rev]
due date, 3-502:2 [Rev]
duly made, 3-502:2 [Rev],
3-507:3
excused, 3-502:8 [Rev],
3-507:5
optional, 3-507:2
required, 3-507:2
stated date, 3-502:5 [Rev]
Presumptions, 3-510:2, 3-510:5
Proof, methods, 3-510:1
Protests
annexation, 3-505:2 [Rev]
authorized officials, 3-505:2
[Rev], 3-509:4
contents
identification of instruments,
3-509:3

DISHONOR—Cont’d
Protests—Cont’d
c contents—Cont’d
presentments, 3-505:2 [Rev],
3-509:3
evidence, 3-509:1, 3-509:2,
3-510:3
excused
generally, 3-507:1, 3-511:1,
3-511:2
circumstances beyond party’s
control, 3-511:4
deceased party, 3-511:11
dishonored instruments,
3-511:7
express waiver, 3-511:9
futility, 3-511:8
improper grounds for refusal,
3-511:12
insolvency, 3-511:11
knowledge, 3-511:8
lack of knowledge, 3-511:3
nonacceptance of draft,
3-511:13
payments countermanded,
3-511:6
reasonable diligence, 3-511:5
necessity, 3-501:8, 4-202:5
 presumptions, notice, 3-510:3
purposes, 3-509:1
requirements, 3-509:2
seals, 3-509:2
timeliness, 3-509:5
waiver, 3-507:6, 3-511:10
Reasons, 3-304:1 [Rev]
Reasons for dishonor, 3-510:4
Refusal to pay, 3-507:4
Representment, 3-507:6
Requirements, 3-507:1
Return of items distinguished,
4-402:4
Rightful, 4-402:4
Seasonable actions, 4-202:7
Stamp as evidence, 3-505:3 [Rev],
3-510:4
DISHONOR—Cont’d
Teller’s check, 3-411:1 [Rev]
Time, 3-506:2, 4-210:2, 4-301:8, 4-301:9
Trader rule, 4-402:6, 4-402:7
Underlying obligation, unaccepted drafts, 3-310:5 [Rev], 3-502:3 [Rev] to 3-502:5 [Rev]
Wrongful
account balance, determination, 4-402:4 [Rev]
actions constituting, 4-402:4
actual damages, 4-402:7
alter ego theory of liability, 4-402:3
bank’s liability, 4-402:3, 4-402:5, 4-402:5 [Rev]
causes of action
generally, 4-402:1
parties, 4-402:2 [Rev], 4-402:5 [Rev]
compensatory damages, 4-402:8
contract damages, 4-402:8
damages, 4-402:6 [Rev], 4-402:8 et seq.
death, effect, 4-405:3 [Rev]
defamation, damages, 4-402:7
definition, 4-402:2 [Rev]
disclaimer, 4-402 [Rev], 4-402:1 [Rev]
encoding errors, 4-402:5
historical background, 4-402:1
incorrect reasons given, 4-402:11
liability, 4-301:4, 4-303:3 [Rev], 4-402:1 [Rev] to 4-402:3 [Rev], 4-402:3
mistaken actions, 4-402:5
mitigation of damages, 4-402:6 [Rev], 4-402:10
negligence of bank, 4-402:5
posting process, completion, 4-109:11

DISHONOR—Cont’d
Wrongful—Cont’d
privileges, 4-402:5
proximate cause, 4-402:6 [Rev]
punitive damages, 4-402:6 [Rev], 4-402:9
requirements, 4-402:1 [Rev], 4-402:2 [Rev]
setoffs taken by bank, 4-402:5
tort damages, 4-402:8
trader rules, 4-402:7

DISPOSAL OF GOODS
Right of lessor, 2A-527:1 et seq.
Unfinished goods, default of lessor, 2A-524:2
Without removal, 2A-525:9

DISPOSITION
Transfer of record title, 9-619:2 [Rev]

DISPOSITIONS MEETING STANDARDS
Secured parties, determining whether conduct meeting standards, advance approval, 9-627:3 [Rev]

DISTILLED SPIRITS
Warehouse receipts, issuance, 7-201:1 [Rev]

DISTRIBUTION CHAINS
Ownership and transfer of interests and rights, title to copy, UCITA 502:7

DIVERSION
Goods, 7-303:1
Sellers’ rights, 7-504:4

DOCK RECEIPTS AND WARRANTS
Definition, 7-102:5, 7-102:5 [Rev]
Forms, 7-102:5

DOCUMENTARY DRAFTS
See also Drafts
DOCUMENTARY DRAFTS
—Cont’d
Accountability, condition, 4-501:1
On arrival, 4-502:1, 4-502:2
Arrival instructions, 4-502:1
bank payors, 4-502:1 [Rev],
4-502:2
Banks’ duties, 4-501:3
Collecting banks, 4-501:1,
4-502:1 [Rev]
Collection
generally, 4-101:9, 4-501 [Rev]
letters, 4-501:1 [Rev]
process, 4-104:8 [Rev], 4-501:1
[Rev]
Damages for delayed holding,
4-501:2
Dealing with goods in absence of
customers’ instructions,
4-504:1
Deferred posting, exception,
4-301:2 [Rev]
Definition, 3-511:11, 4-104:1,
4-104:8 [Rev], 4-501:1 [Rev]
Dishonor, 3-502:6 [Rev],
4-101:10, 4-212:1 [Rev],
4-503:1
Drawee’s acceptance, 4-101:8,
4-501:1 [Rev]
Function, 4-101:8
Goods, 4-504:1 [Rev]
Hold for instructions, 4-501:2
Letters of credit, 4-503:1 [Rev]
Liens, banks, 4-504:1 [Rev],
4-504:2
Negotiability, 4-502:1
Nonbank payors, 4-502:1, 4-503:1
Notice, nonpayment, 4-501:3,
4-503:1 [Rev]
Payments, 4-501:1 [Rev], 4-501:2
Payor bank action, 4-302:5 [Rev]
Payors
generally, 4-101:10, 4-501:2
business organizations, 4-501:1
[Rev]

DOCUMENTARY DRAFTS
—Cont’d
Payors—Cont’d
depository institutions, 4-501:1
[Rev]
Presenting bank for documents
and goods, 4-503 [Rev]
Presentment
on arrival drafts, 4-502 [Rev],
4-502:1, 4-502:1 [Rev],
4-502:2
bank’s duties, 4-501:2 [Rev],
4-501:3
construction of provisions,
4-102:1
insolvency, 3-511:11
seasonable, 4-501:2 [Rev]
Referee, 4-503:1 [Rev]
Remittances, 4-101:9
Representments, 4-502:1
Requests for instructions
generally, 4-503:1
dealing with goods in absence
of instructions, 4-504:1
Retention by payor banks, 4-501:2
Security interest, banks, 4-504
[Rev], 4-504:1 [Rev],
4-504:2
Time for payments, 4-101:10
Usage, 4-501:1 [Rev]

DOCUMENT OF TITLE
Definition, 1-201 [Rev]
Third parties, prima facie evidence,
1-307:4 [Rev]

DOCUMENTS
See also Bills of Lading; Docu-
ments of Title; Forms; Instru-
m ents; Leases; Letters of
Credit; Negotiable Docu-
ments
Acceptance, failure to state
defects, 2-605:2
Bulk mortgages, 6-103:3
DOCUMENTS—Cont’d
Defective
  failure to specify, 2-605:2
  financing agencies’ right to reimbursement, 2-506:2
Definition, 7-102:1 [Rev], 9-105:7
Documentary sales, 2-105:2
Fraudulent retention of possession, 2A-308:6
Installment contracts, rejection of nonconforming installments, 2A-510:4, 2-612:2
Memorandum, statute of frauds, 2-201:3
Necessity under agreement shipment contracts, 2-504:1
tender of delivery of goods, 2-503:5
Surrender to buyers, 2-514:1, 2-514:2
2003 and 2005 amendments, 2-514:2
Waiver of lessee’s objections to goods, failure to state defects, 2A-514:3, 2A-514:4

DOCUMENTS OF TITLE
—Cont’d
Actions—Cont’d
  warehouse receipts, provisions, 7-204:5 [Rev]
Act of God
  bills of lading, 7-309:2 [Rev]
carriers, 7-309:2
Adequacy, 7-509:1 [Rev]
Adverse claims, 7-603:1 [Rev]
Advertisements
  sale of goods
carrier’s liens, enforcement, 7-308:2
  stored, 7-206:2
warehouseman’s liens, enforcement, 7-210:3
termination of storage, 7-206:2
warehouseman’s lien, sales to enforce, 7-210:3 [Rev]
Agents
  issuer, defined, 7-102:1 [Rev]
signatures, warehouse receipts, 7-202:1 [Rev]
Airline Acts, scope of Article, 7-103:1
Alternation of instruments
  bills of lading, 7-306:1, 7-306:1 [Rev]
warehouse receipts, 7-208:1, 7-208:1 [Rev]
Alternative medium, reissuance of document of title, 7-105:1 [Rev]
Amendments, 7-106:1 [Rev]
Apparent good order
  bills of lading, 7-309:4 [Rev]
carrier’s liability, 7-309:4
Arbitration
  generally, 7-309:5
  bills of lading, 7-309:5, 7-309:5 [Rev]
Assent, limitation of liability, 7-204:3
DOCUMENTS OF TITLE
—Cont’d
Attachment of goods, 7-602:1, 7-602:1 [Rev]
Attorney fees, lost, stolen or destroyed documents, bailee, 7-601:1 [Rev]
Attorney’s fees
  bailee’s liability, 7-601:1
  carrier’s liability, 7-309:12
lost, stolen or destroyed documents, bailee, 7-601:1 [Rev]
warehouseman’s lien, 7-210:5
Auctions and auctioneers
  bill of lading, enforcement of carrier’s lien, 7-308:1 [Rev]
sales, 7-102:6, 7-210:2, 7-308:2, 7-308:3
warehouseman’s lien, sale to enforce, 7-210:2 [Rev]
Bailee
  attorney fees, lost, stolen or destroyed documents, 7-601:1 [Rev]
  attorney’s fees, interpleader actions, 7-603:1
conversion, 7-404:1 [Rev]
damages, nondelivery of goods, 7-403:7
defined, 7-102:6 [Rev]
definition, 7-102:6
deliveries
  goods, 7-403:4, 7-404:1, 7-602:1
  obligations, 7-403:2
persons entitled to receive, 7-506:1
duties, 7-403:2
interpleader actions, 7-603:1
issuer, 7-102:9
liability
  excuses, 7-403:1

DOCUMENTS OF TITLE
—Cont’d
Bailee—Cont’d
  liability—Cont’d
    nondelivery of goods, 7-403:1
  liens
    attachment, 7-602:1
    satisfaction, 7-403:5
  limitation of liability, 7-403:7
Bailments
delay, delivery of goods, 7-403:2 [Rev]
delivery of goods, duty, 7-403:1 [Rev]
good faith delivery of goods, 7-404:1 [Rev]
Bank deposits and collections
  warranties, collecting bank, 7-508:1 [Rev]
Bankruptcy
  purchasers, 7-504:3
  warehouseman’s liens, 7-209:4
Bills of lading. See Bills of Lading, generally this index
Blanks
  bills of lading, filling in, 7-306:1 [Rev]
  warehouse receipts, filling authority, 7-208:1 [Rev]
Bona fide purchasers
  bills of lading generally, 7-501:1 [Rev]
  judicial process, lien, 7-602:1 [Rev]
  lien of carrier, enforcing, 7-308:3 [Rev]
  warehouseman’s lien, enforcing, 7-210:2 [Rev]
Bonds
  government bond, storage under, 7-201:1
  receipt issued for goods stored under statute requiring, 7-201:1 [Rev]
DOCUMENTS OF TITLE
—Cont’d
Burden of proof
attachment of goods, 7-602:1
Carriers
generally, 7-301:2, 7-309:4
proximate cause of damages, 7-309:2
negligence, 7-204:2, 7-403:4
[Rev]
shifting, 7-204:2
warehousemen, 7-204:2
warehouse receipts, 7-204:2
[Rev]
Carmack Amendment to Interstate Commerce Act
application of law, 7-103:1
[Rev]
relation of Article, 7-103:2
Carriage of Goods by Sea Act, 7-103:1 [Rev]
Carriers
acts of God, 7-309:2
bailee status, 7-102:6
damages
generally, 7-308:4
multiple carriers, 7-309:13
defects, inherent, 7-309:2
defenses, 7-309:2
definition, 7-102:6 [Rev]
duties, 7-309:3
instructions, 7-309:1
insurers of goods, 7-309:2
liability, bills of lading, 7-303:2
limitation of liability
generally, 7-309:8
attorney’s fees, 7-309:12
declare higher value, 7-309:10
effectiveness, 7-309:11
notice requirements, 7-309:10
multiple, damages, 7-309:13
public enemy, 7-309:2

DOCUMENTS OF TITLE
—Cont’d
Carriers—Cont’d
security interests, contract provisions, 7-307:1
standard of care
instructions, 7-309:1
insurer status, 7-309:2
perishable goods, 7-309:1
Carrier’s liens
charges, 7-307:1
effectiveness, 7-307:2
enforcement, sales
application of proceeds, 7-308:3
commercially reasonable, 7-308:2
notices, 7-308:1
losses, 7-307:2
notices, 7-307:2, 7-308:1
parties, 7-307:2
satisfaction, 7-308:1, 7-308:3
specific, 7-307:1
Choice of forum, bills of lading,
7-309:5, 7-309:5 [Rev]
Citation, 7-101 [Rev]
Claims
arbitration, 7-309:5
bills of lading, provisions, 7-309:5 [Rev]
conflicts, 7-603:1
conversion, 7-204:5
estoppel, 7-204:5
manner of making, 7-204:5
notices, 7-204:5, 7-309:6
presentation
generally, 7-204:5
arbitration, 7-309:5
bills of lading provisions, 7-309:5
tariff provisions, 7-309:5
timeliness, 7-309:5
time of making, 7-204:5
DOCUMENTS OF TITLE
—Cont’d
Claims—Cont’d
warehouse receipts, provisions, 7-204:5 [Rev]
Classifications, application of law, 7-103:1 [Rev]
CMI/UNCITRAL, reissuance in alternative medium, 7-105:1 [Rev]
Coercion, title and rights, 7-502:1 [Rev]
Collecting bank, warranties, 7-508:1 [Rev]
Collecting banks, warranties, 7-508:1
Commercially reasonable, sale for enforcement, 7-210:3 [Rev]
Commingling fungible goods, 7-207:2, 7-207:2 [Rev]
overissue, 7-207:2
warehousemen, fungible goods, 7-207:2 [Rev]
Common law, scope of Article, 7-103:1
Compliance, contracts or letters of credit, 7-509:1
Conflicting claims, 7-603:1 [Rev]
Connecting carriers discharge of obligations, 7-302:2
through bills of lading, liability, 7-302:2
Consent, reissuance in alternative medium, 7-105:1 [Rev]
Consignee, defined, 7-102:7 [Rev]
Consignors and consignees actions, immunity of carriers, 7-303:2
bills of lading, delivery of goods, 7-303:2 [Rev]
definition, 7-102:7, 7-102:7 [Rev], 7-301:1
real parties in interest, 7-309:7

Consignors and consignees
—Cont’d
receipt of goods, 7-303:1
reconsignment of goods, 7-303:1
stoppage of delivery, 7-504:3
title to goods, 7-303:2, 7-504:4
Constitutional law due process, enforcement of warehouseman’s liens, 7-210:1
warehouseman’s liens, enforcement, 7-210:1
Construction against negative implication, 7-105:1
Contents or condition of content of packages unknown, 7-301:2 [Rev]
Contents or condition of contents unknown, 7-301:2
Contract for sale adequacy, 7-509:1 [Rev]
defined, application, 7-102:1 [Rev]
Conversion bailees delivery of goods, 7-601:1
liability, 7-404:1
bills of lading, 7-308:4 [Rev]
carrier’s liens, noncompliance, 7-308:4
damages fair market value, 7-308:4
interest, 7-210:5
limitations, 7-308:4
offsetting, 7-308:4
value of property, 7-210:5
definition, 7-204:4, 7-204:4 [Rev], 7-308:4
failure to deliver goods, 7-403:4
intentional torts, 7-204:4
liability bailees, 7-404:1

© 2018 Thomson Reuters, 12/2018 Master Index-163
DOCUMENTS OF TITLE
—Cont’d
Conversion—Cont’d
liability—Cont’d
warehousemen, 7-204:4, 7-210:5, 7-403:5
limitation of liability, 7-204:4
manner of making claims, 7-204:5
mental distress, 7-210:5, 7-308:4
negligence, 7-204:4
own use, 7-204:4
time of making claims, 7-204:5
title and rights, 7-502:1 [Rev]
warehouseman’s lien, enforcement, 7-210:5 [Rev]
warehousemen’s liability, 7-204:4, 7-210:5, 7-403:5
warehouse receipts, damages, 7-204:4 [Rev]
Costs and expenses
attorneys’ fees, interpleader actions, 7-603:1
carrier’s lien limitations, 7-307:1
storage of goods, 7-206:1
warehouseman’s liens, 7-209:3, 7-210:2
Creditors, title to goods, 7-504:2 [Rev]
Damages
attorney’s fees, 7-309:12
bailee’s liability, 7-403:7
Bills of lading
non-receipt or misdescription, 7-301:1 [Rev]
overissue, 7-402:1 [Rev]
sets, 7-304:1 [Rev]
through bills, 7-302:3 [Rev]
Bills of Lading, this index
carrier’s liability, 7-308:4, 7-309:13
conversion
fair-market value, 7-308:4

DOCUMENTS OF TITLE
—Cont’d
Damages—Cont’d
conversion—Cont’d
interest, 7-210:5
limitations, 7-308:4
offsetting charges, 7-308:4
value of property, 7-210:5
warehouse receipts, 7-204:4 [Rev]
damaged goods, 7-204:6
description of goods, reliance, 7-203:1 [Rev]
duplicate documents, 7-402:1 [Rev]
full value of goods, 7-403:7
good faith delivery, 7-404:1 [Rev]
goods, delivery, 7-403:7 [Rev]
injuries to stored goods, 7-204:6
limitation
bills of lading, 7-309:9 [Rev]
through bills of lading provisions, 7-302:3
warehouse receipts, 7-204:3 [Rev]
limitation of liability, 7-204:3
lost goods, 7-204:6
lost profits, 7-204:6
market price, lost goods, 7-204:6
market value, 7-309:12
measure, warehouse receipts, 7-204:6 [Rev]
measurement, 7-204:6, 7-309:12, 7-403:7
misdescription of goods
generally, 7-203:1, 7-203:1 [Rev]
consignee, 7-301:1 [Rev]
multiple carriers, 7-309:13
nondelivery of goods, 7-403:7

Master Index-164
DOCUMENTS OF TITLE
—Cont’d
Damages—Cont’d
nonreceipt of goods
generally, 7-203:1, 7-203:1 [Rev]
consignee, 7-301:1 [Rev]
punitive
generally, 7-309:2
carrier’s liability, 7-309:2
shipper’s recovery, 7-302:3
special, 7-302:3, 7-309:13
standard of care, 7-204:1
warehouseman, sale to enforce lien, 7-210:5 [Rev]
warehousemen’s liability, 7-204:1, 7-210:5
Warehouse Receipts, this index
Databases, 7-102:11 [Rev]
Defeat, prior interest, 7-503:1
Defects, bills of lading, prohibitions,
limitation of liability clauses, 7-309:8
nondelivery, 7-403:4, 7-403:5
spent documents, 7-502:1
Definition, 9-304:3
Delay, delivery, 7-403:4 [Rev]
Delay, delivery of goods by bailee, 7-403:4 [Rev]
Delivery
bailee, duty to deliver goods, 7-403:2 [Rev]
bailees’ obligations, 7-403:1, 7-403:2
delay, bailee, 7-403:4 [Rev]
document, title and rights,
7-504:1 [Rev]
good faith, 7-404:1
K 2018 Thomson Reuters, 12/2018

DOCUMENTS OF TITLE
—Cont’d
Delivery—Cont’d
goods
apparent good order, 7-309:4
bailees, 7-602:1
condition, 7-309:4
destinations, 7-303:1
excuses, 7-204:2, 7-403:4
failure, 7-204:2, 7-403:1
good faith, damages, 7-404:1 [Rev]
persons, 7-303:1, 7-403:2,
7-403:3, 7-506:1
stoppage, 2A-526:8, 7-504:3,
7-504:4 [Rev]
missed delivery, 7-403:3, 7-403:3
[Rev]
nondelivery, defense, 7-403:4,
7-403:5
obligation, 7-403:2 [Rev]
prima facie evidence, 7-309:4
stoppage in transit, 7-504:3
without indorsement, 7-506:1[Rev]
Delivery orders
bailees’ obligations, 7-403:6
definition, 7-102:4, 7-102:4 [Rev]
issuance, 7-102:9
negotiability, 7-104:1
negotiable, 7-104:1
nonnegotiable, 7-104:1
purses, 7-102:4
right to goods, 7-403:6
unaccepted, 7-503:2
Demurrage
bill of lading, lien of carrier,
7-307:1 [Rev]
warehouse receipts, lien of warehouseman, 7-209 [Rev]
Description of goods
bills of lading
damages, 7-203:1 [Rev],
7-301:1 [Rev]
DOCUMENTS OF TITLE
—Cont’d
Description of goods—Cont’d
bills of lading—Cont’d
misdescription of goods,
7-203:1 [Rev], 7-301:1 [Rev]
reliance, 7-203:1 [Rev], 7-301:1 [Rev]
warehouseman’s liens, enforcement,
7-210:3, 7-210:3 [Rev]
warehouse receipts
generally, 7-202:1 [Rev]
enforcement of warehouseman’s lien,
7-210:3 [Rev]
reliance, 7-203:1 [Rev]
Destination bill of lading, request of consignor,
7-305:1 [Rev]
Destruction,
7-601:1, 7-601:1 [Rev]
Destruction of goods, delivery,
7-403:4 [Rev]
Distilled spirits, warehouse receipts, issuance,
7-201:1 [Rev]
Diversion of goods
generally, 7-303:1
delivery, 7-403:4 [Rev]
sellers’ rights, 7-504:4
title, 7-504:3 [Rev]
Dock receipts and warrants
definition, 7-102:5, 7-102:5 [Rev]
forms, 7-102:5
Documents, definition, 7-101:2 [Rev], 7-102:1 [Rev]
Due negotiation
generally, 7-501:1, 7-502:1
absence, 7-504:1
Duly negotiate, 7-102:1 [Rev], 7-501:1 [Rev]

DOCUMENTS OF TITLE
—Cont’d
Duplicates
generally, 7-402:1 [Rev]
bills of lading, 7-402:1
control of electronic documents,
7-106:1 [Rev]
electronic documents, control,
7-106:1 [Rev]
lost documents, 7-601:1
receipt or bill, 7-402:1 [Rev]
stolen documents, 7-601:1
warehouse receipts, 7-402:1
Duress, title and rights, 7-502:1 [Rev]
Electronic documents
generally, 7-101:1 [Rev], 7-104:1
bills of lading, 7-102:2 [Rev], 7-104:1
control of, 7-106:1 [Rev]
definition, 7-101:2 [Rev]
Electronic Signatures in Global and National Commerce Act (E-Sign), 7-101:1
introduction, 7-101:1 [Rev]
negotiable and nonnegotiable documents, 7-104:1
Uniform Electronic Transactions Act (UETA), 7-101:1
warehouse receipts, 7-102:3 [Rev]
Electronic signature, application, 7-102:11 [Rev]
Electronic Signatures in Global and Electronic Commerce Act (E-Sign)
apPLICATION of law, 7-103:2 [Rev]
exclusion, 7-101:1
Email
generally, 7-102:11 [Rev]
record and sign, 7-102:11 [Rev]
DOUGMEN OF TITLE
—Cont’d

Enforcement

carrier’s liens, sales
application of proceeds, 7-308:3
commercially reasonable, 7-308:2
notices, 7-308:1
warehouseman’s liens
constitutionality, 7-210:1
good faith, 7-210:5
noncompliance, damages, 7-210:5
procedures, 7-210:2
sale of goods
advertisements, 7-210:3
application of proceeds, 7-210:2
commercially reasonable requirements, 7-210:4
conversion, 7-210:5
descriptions, 7-210:3
noncompliance, 7-210:5
notices, 7-210:3
problems, 7-210:4
redemptions prior, 7-210:2
requirements, 7-210:3
termination of storage, 7-206:1

Entrustment, goods, 7-503:1

E-Sign
application of law, 7-103:2 [Rev]
exclusion, 7-101:1

Estoppel
claims, 7-204:5
limitation of actions, 7-309:8

Evidence
apparent good order, 7-309:4
condition of goods, 7-309:4
conversion, 7-204:4

DOCUMENTS OF TITLE
—Cont’d

Evidence—Cont’d
missing documents, carbon copies, 7-601:1
prima facie
bills of lading, 7-301:1
delivery of goods, 7-309:4
rebuttals, 7-302:1
through bills of lading, 7-302:1

Exclusion from Article 3, 3-103:1,
3-103:3

Excuses for delivery of goods,
7-403:4 [Rev]

Expenses and expenditures
bill of lading, preservation of goods, lien of carrier, 7-307:1 [Rev]
warehouse receipts, lien of warehouseman, 7-209:3 [Rev]

Faxes
generally, 7-102:11 [Rev]
record and sign, 7-102:11 [Rev]

Federal Bills of Lading Act (FBLA)
generally, 7-102:2 [Rev]
application of law, 7-103:1 [Rev]
exculpatory language, 7-301:3
order bills, 7-104:1
relation of Article, 7-103:2
straight bills, 7-104:1
Field warehousing arrangement, 7-202:1 [Rev]

Fire, reasonable care duty,
warehouse receipts, 7-204:1 [Rev]

Foreclosure, warehouseman, sale to enforce lien, 7-210:5 [Rev]

Forms, warehouse receipts, 7-202:1 [Rev]
DOCUMENTS OF TITLE
—Cont’d
Fraud, title and rights, 7-502:1 [Rev]
Freight forwarders
  bill of lading, title to goods based on, 7-503:3 [Rev]
  bills of lading, 7-503:3
certificates, 7-503:3
Fungible goods
  buyers, protection, 7-205:1
  commingling, 7-207:2
  commingling, effect, 7-207:2 [Rev]
definition, 7-205:1
overissuе, 7-207:2
overissuе of documents, 7-402:1 [Rev]
rights of holder, 7-502:1 [Rev]
warehouse receipts generally, 7-207:2 [Rev]
  commingling, effect, 7-207:2 [Rev]
negotiable documents, 7-207:2 [Rev]
nonnegotiable documents, 7-207:2 [Rev]
overissuе, liability of warehousemen, 7-207:2 [Rev]
title, 7-205:1 [Rev]
Furniture, warehouseman’s lien, 7-209:4 [Rev]
Future charges, lien of warehouseman, 7-209:3 [Rev]
Genuine, warranties on transfer, 7-507:1 [Rev]
Good faith
  bailees, delivery of goods, 7-404:1
  bailee’s liability, 7-404:1 [Rev]
defined, 7-102:10 [Rev]
warehousemen, enforcement of liens, 7-210:5

GOODS
attachment, 7-602:1
buyers, protection, fungible goods, 7-205:1
carriers as insurers, 7-309:2
carrier’s liens commercially reasonable, 7-308:2
  notices, 7-308:1
  parties affected, 7-307:2
damages, measurement, 7-309:12
defined, 7-102:8 [Rev]
definition, 7-102:8, 7-102:8 [Rev]
delivery
  apparent good order, 7-309:4
  bailees, 7-602:1
  condition, 7-309:4
  destinations, 7-303:1
  excuses, 7-204:2, 7-403:4
  failure, 7-204:2, 7-403:1
  persons, 7-303:1, 7-403:2,
    7-403:3, 7-506:1
description, enforcement of warehouseman’s liens,
  7-210:3
diversions, 7-303:1
entrustment, 7-503:1
failure to deliver, 7-403:1,
  7-403:4
hazardous, 7-206:2
holders, prior interests, 7-503:1
household, warehouseman’s liens, 7-209:4
misdescription bills of lading, 7-203:1 [Rev], 7-301:1 [Rev]
nondelivery, damages, 7-403:7
Documents of Title
—Cont’d
Goods—Cont’d
nonreceipt, 7-203:1, 7-301:1
owners, real parties in interest,
7-309:7
perishable, carrier’s standard of care, 7-309:1
possession, 7-502:1, 7-503:1
reconsignment, 7-303:1
separate, keeping, 7-207:1
storage, termination, 7-206:1, 7-206:2
termination of storage, 7-206:1, 7-206:2
theft, warehousemen’s standard of care, 7-204:1
title, 7-303:2
warehouseman’s liens, 7-209:1, 7-210:2, 7-210:4, 7-210:5
Guaranty, indorser, 7-505:1 [Rev]
Hague Protocol, scope of Article, 7-103:1
Harter Act
application of law, 7-103:1 [Rev]
bills of lading, application, 7-103:2
coverage, 7-103:2
Hazardous goods, right of warehousmen to sell,
7-206:2 [Rev]
Holder, rights of, 7-502:1 [Rev]
Household goods, warehouseman’s lien,
7-209:4 [Rev]
Indemnity
bills of lading, rights of issuer, 7-301:1 [Rev]
lost or destroyed instruments, security of claimant,
7-601:1 [Rev]
lost or missing document, security of claimant, 7-601:1 [Rev]
Insurance, warehousemen, lien for cost, 7-209:3 [Rev]
Interpleader, 7-603:1, 7-603:1 [Rev]
Interstate Commerce Act, Carmack Amendment, 7-103:2

Indemnity—Cont’d
seller’s stoppage of delivery, expenses of bailee, 7-504:1 [Rev]
Index of definitions, 7-102:1 [Rev]
Indorsement generally, 7-505:1
bills of lading, 7-501:1 [Rev], 7-505:1
blank, effect, 7-501:1
compelled, 7-506:1
delivery, goods, 7-506:1
delivery without indorsement, 7-506:1 [Rev]
liability, 7-505:1 [Rev]
nature, 7-505:1
negotiations, 7-501:1 [Rev]
right to compel indorsement, 7-506:1 [Rev]
warehouse receipts, 7-501:1, 7-501:1 [Rev], 7-505:1
Injunction, rights of purchaser, 7-602:1 [Rev]
Innocent purchaser, warehouse receipts, 7-208:1
Instructions
bills of lading change of shipping instructions, effect, 7-504:1 [Rev]
delivery of goods, 7-303:1 [Rev]
holder, diversion instructions, 7-303:1 [Rev]
carriers, 7-309:1

© 2018 Thomson Reuters, 12/2018
DOCUMENTS OF TITLE
—Cont’d
Intoxicating liquors, warehouse receipts, 7-201:1 [Rev]
Investment securities, adverse claims, 7-603:1 [Rev]
Irregular document, 7-401:1 [Rev]
Issuance
duplicates, 7-402:1
irregularities, 7-401:1
overissuance, 7-402:1
Issuers
burden of proof, 7-301:2
damages, 7-301:1
definition, 7-102:9, 7-102:9 [Rev], 7-301:1, 7-401:1
indemnification, through bills of lading, 7-302:3
liability
damages, 7-301:1
defenses, prohibitions, 7-301:1
extent, 7-301:2
misdescription of goods, 7-203:1
innocent, 7-203:1
nonreceipt of goods, 7-203:1
third parties, 7-301:1
through bills of lading, 7-302:1
obligations, 7-102:9, 7-401:1, 7-401:1 [Rev]
through bills of lading indemnification, 7-302:3
liability, 7-302:1
Joint tenancy, warehouse receipts, 7-202:1 [Rev]
Labor, lien of warehousemen, 7-209:3 [Rev]
Larceny
generally, 7-601:1 [Rev]
lost, stolen, or destroyed documents, 7-601:1 [Rev]
title and rights, 7-502:1 [Rev]

DOCUMENTS OF TITLE
—Cont’d
Legal interest before issuance of document, 7-503:1 [Rev]
Lessor’s stoppage of delivery, negotiation to lessee, 2A-526:8
Letters of credit, adequacy, 7-509:1 [Rev]
Liability
avoidance, 7-204:3
bailees, 7-403:1, 7-404:1
carriers, 7-302:2, 7-303:2, 7-308:4, 7-309:4
issuers, 7-301:1, 7-302:1
misdescription of goods, 7-203:1
nonreceipt of goods, 7-203:1
warehousemen, 7-204:1, 7-204:4, 7-210:5, 7-403:5
Liens and incumbrances
bailee’s lien, satisfaction, 7-403:5 [Rev]
bills of lading, 7-307:1 [Rev], 7-308:1 [Rev]
enforcement
carriers, 7-308:1 [Rev]
warehouseman, 7-210 [Rev]
goods under document of title, 7-602:1 [Rev]
judicial process, 7-602:1 [Rev]
warehousemen, satisfaction, 7-403:1 [Rev]
Limitation of actions
bills of lading, 7-309:8 [Rev]
bills of lading actions, 7-301:2, 7-309:8
notice provisions, 7-309:8
breach of warranty, 7-507:1
estoppel, 7-309:8
provisions, 7-309:5
tariffs
claims, 7-204:5
provisions, 7-309:5
DOCUMENTS OF TITLE
—Cont’d
Limitation of actions—Cont’d
warehouse receipt claims,
7-204:5
Limitation of liability
agreements, 7-204:3
assent, 7-204:3
bailee’s conduct, 7-403:7
bills of lading
generally, 7-309:8
effectiveness, 7-301:3
omission of clauses, 7-301:2
carriers
contract clauses, 7-309:9
effectiveness, 7-309:11
higher values, opportunity to
declare, 7-309:10
notice requirements,
7-309:10
contractual, 7-309:9 et seq.
conversion, 7-204:4
effectiveness, 7-309:9
enforcement, 7-204:3
increasing, 7-204:3, 7-309:11
maximum amounts, 7-204:3
unexplained losses, 7-204:4
warehousemen, 7-204:3
warehouse receipts,
unexplained loss situa-
tions, 7-204:4
Location of warehouse, form of
warehouse receipts, 7-202:1
[Rev]
Loss, 7-601:1
Loss of goods, delivery, 7-403:4
[Rev]
Lost, damaged or destroyed goods
generally, 7-601:1 [Rev]
burden of proof, 7-204:2
damages, 7-204:6
excuses, 7-204:2
explanations, lack, 7-204:4
prima facie cases, 7-204:2
title and rights, 7-502:1 [Rev]
Lost, damaged or destroyed goods
—Cont’d
warehousemen, liabilities,
7-403:4 [Rev]
Lost, stolen or destroyed docu-
ments
carbon copies, 7-601:1
duplicates, issuance, 7-601:1
substituted documents, issu-
ance, 7-601:1, 7-601:1
[Rev]
title and rights, 7-502:1 [Rev]
Mail, warehouseman’s lien,
enforcement, 7-210:3 [Rev]
Market value
conversion, 7-308:4
damaged goods, 7-204:6
damages, 7-309:12
determination, 7-204:6
lost goods, 7-204:6
Mental distress, conversion,
7-210:5, 7-308:4
Misdescription of goods
damages, 7-203:1 [Rev]
liability, 7-203:1
Mistake, title and rights, 7-502:1
[Rev]
Mobility, 9-103:2
Montreal Convention, scope of
Article, 7-103:1
Negative implication, construction
against, 7-105:1
Negligence
burden of proof, 7-403:4 [Rev]
conversion, 7-204:4
failure to deliver goods, 7-403:4
prima facie cases, 7-204:2
warehousemen, 7-204:2
warehouse receipts, 7-204:1
[Rev]
Negotiability, 7-104:1 [Rev]
Negotiable, 7-104:1, 7-402:1

© 2018 Thomson Reuters, 12/2018

Master Index-171
DOCUMENTS OF TITLE
—Cont’d
Negotiable documents
control of, 7-106:1 [Rev]
fungible goods, 7-207:2 [Rev]
Negotiation
generally, 7-501:1, 7-501:1 [Rev], 7-502:1
absence, 7-504:1
absence, rights of transferees, 7-504:1
bills of lading, indorsement and delivery, 7-501:1 [Rev]
bills of lading requirements, 7-501:1
rights acquired, 7-502:1
title to document, exceptions, 7-502:1
warehouse receipts, delivery, 7-501:1 [Rev]
warehouse receipts requirements, 7-501:1
warranties, 7-507:1, 7-507:1 [Rev]
Nonnegotiable
generally, 7-104:1, 7-104:1 [Rev], 7-402:1, 7-504:1 [Rev]
control of, 7-106:1 [Rev]
fungible goods, 7-207:2 [Rev]
Nonreceipt of goods
damages, 7-203:1 [Rev]
liability, 7-203:1
Notices
carrier’s liens, 7-307:2, 7-308:1
claims
generally, 7-204:5
bills of lading provisions, 7-309:5
requirements, 7-309:6
enforcement of carrier’s liens, 7-308:1
higher values, declarations, 7-309:10

Master Index-172

DOCUMENTS OF TITLE
—Cont’d
Notices—Cont’d
limitation of liability clauses, 7-309:10
purchasers of negotiable documents, 7-501:1
sales
enforcement of
warehouseman’s liens, 7-210:3
hazardous goods, 7-206:2
tariff claims, 7-204:5
termination, storage, 7-206:1, 7-206:1 [Rev]
transfers, 7-504:2
warehouseman’s liens, enforcement sale, 7-210:3
warehousemen lien, enforcement, 7-210:3 [Rev]
warehouse receipt claims, 7-204:5
Numbers and numbering
bills of lading, sets, 7-304:1 [Rev]
warehouse receipts, 7-202:1 [Rev]
Obligation
delivery, 7-403:2 [Rev]
issuer, 7-401:1 [Rev]
Overissue
bills of lading, duplicate bills, 7-402:1 [Rev]
damages, 7-402:1 [Rev]
duplicate bills, 7-402:1 [Rev]
fungible goods, 7-207:2 [Rev]
fungible goods, commingling, 7-207:2
liabilities of issuer, 7-402:1 [Rev]
warehouse receipts
damages, 7-402:1 [Rev]
fungible goods, liability of warehousemen, 7-207:2 [Rev]
DOCUMENTS OF TITLE
—Cont’d
Overissue—Cont’d
warehouse receipts—Cont’d
liabilities, 7-402:1 [Rev]
Overseas
defined, application, 7-102:1 [Rev]
Sales Act, 7-102:1 [Rev]
Owners and ownership, issuance
by owner of goods, 7-201:1 [Rev]
Perfection of security interests
generally, 9-103:2
financing statements, filing, 9-304:3
four-month rule, 9-103:5
last event test, 9-103:3
possession of goods, 9-304:5, 9-304:6
temporary, 9-304:7
Person entitled under the docu-
ment, defined, 7-102:7 [Rev], 7-403:2 [Rev]
Pledges, 7-504:1
Preservation
bill of lading, lien of carrier, 7-307:1 [Rev]
warehouseman’s expenses in
preserving goods, lien, 7-209:3 [Rev]
Presumptions
carrier’s liability, damaged
goods, 7-309:4
conversion, 7-204:4
negligence, 7-204:2
Property damage, reasonable care
duty, warehouse receipts, 7-204:1 [Rev]
Public enemy, carriers, 7-309:2
Punitive damages, carrier’s
liability, 7-309:12
Purchasers
bona fide, negotiable docu-
ments, 7-501:1

Purchasers—Cont’d
fungible goods, protection, 7-205:1
goods, protection, 7-205:1
insolvency, 7-504:3
ordinary course of business,
protection, fungible goods, 7-205:1
Rates and charges
handling, warehouse receipts, 7-202:1 [Rev]
lien, warehouseman, 7-209:3 [Rev]
storage, warehouse receipts, 7-202:1 [Rev]
warehouseman, lien, 7-209:3 [Rev]
warehouse receipts, storage, 7-202:1 [Rev]
Receipt of goods
defined, application, 7-102:1 [Rev]
Sales Act, 7-102:1 [Rev]
Reconsignment
bills of lading, 7-303:1 [Rev]
delivery, 7-403:4 [Rev]
Record, defined, 7-102:11 [Rev]
Registered mail, warehouseman’s
lien, enforcement, 7-210:3 [Rev]
Regulatory statutes, application, 7-103:1 [Rev]
Reissuance in alternative medium, 7-105:1 [Rev]
Release, warehousemen, delivery
excused by, 7-403:4 [Rev]
Removal of goods
failure, 7-206:1
notification, 7-206:1, 7-206:2
termination of storage, 7-206:1
Right in goods defeated, 7-503:1 [Rev]
Rights of holder, 7-502:1 [Rev]

© 2018 Thomson Reuters, 12/2018

Master Index-173
DOCUMENTS OF TITLE
—Cont’d
Risk of loss, passage on receipt, 7-502:1 [Rev]
Said to contain, 7-301:2
Sales
auctions, 7-102:6, 7-210:2, 7-308:2, 7-308:3
bill of lading
commercial reasonableness, 7-308:2 [Rev]
enforcement of lien, 7-308:1 [Rev]
carriers, liens, 7-308:1 [Rev]
consignee, defined, 7-102:7 [Rev]
consignor defined, 7-102:7 [Rev]
delivery of goods, 7-303:2 [Rev]
contract for sale defined, application, 7-102:1 [Rev]
delivery, bailee, previous sale enforcing lien or termination of storage, 7-403:4 [Rev]
deterioration, warehousemen, right to sell, 7-206:2 [Rev]
hazardous goods, warehousemen, right to sell, 7-206:2 [Rev]
stoppage in transit, bailee excused from delivery, 7-403:4 [Rev]
warehouseman deterioration of goods, 7-206:2 [Rev]
enforcement of lien, 7-210:2 [Rev]
Security, lost or destroyed documents of title, 7-601:1 [Rev]
Security interests
agreements required, 7-209:2
contracts, 7-307:1
perfection, 7-209:4

DOCUMENTS OF TITLE
—Cont’d
Security interests—Cont’d
protection, 7-503:1
title to goods, 7-503:1 [Rev]
warehousemen, 7-209:2
warehouse receipts, 7-209:2 [Rev]
Shipper, defined, 7-102:7 [Rev]
Shippers load and count, 7-301:2
Shippers weight, load and count, 7-301:2 [Rev]
Short title, Documents of Title, 7-101
Sign, defined, 7-102:11 [Rev]
Signatures
agents, warehouse receipts, 7-202:1 [Rev]
electronic signature, 7-102:11 [Rev]
electronic Signatures in Global and National Commerce Act, exclusion, 7-101:1
warehouse receipts, 7-202:1 [Rev]
Standard of care
bailees, good faith delivery, 7-404:1
 carriers
insurer status, 7-309:2
perishable goods, 7-309:1
warehousemen
fire protection, 7-204:1
inspections, 7-204:1
security against theft, 7-204:1
special treatment, 7-204:1
Statements, advances, warehouse receipts, 7-202:1 [Rev]
State statutes, scope of Article, 7-103:1
Statutes
airline acts, 7-103:1
application of law, 7-103:1 [Rev]
DOCUMENTS OF TITLE
—Cont’d

Statutes—Cont’d

Carmack Amendment to Interstate Commerce Act,
7-103:1 [Rev]

Carriage of Goods by Sea Act,
7-103:1 [Rev], 7-103:2

Electronic Signatures in Global
and Electronic Commerce
Act (E-Sign), 7-101:1,
7-103:2 [Rev]

Federal Bills of Lading Act
(FBLA), 7-103:1 [Rev],
7-103:2

Federal storage law, 7-103:3

Federal transportation law,
7-103:2

Harter Act, 7-103:1 [Rev],
7-103:2

Interstate Commerce Act,
Carmack Amendment,
7-103:2

Scope of Article, 7-103:1

State statutes, 7-103:1

Uniform Bills of Lading Act,
7-101:1 [Rev]

Uniform Electronic Transactions Act, 7-103:2 [Rev]
bills of lading, 7-102:2 [Rev]
control of electronic document of title, 7-106:1
[Rev]
warehouse receipts, 7-102:3 [Rev]

Uniform Sales Act, 7-101:1 [Rev]

Uniform Warehouse Receipts
Act, 7-101:1 [Rev],
7-209:1 [Rev]

United States Warehouse Act,
7-103:3

United States Warehouse Act
(USWA), 7-103:1 [Rev]

Statutes, application of law,
7-103:1 [Rev]

DOCUMENTS OF TITLE
—Cont’d

Stolen, 7-601:1

Stolen documents, delivery of
goods, 7-601:1 [Rev]

Stop delivery, exercise of right,
7-403:4 [Rev]

Storage agreements
duration, 7-206:1
indefinite terms, 7-206:1
notification, 7-206:1, 7-206:2
termination, 7-206:1

Storage charges
lien of warehousemen
generally, 7-209:3 [Rev]
statement, 7-202:1 [Rev]
warehouse receipts, terms,
7-202:1 [Rev]

Substitute bills of lading, request
for issuance, 7-305:1 [Rev]

Surrender
bailees’ obligations, 7-403:6
bills of lading, 7-403:6
documents, 7-403:6

warehouse receipts, 7-403:6

Tariffs
application of law, 7-103:1
[Rev]

limitation of liability, 7-309:10
provisions
institution of actions, 7-309:5

presentment of claims, 7-309:5

Terminal charges
bill of lading, lien of carrier,
7-307:1 [Rev]

warehouse receipts, lien of
warehouseman, 7-209
[Rev]

Termination
 carriers’ duties, 7-309:3
storage
agreements, 7-206:1
decline in value, 7-206:2
DOCUMENTS OF TITLE
—Cont’d
Termination—Cont’d
storage—Cont’d
deterioration in value,
7-206:2
hazardous goods, 7-206:2
notification, 7-206:1, 7-206:2
Theft, reasonable care duty,
warehouse receipts, 7-204:1
[Rev]
Third party claims,
warehouseman’s liens,
7-209:4
Through bills of lading
generally, 7-302 [Rev], 7-303:1 et seq.
damages, 7-302:3 [Rev]
indemnification, 7-302:3 [Rev]
intrastate, 7-302:1[Rev]
issuer, liability, 7-302:1 [Rev]
performing carrier, liability,
7-302:2 [Rev]
Time
actions, 7-309:5
notices, claims, bills of lading,
7-309:6
Title
goods, 7-303:2, 7-502:1
unaccepted delivery order, title
of goods based on,
7-503:2 [Rev]
Transferee’s rights, defeat,
7-504:2
Transfers
notices, 7-504:2
rights, transferees, 7-504:1,
7-504:2
warranties, 7-507:1, 7-507:1 [Rev]
Treaties, application, 7-103:1 [Rev]
Uniform Bills of Lading Act
(UBLA) generally, 7-101:1 [Rev]

Master Index-176
DOCUMENTS OF TITLE
—Cont’d
Warehouse, defined, 7-102:6 [Rev]
Warehouseman, defined, 7-102:1 [Rev]
Warehouseman’s liens assertion, 7-204:5
bankruptcy avoidance, 7-209:4
charges, 7-209:3
effectiveness, 7-209:4
enforcement
constitutionality, 7-210:1
good faith, 7-210:5
noncompliance, damages, 7-210:5
procedures, 7-210:2
sales of goods
advertisements, 7-210:3
application of proceeds, 7-210:2
commercially reasonable requirements, 7-210:4
conversion, 7-210:5
descriptions, 7-210:3
noncompliance, 7-210:5
notices, 7-210:3
problems, 7-210:4
redemptions prior, 7-210:2
requirements, 7-210:3
termination of storage, 7-206:1
entrustment of goods to deliverers, 7-209:4
expenses, 7-209:3
general, 7-209:2
household goods, 7-209:4
loss, 7-209:5
perfection of security interest, 7-209:4
possessory status, 7-209:5
satisfaction, 7-206:2
specific, 7-209:2
third-party claims, 7-209:4
types, 7-209:2

DOCUMENTS OF TITLE
—Cont’d
Warehousemen
acknowledgments, 7-209:5
business of storing goods, 7-102:10
conversion, 7-204:4, 7-210:5, 7-403:5
damages, 7-210:5
definition, 7-102:10
excuses, lost, damaged or destroyed goods, 7-204:2
liability
damages, 7-210:5
limitation, 7-204:3
misdescription of goods, 7-203:1
nonreceipt of goods, 7-203:1
limitation of liability, 7-204:3
lost, damaged or destroyed goods, 7-204:2
negligence, presumptions, 7-204:2
qualifications, 7-209:1
security interests, agreements required, 7-209:2
separation of goods
fungible goods, exception, 7-207:2
obligation, 7-207:1
standard of care, 7-204:1
termination of storage
hazardous goods, 7-206:2
notification, 7-206:1, 7-206:2
restrictions, 7-206:1
warehouse receipts, authority to issue, 7-201:1
writings, receipts, 7-202:1
Warehouse receipts. See
Warehouse Receipts, generally this index
Warehouses and warehousemen
auction, 7-210:2 [Rev]
commercial storage, 7-210:2 [Rev]
Warehouses and warehousemen
—Cont’d
commingling goods, fungible
goods, 7-207:2 [Rev]
conversion, sale to enforce lien,
7-210:5 [Rev]
definition, 7-102:1 [Rev]
exchanges, preservation or sale
of goods, lien of
warehouseman, 7-209:3 [Rev]
future charges, lien of
warehouseman, 7-209:3 [Rev]
liens and incumbrances,
7-206:1 [Rev], 7-209:1 [Rev], 7-210 [Rev]
enforcement, 7-210:2 [Rev]
satisfaction, 7-403:1 [Rev]
noncommercial storage,
7-210:2 [Rev]
public sale to enforce lien,
7-210:2 [Rev]
storage charges, lien, 7-202:1 [Rev], 7-209:3 [Rev]
Warranties
generally, 7-507:1
bills of lading, negotiation or
transfer, 7-507:1
changes, 7-507:1
collecting bank, 7-508:1 [Rev]
collecting banks, 7-508:1
elimination, 7-507:1
intermediaries, 7-508:1
limitations, 7-508:1
negotiation or transfer, 7-507:1, 7-507:1 [Rev]
negotiations, 7-507:1
statute of limitations, 7-507:1
transfers, 7-507:1
warehouse receipts, negotiation
or transfer, 7-507:1
Warsaw Convention, scope of
Article, 7-103:1
Words and phrases
bailee, 7-102:1 [Rev]
baillees, 7-102:6
bill of lading, 7-102:2
bills of lading, 7-102:2 [Rev]
buyer in ordinary course of
business, 7-504:2
carrier, 7-102:6 [Rev]
consignee, 7-102:7, 7-102:7 [Rev], 7-301:1
consignor, 7-102:7, 7-102:7 [Rev]
contract for sale, Sales Act,
Application, 7-102:1 [Rev]
conversion, 7-204:4, 7-308:4
delivery order, 7-102:4 [Rev]
delivery orders, 7-102:4
dock receipts, 7-102:5 [Rev]
dock receipts and dock war-
rants, 7-102:5
dock warrants, 7-102:5 [Rev]
document, 7-102:1 [Rev]
documents of title, 7-102:1 [Rev], 7-401:1
duly negotiate, 7-102:1 [Rev], 7-501:1 [Rev]
electronic documents, 7-101:2 [Rev]
fungible goods, 7-205:1, 7-207:2
good faith, 7-102:10 [Rev]
goods, 7-102:8, 7-102:8 [Rev]
holders, 7-207:2, 7-403:2
household goods, 7-209:4
insolvency, 7-504:3
issuer, 7-102:9, 7-102:9 [Rev], 7-301:1, 7-401:1
overseas, Sales Act, application,
7-102:1 [Rev]
party, 7-301:1
DOCUMENTS OF TITLE
—Cont’d
Words and phrases—Cont’d
person entitled to delivery, 7-207:2
person entitled under document, 7-403:2, 7-403:4, 7-506:1
person entitled under the document, 7-102:7 [Rev], 7-403:2 [Rev]
purchaser, 7-301:1
receipts of goods, Sales Act, application, 7-102:1 [Rev]
record, 7-102:11 [Rev]
shipper, 7-102:7 [Rev]
sign, 7-102:11 [Rev]
spent document, 7-502:1
through bills of lading, 7-302:1
warehouse, 7-102:6 [Rev]
warehouseman, 7-102:10
warehousemen, 7-102:1 [Rev]
warehouse receipt, 7-102:3
warehouse receipts, 7-102:3 [Rev]
willful, 7-308:4
DODD FRANK RESTORING AMERICAN FINANCIAL STABILITY ACT
Non-UCC payment methods, NONUCCPY 1:25
DOMESTIC TRANSACTION
Generally, 1-301 [Rev]
Definition, 1-301 [Rev]
DRAFTING HISTORY
Alteration of instruments, detection, 4-406:1, 4-406:6
Article 3, conflict, 4-102:2 [Rev]
Article 8, conflict, 4-102:3 [Rev]
Article 8 Revised, 8-101:4 [Rev]
Bank payments over stop payment orders, 4-407:1
Branch bank time limits, 4-106:1
DRAFTING HISTORY—Cont’d
Consumer protection, 4-101:3 [Rev]
Customer account provisions, 4-401:1
Definitions, 4-104:1
Documentary draft provisions, 4-501:1
Introduction, 4-101:1 [Rev]
Late return of items, 4-302:1
New Payments Code, 4-101:25 et seq.
Organization, 4-101:5 [Rev]
Posting processes, 4-109:1
Purpose, 4-101:2 [Rev]
Scope, 4-101:2 [Rev]
Signature, detection of forgery, 4-406:1
Stop payment provisions, 4-403:2, 4-403:5
Time of receipt of items, 4-107:1
Trader rule provisions, 4-402:7
Variation, agreement, 4-103:1 [Rev]
Wrongful dishonor provisions, 4-402:2
DRAFTING ORGANIZATIONS
Hague Conference, ICC 8:7
Private law conventions, ICC 8:4 et seq.
UNCITRAL, ICC 8:5
UNIDROIT, ICC 8:6
DRAFTS
See also Checks; Documentary Drafts; Items; Negotiable Instruments
Accepted, dishonor, 3-502:7 [Rev]
Ambiguous, 4-106:7 [Rev]
DRAFTS—Cont’d
Assignments
absence, liability of drawee, 3-409:4
treatment, 3-409:1, 3-409:3
Clean
checks distinguished, 4-501:2
collection, 4-101:11
instructions on arrival, 4-502:2
Day of presentment, construction, 4-102:1
Dishonor
generally, 3-502:4 [Rev], 3-502:5 [Rev]
wrongful, 4-402:1 et seq.
Drawers
discharge, 3-414:2 [Rev], 3-414:3 [Rev]
liability, 3-414:1 [Rev]
without recourse, 3-414:1 [Rev]
Drawn upon drawer, 4-106:1 [Rev]
Forms, introductory drafting points, App. 2A-A2
Identification of drawee
generally, 3-102:8
alternate drawees, 3-102:9
joint drawees, 3-102:9
Insurance company settlements, 4-101:11
International sight drafts
consequences, 3-701:2
letters of advice, 3-701:1
Joint drawees, 4-101:3
Letters of advice, 3-701:1, 4-406:1
Negotiability, 4-502:1
Negotiable order of withdrawal (NOW), 3-104:18 [Rev], 3-104:21
Nonacceptance, 3-511:13
Non-UCC payment methods, historical background, NONUCCPY 1:3

Notice of dishonor, 3-511:13
Order to pay
generally, 3-102:7
drawee identification, 3-102:8, 3-102:9
Payable at paper, 4-301:2
Payable through
Alternative A, 4-106:5 [Rev]
Alternative B, 4-106:6 [Rev]
bank duty, 4-106:3 [Rev]
domiciled instrument, 4-106:1 [Rev], 4-106:2 [Rev], 4-106:4 [Rev]
Payor bank, liability, 3-408:1 [Rev]
Personal money orders, 3-104:17 [Rev], 3-104:20, 3-409:2
Post office money orders, 3-104:17 [Rev], 3-104:21
Presentment
generally, 3-501:5, 4-101:11
warranties, 3-417:5 [Rev], 3-417:6 [Rev]
Properly payable, 4-302:4 [Rev]
Provisional credit, 4-101:11
Qualifications, 4-104:3 [Rev]
Revocable orders, 3-408:1 [Rev], 3-409:1, 3-409:2
Set of parts
generally, 3-112:9
formal requirements, 3-801:2
liability, 3-801:3
 negociations, 3-801:1
payments, 3-801:1
priorities, 3-801:3
title, 3-801:3
Statute of limitations, accepted drafts, 3-118:3 [Rev], 3-118:5 [Rev]
Trade acceptances, 3-104:18 [Rev], 3-104:21
Treatment, 4-101:11
Without recourse, 3-414:1 [Rev]
DRAWEES
Banks’ status, 4-105:3, 4-301:2
Definition, 4-104:3 [Rev], 4-105:3 [Rev]
Documentary drafts, acceptance, 4-501:1 [Rev]

DRAWERS
Bank’s knowledge, 4-303:3 [Rev]
Closing accounts, 4-401:4
Contracts with payees, 4-401:5
Corporations, closed accounts, 4-401:4
Death, 4-405:1 [Rev], 4-405:3 [Rev], 4-405:4 [Rev]
Discharge, 3-502:4
Incompetence, 4-303:3 [Rev], 4-405:1 [Rev], 4-405:2 [Rev]
Liability on altered instruments, 4-401:5

DUE DEFERENCE
Territorial applicability and general rules, 1-301:2 [Rev]

DUE FORM
Third parties, prima facie evidence, 1-307 [Rev]

DUTY OF INQUIRY
Absence, 8-403:5
Adverse claims, 8-401:5 [Rev], 8-403:1, 8-403:6
Discharging, methods, 8-403:4
Holders in due course, 3-302:14 [Rev], 3-304:5

ECCHO ELECTRONIC CHECK PRESENTMENT
Amount in controversy
arbitration under Section XIV, NONUCPY 7:32
dispute resolution under Section XIX(N), NONUCPY 7:38
dispute resolution under Section XIX(O), NONUCPY 7:46
ECCHO’s special forged and counterfeit check dispute resolution procedures, NONUCPY 7:38, 7:46

© 2018 Thomson Reuters, 12/2018
ECCHO ELECTRONIC CHECK PRESENTMENT—Cont’d
Amount in controversy—Cont’d
remotely created checks, unlimited amounts in controversy, NONUCCPY 7:38
Charges, NONUCCPY 6:45
Check 21 expedited recredits for consumers, NONUCCPY 7:47
Commencement
   Section XIV of Operating Rules dispute resolution, NONUCCPY 7:33
   Section XIX(N) disputes, NONUCCPY 7:39
   Section XIX(O) disputes, NONUCCPY 7:43
Controversies eligible for Section XIV dispute resolution, NONUCCPY 7:32
Counterfeit check disputes. Forged and counterfeit check dispute resolution procedures, below
   Depositary bank disclaimers of Section XIX(O) breach of warranty claims, NONUCCPY 7:45
   Disclaimers depositary bank, Section XIX(O) warranty claim, NONUCCPY 7:45
   Disputes under Section XIX(N), NONUCCPY 7:36, 7:40
Disclosures and evidence of transfers generally, NONUCCPY 3:38
   Statutes and rules, NONUCCPY 3:37
Eligibility for Section XIX(N) dispute resolution, NONUCCPY 7:35
Enforcement
   Check 21 expedited recredits for consumers,
ECCHO ELECTRONIC CHECK
PRESENTMENT—Cont’d
Enforcement—Cont’d
XIX(P), NONUCCPY 7:47
forged and counterfeit check
dispute resolution
procedures
amounts in controversy under
Section XIX(O),
NONUCCPY 7:46
Check 21 expedited recredits
for consumers,
NONUCCPY 7:47
commencement of Section
XIX(O) disputes,
NONUCCPY 7:43
depository bank disclaimers
of Section XIX(O)
breach of warranty
claims, NONUCCPY 7:45
disclaimer by depository
bank of Section XIX(O)
claim, NONUCCPY 7:45
dispute resolution involving
forged and counterfeit
checks under Section
XIX(O), NONUCCPY 7:41
exceptions to application of
Section XIX(O),
NONUCCPY 7:42
expedited recredits for
consumer customers and
banks under Check 21
and regulation and Sec-
tion XIX(P), 7:47
important timing
consideration for Sec-
tion XIX(O) warranty
claims, NONUCCPY 7:44
limits on use of Section
XIX(O) dispute resolu-
tion, NONUCCPY 7:42

ECCHO ELECTRONIC CHECK
PRESENTMENT—Cont’d
Enforcement—Cont’d
forged and counterfeit check
dispute resolution
procedures—Cont’d
other important timing rules
for Section XIX(O)
dispute resolution,
NONUCCPY 7:44
time allowed for initiating
complaints under Sec-
tion XIX(O),
NONUCCPY 7:43
general dispute resolution
procedures
generally, NONUCCPY 7:30
amount in controversy
needed for arbitration
under Section XIV,
NONUCCPY 7:32
commencement of Operating
Rules Section XIV
dispute resolution,
NONUCCPY 7:33
controversies eligible for
Section XIV dispute
resolution,
NONUCCPY 7:32
general dispute resolution
under ECCHO’s
procedures,
NONUCCPY 7:31
time allowed for initiating
complaints under
Operating Rules Section
XIV, NONUCCPY 7:33
limits on use of Section XIX(O)
dispute resolution,
NONUCCPY 7:42
maximum liability
breach of remotely created
check warranties,
NONUCCPY 7:37
Section XIX(N),
NONUCCPY 7:37

© 2018 Thomson Reuters, 12/2018
maximum liability, breach of remotely created check warranties, NONUCCPY 7:37

procedures for “disclaiming” (disputing) claims filed under Section XIX(N), NONUCCPY 7:36

remotely created check dispute resolution procedures

amount in controversy needed for dispute resolution under Section XIX(N), NONUCCPY 7:38

commencement of Section XIX(N) disputes, NONUCCPY 7:39

“disclaimers” of disputes under Section XIX(N), NONUCCPY 7:36

dispute resolution involving “remotely created checks” under Section XIX(N), generally, NONUCCPY 7:34

eligibility for Section XIX(N) dispute resolution, NONUCCPY 7:35

maximum liability under Section XIX(N), NONUCCPY 7:37

procedures for “disclaiming” (disputing) claims filed under Section XIX(N), NONUCCPY 7:36

time allowed for depositary bank to “disclaim” a claim under Section XIX(N), NONUCCPY 7:40

time allowed for initiating complaints under Section XIX(N), NONUCCPY 7:33

unlimited amounts in controversy for remotely created checks, NONUCCPY 7:38

reported enforcement decisions under ECCHO’S operating dispute resolution rules, NONUCCPY 7:48

Section XIV of ECCHO Operating Rules arbitration, amount in controversy, NONUCCPY 7:32

commencement of dispute resolution, NONUCCPY 7:33

controversies eligible for dispute resolution, NONUCCPY 7:32

general dispute resolution procedures

amount in controversy needed for arbitration, NONUCCPY 7:32

commencement of dispute resolution, NONUCCPY 7:33

controversies eligible for dispute resolution, NONUCCPY 7:32

time allowed for initiating complaints, NONUCCPY 7:33

initiating complaints, NONUCCPY 7:33
ECCHO ELECTRONIC CHECK
PRESENTMENT—Cont’d
Enforcement—Cont’d
Section XIX(N)

- amount in controversy
- needed for remotely
  created check dispute
  resolution:
  NONUCCPY 7:38

- commencement of disputes:
  NONUCCPY 7:39

- disclaimers, disputes:
  NONUCCPY 7:36

- dispute resolution, amount in
  controversy:
  NONUCCPY 7:38

- eligibility for dispute resolu-
  tion:
  NONUCCPY 7:35

- initiating complaints:
  NONUCCPY 7:39

- maximum liability:
  NONUCCPY 7:37

- procedures for “disclaiming”
  (disputing) claims:
  NONUCCPY 7:36

- remotely created check
  dispute resolution:
  NONUCCPY 7:34, 7:38

- special remotely created
  check dispute resolution
  procedures:
  generally, NONUCCPY
  7:34

- commencement of disputes:
  NONUCCPY 7:39

- “disclaimers” of disputes:
  NONUCCPY 7:36

- eligibility for dispute resolu-
  tion:
  NONUCCPY 7:35

- maximum liability:
  NONUCCPY 7:37

- procedures for “disclaim-
  ing” (disputing)
forged and counterfeit check dispute resolution procedures—Cont’d
amount in controversy needed for dispute resolution,
NONUCCPY 7:46

commencement of disputes,
NONUCCPY 7:43
depository bank disclaimers of breach of warranty claims,
NONUCCPY 7:45
disclaimer by depository bank of warranty claim, NONUCCPY 7:45
exceptions, NONUCCPY 7:42
important timing consideration for warranty claims,
NONUCCPY 7:44
limits on use of dispute resolution,
NONUCCPY 7:42
time allowed for initiating complaints,
NONUCCPY 7:43
timing rules for Section XIX(O),
NONUCCPY 7:44
initiating complaints,
NONUCCPY 7:43
limits on use of dispute resolution, NONUCCPY 7:42
warranty claims,
NONUCCPY 7:44
Section XIX(P)
extipated recredits for consumer customers and
ECCHO ELECTRONIC CHECK PRESENTMENT—Cont’d

Enforcement, amount in controversy
arbitration under Section XIV,
NONUCCPY 7:32
dispute resolution under Section XIX(N), NONUCCPY 7:38
dispute resolution under Section XIX(O), NONUCCPY 7:46
remotely created checks, unlimited amounts in controversy, NONUCCPY 7:38
Section XIV arbitration, NONUCCPY 7:32
Section XIX(N) dispute resolution, NONUCCPY 7:38
Section XIX(O) dispute resolution, NONUCCPY 7:46
special forged and counterfeit check dispute resolution procedures, NONUCCPY 7:38, 7:46
Error resolution rules, NONUCCPY 5:21, 5:22
Exceptions to application of Section XIX(O), NONUCCPY 7:42
Expedited recredits for consumer customers and banks under Check 21 and regulation and Section XIX(P), NONUCCPY 7:47
Forged and counterfeit check dispute resolution procedures amount in controversy needed for dispute resolution under Section XIX(O), NONUCCPY 7:46
amounts in controversy under Section XIX(O), NONUCCPY 7:46
Check 21 expedited recredits for consumers, NONUCCPY 7:46

Forced and counterfeit check dispute resolution procedures—Cont’d
commencement of Section XIX(O) disputes, NONUCCPY 7:47
depositary bank disclaimers of Section XIX(O) breach of warranty claims, NONUCCPY 7:45
disclaimer by depositary bank of Section XIX(O) warranty claim, NONUCCPY 7:45
dispute resolution involving forged and counterfeit checks under Section XIX(O), NONUCCPY 7:41
error resolution rules, NONUCCPY 5:21, 5:22
exceptions to application of Section XIX(O), NONUCCPY 7:42
expedited recredits for consumer customers and banks under Check 21 and regulation and Section XIX(P), NONUCCPY 7:47
limits on use of Section XIX(O) dispute resolution, NONUCCPY 7:42
other important timing rules for Section XIX(O) dispute resolution, NONUCCPY 7:44
Section XIX(O) amounts in controversy, NONUCCPY 7:46
commencement of disputes, NONUCCPY 7:43
depositary bank disclaimers of breach of warranty
Forged and counterfeit check dispute resolution procedures—Cont’d

Section XIX(O)—Cont’d
- claims, NONUCCPY 7:45
- disclaimer by depository bank of warranty claim, NONUCCPY 7:45
- dispute resolution involving forged and counterfeit checks, NONUCCPY 7:41
- exceptions, NONUCCPY 7:42
- limits on use of dispute resolution, NONUCCPY 7:42
- timing consideration for warranty claims, NONUCCPY 7:43, 7:44

Section XIX(P), expedited recredits for consumer customers and banks under Check 21, NONUCCPY 7:47
- timing consideration for Section XIX(O) warranty claims, NONUCCPY 7:43, 7:44

General dispute resolution procedures generally, NONUCCPY 7:30
- amount in controversy needed for arbitration under Section XIV, NONUCCPY 7:32
- commencement of Operating Rules Section XIV dispute resolution, NONUCCPY 7:33
- controversies eligible for Section XIV dispute resolution, NONUCCPY 7:32

Maximum liability
- breach of remotely created check warranties, NONUCCPY 7:37

Section XIX(N), NONUCCPY 7:37
- Procedures for “disclaiming” (disputing) claims filed under Section XIX(N), NONUCCPY 7:36

Regulation of agreements generally, NONUCCPY 6:62 to 6:64
- charges, NONUCCPY 6:45
- federal law and ECCHO presentments, NONUCCPY 6:62
- state law and ECCHO presentments, NONUCCPY 6:63
ECCHO ELECTRONIC CHECK PRESENTMENT—Cont’d
Regulation of agreements—Cont’d
  statutes and rules,
  NONUCCPY 6:26, 6:44, 6:63
Regulation of charges generally, NONUCCPY 6:45
  statutes and rules,
  NONUCCPY 6:44
Regulation of practices generally, NONUCCPY 6:79 to 6:81
  federal law and ECCHO check presentments,
  NONUCCPY 6:79
  state law and ECCHO check presentments,
  NONUCCPY 6:80
  statutes and rules,
  NONUCCPY 6:44, 6:79, 6:80
Remotely created check dispute resolution procedures
  amount in controversy needed for dispute resolution under Section XIX(N),
  NONUCCPY 7:38
  breach of remotely created check warranties, maximum liability,
  NONUCCPY 7:37
  commencement of Section XIX(N) disputes,
  NONUCCPY 7:39
  “disclaimers” of disputes under Section XIX(N),
  NONUCCPY 7:36
  dispute resolution involving “remotely created checks”, generally,
  NONUCCPY 7:34
  eligibility for Section XIX(N) dispute resolution,
ECCHO ELECTRONIC CHECK PRESENTMENT—Cont’d
Remote created check dispute resolution procedures—Cont’d
time allowed for initiating complaints under Section XIX(N), NONUCCPY 7:39
timeframes for “disclaimers” of Section XIX(N) disputes, NONUCCPY 7:40
unlimited amounts in controversy for remotely created checks, NONUCCPY 7:38
Reported enforcement decisions under ECCHO’S operating dispute resolution rules, NONUCCPY 7:48
Section XIV of ECCHO Operating Rules
amount in controversy, arbitration, NONUCCPY 7:32
commencement of dispute resolution, NONUCCPY 7:33
controversies eligible for dispute resolution, NONUCCPY 7:32
genral dispute resolution procedures
amount in controversy needed for arbitration, NONUCCPY 7:32
commencement of dispute resolution, NONUCCPY 7:33
controversies eligible for dispute resolution, NONUCCPY 7:32
time allowed for initiating complaints, NONUCCPY 7:33
initiating complaints, NONUCCPY 7:33
timing considerations, NONUCCPY 7:33

ECCHO ELECTRONIC CHECK PRESENTMENT—Cont’d
Section XIX(N)
amount in controversy, dispute resolution, NONUCCPY 7:38
commencement of disputes, NONUCCPY 7:39
disclaimers, disputes, NONUCCPY 7:36, 7:40
eligibility for dispute resolution, NONUCCPY 7:35
initiating complaints, NONUCCPY 7:39
maximum liability, NONUCCPY 7:37
procedures for “disclaiming” (disputing) claims, NONUCCPY 7:36
remotely created check dispute resolution procedures
amount in controversy needed for dispute resolution, NONUCCPY 7:38
commencement of disputes, NONUCCPY 7:39
“disclaimers” of disputes, NONUCCPY 7:36
dispute resolution, generally, NONUCCPY 7:34
eligibility for dispute resolution, NONUCCPY 7:35
maximum liability, NONUCCPY 7:37
procedures for “disclaiming” (disputing) claims, NONUCCPY 7:36
time allowed for depositary bank to “disclaim” a claim, NONUCCPY 7:40
time allowed for initiating complaints, NONUCCPY 7:39
ECCHO ELECTRONIC CHECK PRESENTMENT—Cont’d
Section XIX(N)—Cont’d
remotely created check dispute resolution procedures—Cont’d
timeframes for “disclaimers” of disputes,
NONUCCPY 7:40
timing considerations,
NONUCCPY 7:39, 7:40
Section XIX(O)
amount in controversy,
NONUCCPY 7:46
commencement of disputes,
NONUCCPY 7:43
depository bank disclaimers of breach of warranty claims,
NONUCCPY 7:45
exceptions, NONUCCPY 7:42
forged and counterfeit check dispute resolution procedures, NONUCCPY 7:41 to 7:46
initiating complaints, NONUCCPY 7:43
limits on use of dispute resolution, NONUCCPY 7:42
timing considerations, NONUCCPY 7:43, 7:44
warranty claims, NONUCCPY 7:44
Section XIX(P)
expedited recredits for consumer customers and banks under Check 21,
NONUCCPY 7:47
forged and counterfeit check dispute resolution procedures, NONUCCPY 7:47
Special procedures
forged and counterfeit check dispute resolution procedures, above

ECCHO ELECTRONIC CHECK PRESENTMENT—Cont’d
Special procedures—Cont’d
remotely created check dispute resolution procedures, above
Statutes, regulations, and rules generally, NONUCCPY 6:44
federal law enforcement,
NONUCCPY 7:28
regulation of agreements,
NONUCCPY 6:44, 6:62, 6:63
regulation of charges,
NONUCCPY 6:44
regulation of practices,
NONUCCPY 6:44, 6:62, 6:63
state law enforcement,
NONUCCPY 7:29
Timing considerations
depository bank to “disclaim” a claim under Section XIX(N), NONUCCPY 7:40
initiating complaints under Operating Rules Section XIV, NONUCCPY 7:33
initiating complaints under Section XIX(N), NONUCCPY 7:39
initiating complaints under Section XIX(O), NONUCCPY 7:43
Section XIX(O) warranty claims, NONUCCPY 7:44
warranty claims under Section XIX(O), NONUCCPY 7:44

ECCHO TRANSFERS
Check presentment, NONUCCPY 2:29
Disclosure and evidence of transfers generally, NONUCCPY 3:38
ECCHO TRANSFERS—Cont’d
Disclosure and evidence of transfers—Cont’d statutes and rules,
NONUCCPY 3:37
ECCHO Electronic Check Pre-
sentment, this index
Historical background,
NONUCCPY 1:23
Rules for error resolution
generally, NONUCCPY 5:17
federal law, relation of ECCHO
Rules to, NONUCCPY
5:15
operating rules and commentary
dispute resolution for breaches of warranty for remotely created checks,
NONUCCPY 5:13
error resolution procedures for claims for breach of forged and counterfeit check warranties,
NONUCCPY 5:14
general dispute resolution under ECCHO rules (Operating Rule XIV),
NONUCCPY 5:12
Operating Rule XIV,
NONUCCPY 5:12
Operating Rule XIX(N),
NONUCCPY 5:13
Operating Rule XIX(O),
NONUCCPY 5:14
preemption of Alternation Rule XIX(P), NONUCCPY 5:18
Section XIV, general dispute resolution, NONUCCPY
5:19
Section XIX(N)
Regulation C, NONUCCPY
5:20
remotely created check reso-
lution, NONUCCPY
5:20

E-COMMERCE
Definitions enabling, UCITA
102:47 to 102:51

ECONOMICALLY
SIGNIFICANT MOBILE EQUIPMENT PURCHASE
Cape Town Convention, this index
ECONOMIC LOSS
Lessee, 2A-520:5 et seq.
Mitigation, 2A-520:9
Proof of loss, 2A-520:6
Reason to know, 2A-520:7
Rejection of agreement, 2A-520:8

EFFECTIVE DATE, REPEALER, AND TRANSITION PROVISIONS
Generally, 9-701 [Rev], 9-701:1 [Rev], 10-101
Amendments, 11-101:1
Continuation statements, persons entitled to file, 9-708:1 [Rev]
Events, 10-101:1, 10-101:4, 10-101:5
Existing law, 10-101:1
Financing statements
post-effective date amendments, 9-707:2 [Rev]
post-effective date continuations, special rule, 9-707:3 [Rev]
post-effective date terminations, special rule, 9-707:4 [Rev]
pre-effective date transactions generally, 9-707:1 et seq.
financing statements filed in another jurisdiction, 9-706:1 [Rev]
In lieu initial financing statements, persons entitled to file, 9-708:1 [Rev]
In lieu initial financing statements and continuation statement compared, 9-706:2 [Rev]
Model Tribal Secured Transactions Act, RMTSTA 9-702
Pre-effective date transactions, 9-702:1 et seq.
Priorities after effective date, 9-709 [Rev], 9-709:1 [Rev], 9-709:1 et seq.
State listing, 10-101:2

EFFECTIVE DATE, REPEALER, AND TRANSITION PROVISIONS—Cont’d
Transactions, 10-101:1, 10-101:3, 10-101:5
UCITA provisions, UCITA 902

ELECTION OF REMEDIES
Abolishment, 2-720:1
Default, lessors, 2A-501:7
Secured parties, default of debtors, 9-501:7

ELECTRONIC AGENTS
Generally, UCITA 107:2
Assent via, UCITA 112:7
Automated systems, UCITA 102:14
Conspicuous terms, UCITA 102:43
Defined, UETA 2
Formation of contracts, UCITA 206:1 to 206:3
Uniform Computer Information Transactions Act, this index

ELECTRONIC CHATTEL PAPER
Generally, 9-105 [Rev], 9-105:1 [Rev]
Amendments of 2010, 9-105:2 [Rev]
Control, 9-105:1 [Rev]

ELECTRONIC COMMUNICATIONS
Leases, 2A-224, 2A-224:1

ELECTRONIC CONTRACTS, RECORDS, AND SIGNATURES
Attribution, UCITA 211, 2A-223:1
Determining if attribution established, UCITA 212
Efficacy and commercial reasonableness of attribution procedure, UCITA 211

© 2018 Thomson Reuters, 12/2018

Master Index-193
ELECTRONIC CONTRACTS, RECORDS, AND SIGNATURES—Cont’d
Electronic Signatures in Global and National Commerce Act, this index
Error, consumer defense of electronic, UCITA 213
Legal effect, 2A-222:1
Message, effectiveness and acknowledgment of electronic, UCITA 214
Overriding law, 2A-222:2
Receipt of electronic record, 2A-224:1
Recognition, 2A-222
Signing and sending electronic record, 2A-223:1
Uniform Computer Information Transactions Act, this index
Uniform Electronic Transactions Act, this index

ELECTRONIC DOCUMENTS OF TITLE
Bills of lading, 7-102:2 [Rev], 7-104:1
Control, 7-106:1 [Rev]
Definition, 7-101:2 [Rev]
Electronic Signatures in Global and National Commerce Act (E-Sign), 7-101:1
Introduction, 7-101:1 [Rev]
Negotiable and nonnegotiable documents, 7-104:1
Uniform Electronic Transactions Act (UETA), 7-101:1
Warehouse receipts, 7-102:3 [Rev]

ELECTRONIC FUND TRANSFERS
See also Funds Transfers
Access cards, 4-101:17
Authentication of items, 4-401:2
Automated clearing houses, 4-101:19
Automated teller machines, 4-101:20
Bank card usage, 4-101:17
Bank Wire, 4-101:23
Bill payment systems, 4-101:18
Checks guarantees, 4-101:22
truncation, 4-101:14, 4-101:15, 4-110:1 [Rev], 4-110:2 [Rev]
Clearing House Interbank Payment Systems (CHIPS), 4-101:23
Cost effectiveness, 4-101:24
Credit card authorization, 4-101:22
Credit transfer messages, 4-104:2
Customers’ duties to examine statements, 4-406:2
Electronic presentment, 4-110 [Rev]
Error resolution procedures, 4-406:6
Fed Wire, 4-101:23
Home banking, 4-101:22
Identification of senders, 4-401:2
Imaging technology, 4-110:1 [Rev]
Initiation of payments, 4-101:16
Instruments construed, 4-104:3
Interbank communications, large payment transactions, 4-101:23
Items, 4-102:1 [Rev], 4-104:2
Loss allocations, 4-101:13
Midnight deadlines, 4-109:11
Next day availability, 4-215:12 [Rev]
Non-UCC Payment Methods, this index

Master Index-194
ELECTRONIC FUND TRANSFERS—Cont’d
Online interstate consumer credit products, regulation of practices, NONUCCPY 6:98 to 6:101
Personal Identification Numbers automatic teller machines, 4-101:20
bank cards, 4-101:17
point of sale systems, 4-101:21
technology bill payment systems, 4-101:18
Point of sale systems, 4-101:21
Preauthorized transfers, 4-101:16
Presentment, agreements, 4-101:4 [Rev], 4-110:2 [Rev]
Retention warranties, 4-209:4 [Rev]
Society for Worldwide International Financial Telecommunications (SWIFT), 4-101:23
Statement examination, 4-406:1 [Rev]
Telephone bill payment systems, 4-101:18
Thefts, allocation of losses, 4-101:17
Volume, 4-101:24

ELECTRONIC RECORDS
Generally, UCITA 107:1
Attribution and effect, UETA 9, UETA 9:1
Defined, UCITA 102:48, UCITA 107:5, UETA 2, UETA 2:0.30
Electronic Signatures in Global and National Commerce Act, relation of UCITA to, UCITA 905:1
Government agencies acceptance and distribution of electronic records, UETA 18

ELECTRONIC REGISTRATIONS
Cape Town Convention, International Registry, ICC 9:55

ELECTRONIC REGULATION OF PERFORMANCE
Performance, this index

ELECTRONIC SELF-HELP
Generally, UCITA 816:1 to 816:5
Articles 2A and 9, UCITA 816:3
ELECTRONIC SELF-HELP
—Cont’d
Common law and non-U.C.C. law, UCITA 816:2
Political and legal context of 2000 text limitations on, UCITA 816:1 to 816:3
Prohibition of electronic self-help under 2002 text, UCITA 816:4
Substantive and procedural limitations under 2000 text, UCITA 816:5
Uniform Computer Information Transactions Act, this index

ELECTRONIC SIGNATURES
Application, 7-102:11 [Rev]
Attribution and effect, UETA 9, UETA 9:1
Defined, UETA 2, UETA 2:0.50
Legal recognition
federal E-Sign and 2005 Convention, UETA 7:2
history, analysis, and cases, UETA 7:1
official comment, UETA 7
statutory text, UETA 7
Use of federal E-Sign and 2005 Convention, UETA 5:2
history, analysis, and cases, UETA 5:1
official comment, UETA 5
statutory text, UETA 5

ELECTRONIC SIGNATURES IN GLOBAL AND ELECTRONIC COMMERCE ACT (E-SIGN)
—Cont’d
15 USC § 7001 et seq., generally, 1-108 [Rev]
Legal recognition, 2A-222:2
Official Code text and comments, 1-108 [Rev]
Uniform Electronic Transactions Act (UETA), 1-108:1 [Rev]

ELECTRONIC TRANSACTION ACTS
Signed writing requirement, 9-101:2 [Rev]

EMAIL
Formation of contract, UCITA 201:3
Record and sign, 7-102:11 [Rev]

ENFORCEMENT
Carrier’s liens, sales
application of proceeds, 7-308:3
commercially reasonable, 7-308:2
notices, 7-308:1
ECCHO Electronic Check Presentment, this index
Estoppel, 8-319:8
Exportation of rates and terms by banks to non-banks
generally, NONUCCPY 7:80 to 7:82
federal law enforcement of restrictions, NONUCCPY 7:80
state law enforcement of restrictions, NONUCCPY 7:81
FTC enforcement actions under UDAP authority, NONUCCPY 7:83, 7:84
Gift Cards, this index
Good Faith, this index
Home Banking, this index

Master Index-196
ENFORCEMENT—Cont’d
Leases, 2A-301:1, 2A-301:2
discussion of 2003 and 2005 amendments, 2A-301:3
2003 and 2005 amendments
Official Code text and comments, 2A-301:3
Military allotments, NONUCCPY
7:77 to 7:79
Mobile Payments, this index
Model Tribal Secured Transactions Act, this index
Non-Gift, Non-Payroll Prepaid Cards, this index
Non-UCC Payment Methods, this index
Online interstate transactions, NONUCCPY 1:28, 1:29, 2:32, 7:68 et seq.
PayPal, this index
Prerequisites, 9-203:3 [Rev]
Remedies to be liberally administered, 1-305:5 [Rev]
Security agreements
authentication, 9-203:5 [Rev]
repossession of collateral,
9-503:1
signatures, 9-203:4
Security interests
generally, 9-203 [Rev], 9-203:3, 9-301:2
debtors’ rights in collateral,
9-203:12
Model Tribal Secured Transactions Act, this index
value given prior, 9-203:11
Specific, 8-315:4
Variations of Code, 2A-301
Virtual Currency Transactions, this index
Warehouseman’s liens
constitutionality, 7-210:1
good faith, 7-210:5
noncompliance, damages, 7-210:5

ENVIRONMENT—Cont’d
Warehouseman’s liens—Cont’d
procedures, 7-210:2
sale of goods
advertisements, 7-210:3
application of proceeds, 7-210:2
commercially reasonable requirements, 7-210:4
conversion, 7-210:5
descriptions, 7-210:3
noncompliance, 7-210:5
notices, 7-210:3
problems, 7-210:4
redemptions prior, 7-210:2
requirements, 7-210:3
termination of storage, 7-206:1

ENGLISH DECISIONS
Construction and interpretation, 1-103:3 [Rev]

ENTITLEMENT HOLDERS
Actions against purchaser collusion, 8-503:10
immunity, 8-503:9 [Rev]
Adverse claims, persons protected,
8-502:1 [Rev]
Enforcement of intermediaries’ duties, 8-504:2 [Rev]
Enforcement of rights
generally, 8-503:5 [Rev]
against intermediary, 8-503:6 [Rev], 8-503:8 [Rev]
against purchaser from intermediary, 8-503:7 [Rev]
Insolvency proceedings, 8-503:12 [Rev]

Powers, confer discretionary authority, 8-506:2 [Rev]
Priority
noncontrol secured creditors,
8-511:2 [Rev], 8-511:4 [Rev]
ENTITLEMENT HOLDERS
—Cont’d
Priority—Cont’d
secured creditor of clearing corporation, 8-503:1 [Rev]
secured creditor with control, 8-511:3 [Rev], 8-511:4 [Rev]
Property interests
generally, 8-503:1 [Rev]
characteristics, 8-503:1 [Rev]
collusion standard, 8-503:10 [Rev]
enforcement
generally, 8-503:5 [Rev]
against intermediary, 8-503:6 [Rev]
against purchaser from intermediary, 8-503:7 [Rev], 8-503:8 [Rev]
priority over securities intermediaries, 8-503:3 [Rev]
pro rata, 8-503:4 [Rev]
ENTITLEMENT ORDERS
Generally, 8-507 [Rev]
Duty to comply
generally, 8-507:1 [Rev]
appropriate person, 8-507:2 [Rev]
conditions precedent, 8-507:3 [Rev]
standard for performance, 8-507:5 [Rev]
ENTRUSTMENT
Goods, 7-503:1
Lessee, 2A-305:2
Sale or sublease, 2A-305:2
Subsequent lease, 2A-304:7
ENTRY INTO FORCE
Cape Town Convention, ICC 9:136
U.S. treaty ratification, ICC 8:14
EQUIPMENT
Bulk transfers, limitations, 6-102:4
Classification
Generally, 9-109:1
Farming, 9-109:3
problems, 9-109:3
Definition, 9-109:3
Disposal without removal, 9-503:6
Farming
classification, 9-109:3
protection of buyers, 9-307:5
purchase money security interests, perfection, 9-302:9
Goods included, 9-109:3
EQUIPMENT LEASES
Forms, App. 2A-A3
ERROR
Change or Error, this index
ERROR PREVENTION AND RESOLUTION
Non-UCC Payment Methods, this index
E-SIGN
Electronic Signatures in Global and National Commerce Act, this index
Federal E-Sign, this index
ESTATES
Joint tenancy, warehouse receipts, 7-202:1 [Rev]
ESTOPPEL
Acceleration clauses, 9-501:3
Alterations of negotiable instruments
Generally, 3-406:2, 3-407:1
drawee or other payor, 3-406:3
holder in due course, 3-406:4
purchasers of instruments with forged signatures, 3-406:5
Claims, 7-204:5
Master Index-198
ESTOPPEL—Cont’d
Conversion, 3-419:7
Defaults, 9-501:3
Discharge, secondary obligors, 3-605:16 [Rev]
Entrustment, 2-403:4
Limitation of actions, 7-309:8
Negotiable instruments alterations
generally, 3-406:2, 3-407:1
drawee or other payor, 3-406:3
holder in due course, 3-406:4
purchasers of instruments with forged signatures, 3-406:5
conversion, 3-419:7
signatures, 3-403:3 [Rev], 3-404:3
Promissory, 8-319:8
Signatures, 3-403:3 [Rev], 3-404:3
Statute of frauds, 2A-201:9,
2-201:8, 8-319:8
Subsequent leases, 2A-304:6
Subsequent transactions, 2A-304:6
EUROPEAN CODES
Construction and interpretation, 1-103:4 [Rev]
EUROPEAN COMMUNITY
Cape Town Convention, ICC 9:135
EUROPEAN UNION
Performance, access contracts, UCITA 611:5
EVENTS
Assignment, 10-101:4
Definition, 10-101:4
Effective dates, 10-101:1, 10-101:4, 10-101:5
Nonretroactivity, 10-101:1
Particular activities, 10-101:4
EVIICTION
Warranties, UCITA 401:8
EVIDENCE
See also Burden of Proof; Parol or Extrinsic Evidence; Presumptions
Admissibility, UETA 13, UETA 13:1
Admission of parties under statute of frauds, 2-201:6
Apparent good order, 7-309:4
Appointment of fiduciaries, 8-402:4
CISG, burden of proof, exclusion of issues, ICC 10:17
Condition of goods, 7-309:4
Conversion, 7-204:4
Course of dealing, 2-202:4
Course of performance contemporaneous oral agreement, 2-202:3
course of dealing, and usage of trade, 1-303 [Rev]
prior agreement, 2-202:3
terms of contract, explanation, 2-202:4
waiver, 2-209:4
Disclosure and Evidence of Transfers, this index
Incumbency of fiduciaries, 8-402:4
Missing documents, carbon copies, 7-601:1
Nonconforming goods, preservation, 2-515:1 et seq.
Non-UCC Payment Methods, this index
Prima facie bills of lading, 7-301:1
delivery of goods, 7-309:4
rebuttals, 7-302:1
through bills of lading, 7-302:1
Remedies to be liberally administered, 1-305:2 [Rev]
Third Parties, this index
© 2018 Thomson Reuters, 12/2018
EVIDENCE—Cont’d
Usage of trade, 2-202:4
Value of goods, market price generally, 2-723:1 to 2-723:3
Convention on International Sale of Goods, 2-724:1
market quotations, use, 2-724:1
2003 and 2005 amendments, 2-724:2

EXCEPTIONS
Territorial applicability and general rules, 1-301 [Rev],
1-301:2 [Rev], 1-301:4 [Rev]

EXCHANGE OF GOODS
Application, 2-304:2
Goods, exchange for, 2-304:2
Real estate, exchange for, 2-304:3
Sales, relationship to, 2-304:1
Services, exchange for, 2-304:4
2003 and 2005 amendments, 2-304:5

EXCHANGE OF SECURITIES
Certificated for uncertificated, 8-407:3
Class, 8-407:2
1977 amendments, 8-407:1 to 8-407:4
Uncertificated for certificated, 8-407:4

EXCLUSIONS
Amendments of 2010, 9-109:18 [Rev]
Artisan’s liens, 9-104:4, 9-109:8 [Rev]
Assignment for collections accounts, nonfinancing, 9-309:3 [Rev]
chattel paper, 9-109:11 [Rev]
payment intangibles, 9-309:3 [Rev]
promissory notes, 9-109:11 [Rev]

Bulk sales
assumption of debts, 6-103:12 [Rev]
business organization changes, 6-103:12 [Rev]
creditors adequately protected, 6-103:11 [Rev]
large sale, assets, 6-103:13 [Rev]
security interests, 6-103:10 [Rev]
small sale, assets, 6-103:13 [Rev]

Bulk transfers
generally, 6-102:5, 6-103:1 et seq.
assumption of debts, 6-103:4
bulk mortgages, 6-103:3
business organization changes, 6-103:4
creditors adequately protected, 6-103:2

Chattel paper transfers, 9-104:7
CISG, ICC 10:14
Documents of title, 3-103:1, 3-103:3
Federal government obligations, 3-103:5
Financing intent, effect accounts, nonfinancing, 9-109:11 [Rev]
chattel paper, 9-109:11 [Rev]
payment intangibles, 9-309:3 [Rev]
promissory notes, 9-109:11 [Rev]

Governmental transfers, 9-104:6, 9-109:10, 9-109:10 [Rev]
Insurance policy transfers, 9-109:12 [Rev]
Investment securities, 3-103:1, 3-103:2, 3-104:3
Judgments, 9-109:13 [Rev]
EXCLUSIONS—Cont’d
Landlord’s liens, 9-104:3, 9-109:7
[Rev]
Money, 3-103:1, 3-103:4
Nonfinancing accounts, 9-104:7
Overview, 2-102:1
Performance-related transfer accounts, nonfinancing, 9-109:11 [Rev]
chattel paper, 9-109:11 [Rev]
payment intangible, 9-109:11
[Rev]
promissory note, 9-109:11
[Rev]
Real estate, 9-104:11
Regulatory statutes, 2-102:5
Rights represented by judgments, 9-104:9
Sales provisions, 2-102:1 et seq.
Secured transactions, 9-104:1
Security interests copyrights, patents and trademarks, 9-109:6 [Rev]
deposit accounts, 9-104:13,
9-109:17 [Rev]
federal statutes, 9-104:2
Security transactions, 2-102:4
Set-off rights, 9-104:10, 9-109:14
[Rev]
Statutory liens, 9-109:8 [Rev]
Tort claim transfers, 9-109:16
[Rev]
Transfers insurance policies, 9-104:8
tort claims, 9-104:12
Wage assignments, 9-104:5,
9-109:9 [Rev]
Warranties, 2-312:4

EXCUSED PERFORMANCE
Generally, 2A-405
Assumption of greater obligation, 2A-405:4
Claims of excuse, 2A-405:12

EXCUSED PERFORMANCE—Cont’d
Commercial impracticability generally, 2A-405:7
absence of lease provisions, 2A-405:10
agreement provisions, 2A-405:8, 2A-405:9
foreseeable contingencies, 2A-405:13
Conditions of relief, 2A-405:18
Crop failures, 2A-405:15
Default, protection against, 2A-405:3
Failure of source of supply, 2A-405:16
Governmental regulations, 2A-405:5
Lessee’s applicability, 2A-405:6
options, 2A-406:2
Limitation by agreement, 2A-406:3
Miscellaneous causes, 2A-405:17
Price terms, 2A-405:14
Procedure, 2A-406
Relationship to 2A-405, 2A-406:1, 2A-406:2
Remedies, 2A-405:19

EXISTENCE OF CONTRACT
Course of performance, course of dealing, and usage of trade, 1-303:1 [Rev]

EXPECTATION DAMAGES
Remedies to be liberally administered, 1-305:3 [Rev], 1-305:4 [Rev]

EXPENSES AND EXPENDITURES
Attorneys’ fees, funds transfers, 4A-305:7
Bill of lading, preservation of goods, lien of carrier, 7-307:1 [Rev]
EXPENSES AND EXPENDITURES—Cont’d
Debtor’s liability, 9-207:1
Filing fees, financing statements, 9-403:1
Secured parties, 9-207:1
Warehouse receipts, lien of warehouseman, 7-209:3
[Rev]

EXPRESS TERMS
Course of performance, course of dealing, and usage of trade, 1-303 [Rev]
Course of performance, relationship to terms of lease, 2A-207:3

EXPRESS WARRANTIES
Generally, UCITA 402:1 to 402:4, 2A-210:1 et seq.
Affirmations of fact, 2A-210:3, 2-313:2
Basis of bargain, 2-313:4
Breach, 2A-210:11, 2-313:5
Creation, 2A-210:1
Descriptions, 2A-210:7, 2-313:3
Implied warranties
priorities, 2-317:1
2003 and 2005 amendments, 2-317:2
Leases, this index
Lessee misconduct, 2A-210:11
Limitation of actions, UCITA 805:4
Limitations of remedies, 2A-216:6
Limitations on recovery, 2A-210:7, 2-313:6
Model, express warranty, 2-313:3
Models, 2A-210:7
Nature of obligation, 2A-210:2
Nature of obligations, 2-313:1

EXPRESS WARRANTIES—Cont’d
Necessity of lease, 2A-210, 2A-210:10
Priorities, implied warranties, 2-317:2
Privity of contract, 2A-210, 2A-210:10
Promises as part of basis of bargain, 2A-210:5
Promises not related to goods, 2A-210:4
Promises of fact, 2A-210:3, 2-313:2
Published informational content, UCITA 402:4
Puffing, UCITA 402:2
Remedies for breach, 2-313:5
Sales, this index
Sample or demonstration, creation of warranty by, UCITA 402:3
Samples and models, 2A-210:7, 2-313:3
Standards for when express warranty exists, UCITA 402:2
2003 and 2005 amendments, 2-313:7
Uniform Computer Information Transactions Act, this index
Value statement, 2A-210:3

EXTENSIONS OF TIME
Collections, 4-108:1, 4-108:5
Discharge, secondary obligors, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:13 [Rev]
Force majeure rule, 4-108:4 et seq.
Limitations, 4-108:3, 4-108:5
Negotiable instruments, 3-108:7 [Rev]
One day rule, 4-108:1 et seq.
Payments, 4-108:4, 4-108:5
Recourse rights, 3-605:3 [Rev], 3-606:2
EXTRINSIC EVIDENCE
Parol or Extrinsic Evidence, this index

FAILURE OF ESSENTIAL PURPOSE
Limitations of remedies, 2A-503:3
Modification or impairment of remedies, 2A-503:3

FAIR DEALING
Option to accelerate at will, 1-309:1 [Rev]

FAIR QUANTUM OF SUBSTITUTIONAL RELIEF
Remedies to be liberally administered, 1-305:2 [Rev]

FARMERS
Proceeds, Department of Agriculture entitlement payments, 9-306:1

FARM PRODUCTS
See also Crops
Buyers, priorities, 9-301:7
Classification generally, 9-109:1
livestock, 9-109:4
problems, 9-109:4
Definition, 9-307:3
Department of Agriculture entitlement payments as proceeds, 9-306:1
Livestock, 9-109:4, 9-306:1
Purchasers, protection, 9-307:3

F.A.S.
Shipping terms, 2-319:3

FAULT
Definition, 1-201 [Rev]

FAX
Record and sign, 7-102:11 [Rev]
FEDERAL E-SIGN—Cont’d
Written information, satisfying requirement for provision of, UETA 8:2, UETA 8:3

FEDERAL PREEMPTION
Generally, UCITA 105:1
Communications Decency Act, UCITA 404:4
Copyright preemption and contract terms, UCITA 105:4
Intellectual property preemption, type of, UCITA 105:2
Patent preemption of contract terms, UCITA 105:3
Uniform Computer Information Transactions Act, this index

FEDERAL RESERVE SYSTEM—Cont’d
Function, 4-301:3
Funds transfers interest rates, 4A-506:8
operating circulars, 4A-107:2
regulations, 4A-107, 4A-107:1
Funds transfer systems, 4A-206:3,
4A-403:1
Operating letters return of cash items with entry, 4-103:4
wire advice of nonpayments, 4-103:4
Out of state checks, collection, 4-101:7
Preemption of state laws, 4-103:1
Regulations compliance, ordinary care, 4-103:5
issuance, 4-103:4
Return item practices, 4-301:7,
4-302:3
Rules, payment orders, rejection, 4A-210:5
Uniform Instructions on Protest and Notice of Nonpayment, 4-103:9, 4-301:5

FEDERAL RESERVE SYSTEM—Cont’d
Uniform Wire Notice of Non-Payment Rules, 4-302:3

FEDERAL TRADE COMMISSION
Model Tribal Secured Transactions Act, protection of consumer account debtors as policy, RMTSTA 9-403:3

FEES
Cape Town Convention, ICC 9:67
Filing, 9-525:1 [Rev]
Non-UCC Payment Methods, this index
Regulation of Charges, Agreements and Practices, this index
Search, 9-525:2 [Rev]

FIDUCIARIES
Appointments, evidence, 8-402:4
Breach of duty agent’s liability, 8-318:4
bailee’s liability, 8-318:4
negotiable instruments, notice to purchasers, 3-304:6,
protection, 8-318:1
Brokers, 8-303:1
Incumbency, evidence, 8-402:4
Indorsements, 3-307:4 [Rev]
Multiple, indorsement signatures, 8-308:5
Negotiable instruments generally, 3-117:3
breach of trust, notice to purchasers, 3-304:6,
Noncompliance, 8-308:9
Relationship as notice of adverse claim, 8-304:3
FIDUCIARY SECURITY
TRANSFERS
Generally, 8-602 [Rev]
Comparison with Revised Article
8
FSTA section 1, 8-602:4 [Rev]
FSTA section 2, 8-602:5 [Rev]
FSTA section 3, 8-602:6 [Rev]
FSTA section 4, 8-602:7 [Rev]
FSTA section 5, 8-602:8 [Rev]
FSTA section 6 through 13, 8-602:9 [Rev]

FIELD WAREHOUSING
ARRANGEMENT
Warehouse receipts, 7-202:1 [Rev]

15 USC § 7001 ET SEQ.
Electronic Signatures in Global and National Commerce Act, this index

FILED RECORDS
EFFECTIVENESS
Generally, 9-510 [Rev], 9-510:1 [Rev]
Amendments, authorization by less than all secured parties, 9-510:4 [Rev]
Authorization amendments of 2010, 9-510:5 [Rev]
exceeding, effect, 9-510:3 [Rev]
necessity, 9-510:2 [Rev]

FILING—Cont’d
Central filing office, 9-501:2 [Rev]
Consignments, 9-408:2
Continuation statements, 9-403:3, 9-403:4, 11-105:1
Electronic, 9-402:1
Fees, 9-525:1 [Rev]
Filing office errors, effect, 9-517 [Rev]
Financing statements generally, 11-106:1 amendments of 2010, 9-501:5 [Rev]
contents required generally, 9-502 [Rev], 9-502:1 [Rev]
amendments of 2010, 9-502:4 [Rev]
debtor authorization actual, 9-509:2 [Rev]
deemed, 9-509:3 [Rev]
errors or omissions, 9-506:1 et seq.
notice system, 9-502:1 [Rev]
perfection of security interests, 9-310:1 [Rev]
persons entitled to file amendments, other, 9-509:4 [Rev]
amendments adding collateral, 9-509:1 [Rev]
amendments adding debtor, 9-509:1 [Rev]
initial statement, 9-509:1 [Rev]
place, 9-501:2 [Rev]
precautionary, 9-505:2 [Rev]
preemption amendments of 2010, 9-311:3 [Rev]
statute, regulation or treaty, 9-311:2 [Rev]
single central office, 9-501:2 [Rev]
FILING—Cont’d
Financing statements—Cont’d
special rules
  real estate related collateral, 9-501:3 [Rev]
  transmitting utilities, 9-501:4 [Rev]
Financing Statements, this index
Fixtures, definition, 9-313:4
Food Security Act of 1985, 9-307:3
Form UCC-11, 9-407:1
Grace periods, 11-106:1
Leases, 9-102:4, 9-408:3
Model Tribal Secured Transactions Act, this index
Officers
  acceptance of financing statements, 9-403:1
certificates, 9-407:1
errors, liability, 9-407:1
information, 9-407:1
Participation agreements, 9-402:9
Place, change, 11-105:1
Purchase money security interests, 9-107:6
Records
  mandatory acceptance, 9-520:3 [Rev]
  mandatory refusal, effect of failure to refuse, 9-520:2 [Rev]
Refilings, 11-106:1
Security agreements, 9-402:2
Statements
  assignments
    generally, 9-405:2, 9-405:3, 9-407:1
    proof, 9-407:1
    security interests, 9-405:3
Financing Statements, this index
  releases, proof, 9-407:1
Termination statements, proof, 9-407:1

FILING—Cont’d
Transitional requirements, 11-104:1
Transmitting utilities, 11-106:1
FILING OFFICE
Authority to destroy filed records, 9-522:2 [Rev]
Central filing office, 9-501:2 [Rev]
Delay, 9-524:1 [Rev]
Duties
  generally, 9-519 [Rev], 9-519:1 [Rev]
  acknowledging filing of records, 9-523:2 [Rev]
  excuses for delay, 9-524:1 [Rev]
  file number assignment, 9-519:2 [Rev]
  indexing and retrieval of information
    generally, 9-519:3 [Rev]
    real-property-related records, 9-519:4 [Rev]
  making records available in bulk, 9-523:4 [Rev]
  mandatory acceptance, 9-520:3 [Rev]
  mandatory refusal, 9-520:1 [Rev], 9-520:2 [Rev]
  performance, 9-524:1 [Rev]
  providing information
    generally, 9-523 [Rev], 9-523:1 [Rev]
  acknowledging filing of records, 9-523:2 [Rev]
  making records available in bulk, 9-523:4 [Rev]
  search results, 9-523:3 [Rev]
Errors, effect, 9-517:1 [Rev]
Fees
  filing, 9-525:1 [Rev]
  search, 9-525:2 [Rev]
Filing officer, duty to report, 9-527:1 [Rev]
FILING OFFICE—Cont’d
Indexing errors, effect, 9-517:1 [Rev]
Maintenance of records
gen generally, 9-522 [Rev], 9-522:1 [Rev]
after lapse of financing state-
ments, 9-522:3 [Rev]
Rules
gen generally, 9-526 [Rev]
harmonization of rules
International Association of
Corporate Administrators model rules,
9-526:2 [Rev]
other jurisdictions filing
offices, 9-526:2 [Rev]

FINALITY OF PAYMENTS
Effect, 3-418:2
Holders in due course, 3-418:3
Mistakes, recovery, 3-418:2
Recovery, right, 3-418:4
Reliance, 3-418:3

FINAL PAYMENTS
Accountability, 4-213:6, 4-213:8
Actions constituting, 4-213:2
Agency status of banks, 4-213:8
Cash, 4-213:2
Cash deposits, availability for
withdrawal, 4-213:10
Clearinghouse rules, 4-213:3
Collecting banks’ accountability,
4-213:8
Concept, 4-213:6
Customers’ rights to funds,
4-213:9
Definition, 4-213:1
Entry reversal, 4-213:4
Final settlements distinguished,
4-213:2
Firming up provisional credits
gen generally, 4-213:7
insolvency of bank, 4-214:4

FINAL PAYMENTS—Cont’d
Insolvency of bank
effect, 4-214:4
payor banks, 4-214:3
return of items not finally paid,
4-214:2
Midnight deadlines, effect on
revocation rights, 4-213:3
Payor bank’s insolvency prior to
final settlement, 4-214:3
Posting, completion, 4-213:4
Provisional credits, effect on
chain, 4-213:7
Provisional settlement, failure to
revoke, 4-213:5
Reasonableness of time periods,
4-213:9
Recovery back of settlements,
4-213:6
Revocation, reservation of rights,
4-213:3
Settlements without revocation
rights, 4-213:3
Withdrawals as of rights
availability of credits, 4-213:9
cash deposits, 4-213:10

FINANCE LEASES
Definition, 2A-103:3, 2A-103:4
Irrevocable promises, 2A-407,
2A-407:1
Lessee beneficiary of supply
contract
generally, 2A-209, 2A-209:1 et
seq.
pass-through of promises and
warranties, 2A-209:2
subsequent occurrences,
2A-209:3
Revocation of acceptance,
2A-517:8

FINANCIAL ASSETS
Duty to maintain
clearing corporation exception,
8-504:8 [Rev]
FINANCIAL ASSETS—Cont’d
Duty to maintain—Cont’d
due care, 8-504:7 [Rev]
prohibition against encumbering
assets, 8-504:6 [Rev]
timing, 8-504:4 [Rev]
Entitlement holders, priority,
8-504:3 [Rev]
Holding by securities intermediar-
ies, 8-504:5 [Rev]
Pro rata interest, 8-503:4 [Rev]
Purchaser immunity, 8-503:9
[Rev], 8-503:10
Securities accounts
definition, 8-501:2 [Rev]
exclusions, 8-501:3 [Rev]
Securities intermediaries
direct holding, 8-501:10
duty to maintain, 8-504:3 [Rev]
holding, 8-503:2 [Rev]
immunity from creditors,
8-503:2 [Rev]
Street name of holding, 8-504:5
[Rev]
FINANCING AGENCIES
Drafts attached to documents,
2-506:1
FINANCING ARRANGEMENTS
Ownership and Transfer of
Interests and Rights, this
index
FINANCING STATEMENTS
Addresses, 9-402:11
Amendments
generally, 9-402:1, 9-512 [Rev],
9-512:1 [Rev]
amendments of 2010, 9-512:5
[Rev]
effective date, 9-512:3 [Rev]
expiration, 9-512:3 [Rev]
ineffective amendments,
9-512:4 [Rev]
required procedure, 9-512:2
[Rev]
FINANCING STATEMENTS
—Cont’d
Amendments of 2010, 9-515:5
[Rev]
Collateral, releases, 9-406:1
Consignors, 9-114:3
Contents required
generally, 9-520:2 [Rev]
real estate related filings,
9-502:2 [Rev]
Continuations, 9-515:3 [Rev]
Continuation statements
distinguished, 9-403:3
Definition, 9-402:1
Descriptions
collateral, 9-110:2, 9-402:13
property, 9-110:5
real estate
generally, 9-110:5
crop lands, 9-402:13
Duration of effectiveness
generally, 9-515 [Rev], 9-515:1
[Rev]
longer period for certain
transactions, 9-515:2
[Rev]
Effectiveness
amendments of 2010, 9-507:4
[Rev]
change of debtor’s name,
9-507:2 [Rev]
ew debtor, 9-508:1 [Rev]
post-filing changes, other,
9-507:3 [Rev]
pre-effective date documents,
9-705:5 [Rev]
continuing where filed in
another jurisdiction,
9-706:1 [Rev]
transfer of collateral by debtor,
9-507:1 [Rev]
Effect of lapse, 9-515:4 [Rev]
Electronic filing, 9-402:1
Extension agreements, 9-403:2

Master Index-208
FINANCING STATEMENTS — Cont’d

Filing
generally, 9-102:4
acceptance, 9-403:1
acceptance by officers, 9-403:1
address requirements, 9-402:11
application, property subject to statutes, 9-302:10,
9-302:16
character of collateral, changes, 9-401:8
collateral, description, 9-402:13
consignments, 9-102:5
consignors, 9-114:5, 9-408:1
developer authorization
actual, 9-509:2 [Rev]
deemed, 9-509:3 [Rev]
debtors’ names, 9-402:3 to 9-402:7
duration, 9-403:2
electronic, 9-402:1
errors and omissions
generally, 9-506 [Rev], 9-506:1 [Rev]
amendments of 2010, 9-506:5 [Rev]
describing collateral, 9-506:4 [Rev]
minor, 9-402:14
name of debtor, 9-506:2
[Rev]
name of secured party, 9-506:4 [Rev]
new debtor, 9-506:3 [Rev]
exceptions
generally, 9-302:1, 9-302:3
et seq., 9-309:1 [Rev]
Article 2A security interests, 9-309:1 [Rev]
Article 5 issuer or nominated person, 9-309:3 [Rev]
Article 2 security interests, 9-309:5 [Rev]
FINANCING STATEMENTS —Cont’d
Filing—Cont’d
indication of collateral—Cont’d
safe harbor by description, 9-504:2 [Rev]
safe harbor by supergeneric description, 9-504:3 [Rev]
lapses, 9-403:6
length of effectiveness, 9-403:2
lessors, 9-408:1
maturity, extension, 9-403:2
misfiling, 9-401:9
name of debtors
amendments of 2010, 9-503:11 [Rev]
decedents’ estates, 9-503:3 [Rev]
individuals, 9-503:5 [Rev]
multiple debtors, 9-503:8 [Rev]
organizations other than registered, 9-503:6 [Rev]
registered organizations, 9-503:2 [Rev]
trade names, 9-503:7 [Rev]
names
generally, 9-402:3 to 9-402:10
debtors, 9-402:3 to 9-402:7
secured parties, 9-402:8 to 9-402:10
occurrence, 9-403:1
particular forms
UCC-1, 9-402:1
UCC-2, 9-402:1
UCC-3, 9-402:1
perfection of security interests
assignment of accounts, 9-302:10

UNIFORM COMMERCIAL SERIES
FINANCING STATEMENTS —Cont’d
Filing—Cont’d
perfection of security interests—Cont’d
assignments for benefit of creditors, 9-302:12
chattel paper, 9-304:2
collecting banks, 9-302:10
documents of title, 9-304:3
exceptions, 9-302:3 et seq.
investment securities, 9-302:10
negotiable documents, 9-304:3
noneffective, 9-302:14
nonnecessity, 9-302:14
property subject to statute, 9-302:10
sales, 9-302:10
third party possession of goods, 9-304:5, 9-304:6
transfers by assignees under original assignments, 9-302:12
persons entitled to file
amendments adding collateral, 9-509:1 [Rev]
amendments adding debtor, 9-509:1 [Rev]
amendments not adding collateral, 9-509:4 [Rev]
amendments not adding debtor, 9-509:4 [Rev]
amendments of 2010, 9-509:5 [Rev]
initial statement, 9-509:1 [Rev]

place
generally, 9-401:1, 9-401:1 et seq., 9-401:2,
9-401:7, 9-401:9
alternatives, 9-401:3 to 9-401:5

Master Index-210
FINANCING STATEMENTS
—Cont’d
Filing—Cont’d
place—Cont’d
transition provisions,
11-105:1
post-filing changes, 9-507:2
[Rev], 9-507:3 [Rev]
precautionary
 generally, 9-505 [Rev],
9-505:1 [Rev]
bailor of goods, 9-505:1
[Rev]
consignors, 9-505:1 [Rev]
lessors, 9-505:1 [Rev]
licensors, 9-505:1 [Rev]
transactions outside the scope
of Article 9, 9-505:2
[Rev]
preemption
 amendments of 2010, 9-311:3
[Rev]
 statute, regulation or treaty,
9-311:2 [Rev]
presentment, 9-403:1
proof, 9-407:1
proper place, 9-401:7
protection of consignors,
9-114:3
purchase money security
interests, motor vehicles,
9-302:8
purchase money security
interests, motor vehicles to
be registered, 9-302:8
refiling, transition provisions,
11-106:1
requirements, 9-403:1
secured parties’ names, 9-402:8
to 9-402:10
secured party’s name
 generally, 9-503:9 [Rev]
representative of one or more
secured party, 9-503:10,
9-503:10 [Rev]
FINANCING STATEMENTS
—Cont’d
Filing—Cont’d
signature requirements,
9-402:12
termination, 9-404:1 et seq.
time requirements, 9-402:1
tradenames, use, 9-402:5
transition requirements,
11-104:1, 11-105:1,
11-106:1
transmitting utilities, 9-401:6
wrong place, 9-401:9
Filing office
authority to destroy original
filings, 9-522:2 [Rev]
maintenance of records
generally, 9-522 [Rev],
9-522:1 [Rev]
after lapse, 9-522:3 [Rev]
Fixtures, 9-402:2
Food Security Act of 1985,
9-307:3
Incorrect information, priorities,
9-338:1 [Rev]
Information
obtaining, 9-208:2
requests, 9-208:1
Lapses, 9-403:6
Lessors’ filing, 9-408:1
Location of collateral, 9-110:5
Maturity dates, 9-403:2
Minor errors, amendments,
9-402:14
Model Tribal Secured Transac-
tions Act, effectiveness,
RMTSTA 9-501:1
Names
debtors, 9-402:3 to 9-402:7
secured parties, 9-402:8 to
9-402:10
Purpose, 9-110:2
Refiling, 11-106:1
Safe harbor forms, 9-521:2 [Rev]
FINANCING STATEMENTS — Cont’d
Security agreements distinguished, 9-110:2, 9-402:2
Signature requirements, 9-402:12
Sufficiency of description, 9-108:2 [Rev]
Termination failure, 9-404:2
mandatory, 9-404:3
methods, 9-404:1
Uniform forms, 9-521:2 [Rev]

FIRE
Reasonable care duty, warehouse receipts, 7-204:1 [Rev]

FIRM OFFERS
Generally, 2A-205
Background, 2-205:1
Computation of time, 2A-205:9
Defined, 2-205:1
Elements, 2A-205:2 et seq., 2-205:2
Irrevocability and expiration generally, 2-205:3
different periods, 2A-205:11
identical periods, 2A-205:10
Leases, 2A-205, 2A-205:5
Limitation to leases of goods, 2A-205:5
Merchant offers, 2A-205:6
Offeree’s form used, 2A-205:8
Purpose, 2-205:2
Revocation, 2-205:3
Signature requirement, 2A-205:4
Term of offer, 2A-205:7
2003 and 2005 amendments, 2-205:4
Writing requirement, 2A-205:3

FIRST AMENDMENT
Contract law rule, juxtaposition of,
UCITA 101:10
Implied warranties, UCITA 403:1, UCITA 404:2

FIRST AMENDMENT—Cont’d
Uniform Computer Information Transactions Act, this index

FITNESS FOR PARTICULAR PURPOSE, WARRANTY
Disclaimers, 2A-213:5
Implied warranty, 2A-213:1
Particular purpose defined, 2A-213:3
Reason to know requirement, 2A-213:2
Reliance, 2A-213:4

FIXED DATE OF PAYMENT
Option to accelerate at will, 1-309:1 [Rev]

FIXTURES
Application, 9-313:3
Attachment, 9-313:3
Code rules, 9-313:2
Code rules and nonrules, 2A-309:2
Construction mortgages, 2A-309:6
Default, 9-313:7
Default, right to remove, 2A-309:7
Definition, 9-313:4
Filing
definitions, 9-302:7, 9-313:4
Financing, 9-313:1 et seq., Financing statements, 9-402:2
Goods, 9-302:7
Goods as fixtures, 2A-309, 2A-309:1
Model Tribal Secured Transactions Act, security agreement covering, RMTSTA 9-604:1
1962 Code, 9-313:3
1972 Code, 9-313:4
Priorities generally, 9-313:3 to 9-313:5
construction mortgages, 2A-309:6
leases, 2A-309:4, 2A-309:5

Master Index-212
FIXTURES—Cont’d
Related concepts, 2A-309:3, 2A-309:4
Removal, debtor’s default, 2A-309:7, 9-313:7
Requirements, 9-313:2
Secured parties
  options when fixtures are covered, 9-604:2 [Rev]
  right to remove, 9-604:3 [Rev]
Security interests, 9-313:1 et seq.
Tests, 9-313:4
Transactions included, 9-104:11

F.O.B.
Shipping terms, 2-319:2

FOOD SECURITY ACT OF 1985
Farm product exception, reversal, 9-306:2, 9-307:3
Perfected security interest, farm products priority, 9-101:2 [Rev]
Protection, 9-320:3 [Rev]

FORECLOSURES
Cape Town Convention, ICC 9:42
Model Tribal Secured Transactions Act, comparison with Revised UCC Article 9,
RMTSTA 9-101:12
Nondebtor owners’ rights, 9-112:4
Secured parties’ rights, 9-501:11
Strict
  agreement of debtors, 9-505:3
  bankruptcy of debtor, 9-505:4
  involuntary, 9-505:9
  liens, 9-505:10
  limitations, 9-505:1
  notices
    objections, 9-505:7
    persons entitled, 9-505:5
    proposals, 9-505:4 to 9-505:6

FORECLOSURES—Cont’d
Strict—Cont’d
  subordinate security interests, 9-505:10
  Warehouseman, sale to enforce lien, 7-210:5 [Rev]

FOREIGN RIGHTS
Territorial applicability and general rules, 1-301 [Rev]

FORGERY
See also Indorsements; Signatures
Agent or employee supplying payee’s name, 3-405:6
Allocation of loss, 3-405:1
Burden of proof, 4-406:7
Comparative negligence, 3-404:3 [Rev], 4-101:3 [Rev]
Conversion, 3-419:4, 4-401:3
Corporate accounts, 4-406:8
Defenses, 4-406:4
Discovery
  microfilmed checks, 4-406:2
  reasonable care and promptness, 4-406:4 [Rev], 4-406:5, 4-406:7 [Rev]
Double, 3-404:5 [Rev], 3-405:5, 4-406:7 [Rev]
Drawer’s signature, 3-405:5
Duty to examine statements, 4-406 [Rev], 4-406:1 [Rev] to 4-406:8 [Rev], 4-406:3
ECCHO Electronic Check Presentation, this index
Employees, 4-406:4
Federal government instruments, 3-405:7, 3-406:15
Handwriting experts, 4-406:7
Issuer’s liability, 8-404:3
Item identification, 4-406:2 [Rev]
Letters of credit, 5-107:15 [Rev]
Liability, 3-403:4 [Rev], 4-406:1
Local government instruments, 3-405:7
Maker’s signature, 3-405:5
FORGERY—Cont’d
Negligence
generally, 3-404:1 [Rev], 3-404:3 [Rev], 3-406:1, 3-406:1 [Rev]
blank checks, careless handling, 3-406:13
defined, 3-406:6
estoppel
generally, 3-406:2
drawee or other payor, 3-406:3
holders in due course, 3-406:4, 3-406:5
purchasers of instruments with forged indorsements, 3-406:5
failure to report, 3-406:14
federal government instruments, 3-406:15
hiring of employees, 3-406:12
inadequate business practices, 3-406:11
mailing instrument to wrong person, 3-406:9
preclusion
generally, 3-406:2
drawee or other payor, 3-406:3
holders in due course, 3-406:4, 3-406:5
purchasers of instruments with forged indorsements, 3-406:5
proximate cause, 3-406:7
standard of care, 3-406:8
supervision of employees, 3-406:12
third-party deliveries, 3-406:10
New Payments Code provisions, 4-406:10
Notice, 4-406:2, 4-406:5
Notice of claim or defense, 3-304:11
Presentments, 3-501:5 [Rev]

FORGERY—Cont’d
Proof of loss, 4-406:5, 4-406:5 [Rev]
Quality, 4-406:7
Ratification, 3-403:2 [Rev], 3-404:2
Repeat, 4-406:6 [Rev]
Standard of care, 3-404:1 [Rev], 3-404:3 [Rev], 3-406:8
Statement savings accounts, 4-406:5
Successive, 4-406:1
Time to report, 4-103:2, 4-406:7 [Rev]

FORMATION
CISG, exclusion of issues, ICC 10:17
Contracts, this index
Lease contract form, 2A-204, 2A-204:1
Missing terms, 2A-204:3
Time not identified, 2A-204:2

FORMS
Equipment leases, App. 2A-A3
Firm offers
different irrevocability and expiration periods, 2A-205:11
identical irrevocability and expiration periods, 2A-205:10
Introductory drafting points, App. 2A-A2
Letters of credit
government mandated forms, 5-101:22 [Rev]
ISP98 Forms 1 to 8, App B to App I
Master equipment lease agreement, App. 2A-A3
Model closed-end or net vehicle lease disclosures (Regulation M), App. 2A-A5

Master Index-214
FORMS—Cont’d
Model furniture lease disclosures (Regulation M), App. 2A-A6
Model open-end or finance vehicle lease disclosures (Regulation M), App. 2A-A4
Personal property lease, App. 2A-A7
UCC-1, 9-402:1
UCC-2, 9-402:1
UCC-3, 9-402:1
UCC-11, 9-407:1
Warehouse receipts, 7-202:1 [Rev]

FORUM
Choice of, UCITA 110:1 to 110:3

FORUM LIMITATION
Consumer leases, 2A-106:1

FORUM NON CONVENIENS
Letters of credit, value, 5-116:13 [Rev]

FRACTIONAL SHARES
Cape Town Convention, this index

FRAGMENTARY CODES
Construction and interpretation, 1-103:5 [Rev]

FRAMEWORK AND GOALS OF ACT—Cont’d
Distribution of digital information, agreement for, UCITA 103:7
Licenses of digital information, UCITA 103:8
Mixed transactions to which Act applicable in part generally, UCITA 103:11 to 103:15
Article 9, UCITA and, UCITA 103:12
information and goods, UCITA 103:13
motion picture development, UCITA 103:15
not within U.C.C., information and subject matter, UCITA 103:14
Transfer computer programs, agreements to, UCITA 103:4
Transferring or granting permission to exercise rights in computer information, contracts, UCITA 103:9

FRAUD
See also Statute of Frauds
Auctions, 2-328:3
Cancellation or termination damages, 2A-505:3
remedies, 2A-505:2
Damages, 2A-505:3
Negotiable instruments, 3-202:6 [Rev]
Purchasers, 8-301:3
Remedies generally, UCITA 806, 2A-505:2
measure of damages, 2-721:2
preservation of action, 2-721:1
2003 and 2005 amendments, 2-721:3
Title and rights, 7-502:1 [Rev]
Voidable title, 2A-304:4

© 2018 Thomson Reuters, 12/2018

Master Index-215
FRAUDS, STATUTE OF
Statute of Frauds, this index

FRAUDULENT CONVEYANCES
Categories, 6-101:1, 6-101:1 [Rev]
Commercial fraud, 6-103:7 [Rev], 6-103:11 [Rev]
Consideration, lack, 6-101:1 [Rev]
Interest, 6-101:1 [Rev]
Prohibitions, 6-101:1
Uniform Fraudulent Conveyances Act (UFCA), 6-101:1 [Rev]
Voidable, 6-101:1 [Rev]

FRAUDULENT RETENTION OF POSSESSION
Generally, 2A-308, 2A-308:1
See also Goods
Common law, 2A-308:1
Creditors’ rights, retained goods, 2A-308:4
Documents covering goods, 2A-308:6
Lease enforceability, 2A-308:3
Lessees’ rights, retained goods, 2A-308:5
Lessors, 2A-308:2
Sale-leaseback protection, 2A-308:3
Time of enforceability, 2A-308:3

FREEDOM OF CONTRACT
Territorial applicability and general rules, variation by agreement, 1-302:1 [Rev]

FREE SOFTWARE
Intellectual property notices, UCITA 105:10
Warranties, UCITA 410:1, UCITA 410:2

FREIGHT FORWARDERS
Bill of lading, title to goods based on, 7-503:3 [Rev]

FREIGHT FORWARDERS — Cont’d
Bills of lading, 7-503:3
Certificates, 7-503:3

FULL SATISFACTION CHECKS
Reservation of rights, 1-308:2 [Rev]

FUNDAMENTAL POLICY DOCTRINE
Territorial applicability and general rules, 1-301 [Rev]

FUNDS TRANSFERS
See also Electronic Funds Transfers
Acceptance
duty of receiving bank regarding unaccepted payment order, 4A-212:1 et seq.
liability of receiving bank for unaccepted payment order, 4A-212:1 et seq.
limitation of liability, 4A-212:3
payment orders, 4A-209:1, 4A-209:2
effective time, 4A-209:3
premature acceptance, 4A-209:4, 4A-209:5
Accounts, nonexistent or unidentifiable, 4A-207, 4A-207:1
Agency, 4A-212:4
Amendments
generally, 4A-211:1
effect, 4A-211:6
erroneous payment orders, 4A-205:3
liability, 4A-211:7
mistake, 4A-211:4
restitution, 4A-211:4
transfer system rules, conflicts, 4A-211:9
transmissions of payment orders, 4A-206:4
FUNDS TRANSFERS—Cont’d
Amendments—Cont’d
unaccepted payment orders, 4A-211:2
Authorized account, definition, 4A-105:1
Banks
business hours, 4A-106:2
credited accounts, 4A-103:2
debited accounts, 4A-103:3
definition, 4A-105:2
liability
interest, refunds, 4A-506:2
third party banks, 4A-506:6
netting funds transfer system, 4A-403:4
security procedures
algorithms, 4A-201:2
callback, 4A-201:5
codes, 4A-201:2
enryption, 4A-201:4
transfer date, 4A-106:3
Beneficiaries
conditional payments, 4A-405:3
instruction, 4A-103:1
4A-103:3
instructions, 4A-103:5
4A-103:6
mistake, 4A-207:5
4A-303:6
multiple, 4A-207:2
multiple payments, 4A-103:6
nonexistent, 4A-207:1
obligation to pay, 4A-404,
4A-404:1
payments, 4A-405
4A-405:1
4A-405:2
provisional payments, 4A-405:5
4A-405:6
restitution, 4A-207:5
rules, 4A-207:3
unentitled payee, liability, 4A-207:4
unidentifiable, 4A-207:1
wrong person, 4A-303:6

FUNDS TRANSFERS—Cont’d
Beneficiary’s bank, definition, 4A-103:1
4A-103:3
Business day, definition, 4A-105:4
Cancellation
generally, 4A-211, 4A-211:1
death of sender, 4A-211:8
effect, 4A-211:6
erroneous payment orders,
4A-205:3
incapacity of sender, 4A-211:8
liability, 4A-211:7
mistake, 4A-211:4
restitution, 4A-211:4
transfer system rules, conflicts, 4A-211:9
transmissions of payment
orders, 4A-206:4
unaccepted payment orders,
4A-211:2, 4A-211:5
Charges and expenses, 4A-302:6
Choice of law
generally, 4A-507, 4A-507:1
agreement of parties, 4A-507:3
conflicts
agreement between parties, 4A-507:5
multiple transfer systems,
4A-507:6
depecage, 4A-507:4
federal preemption, 4A-507:7
renvoi, 4A-507:2
transfer system rule, 4A-507:4
Commercial reasonableness, fac-
tors, 4A-202:3
Commercial transactions, security
procedures, 4A-201:1
Consequential damages
generally, 4A-404:2
defenses, 4A-404:3
Creditor process
authorized accounts, 4A-502:2
beneficiary bank compliance, 4A-502:3
4A-502:5
definition, 4A-502, 4A-502:1
FUNDS TRANSFERS—Cont’d
Creditor process—Cont’d
service, effectiveness, 4A-502:2
Customer, definition, 4A-105:3
Death of sender, 4A-211:8
Definition, 4A-102:1, 4A-104:1
Definitions, 4A-104, 4A-105
Electronic funds, 4A-102:2
Electronic Funds Transfer Act
generally, 4A-102:2, 4A-108:1
consumer transactions,
4A-108:2
Erroneous execution of payment
orders
generally, 4A-303:1 et seq.
duty of sender to report,
4A-304:1 et seq.
Exclusions, 4A-102:2
Execution of payment orders
generally, 4A-301:1, 4A-301:2
obligations of receiving bank,
4A-302:1 et seq.
Failure to execute payment orders,
4A-305:1 et seq.
Federal preemption, 4A-501:5
Federal regulations, 4A-102:2,
4A-102:3
Federal Reserve Board
operating circulars, 4A-107:1,
4A-107:2
rejection rules, 4A-210:5
transmission of payment orders,
4A-206:3
Fedwire, 4A-102:3
Funds transfer system, definition,
4A-105:5
Good faith, definition, 4A-105:6
Improper execution of payment
orders, 4A-305, 4A-305:1 et seq.
Incapacity of sender, 4A-211:8
Incomplete execution of payment
orders, 4A-305:2
Injunctions, 4A-503:1 et seq.

FUNDS TRANSFERS—Cont’d
Intermediary bank, definition,
4A-104:2
Late execution of payment orders,
4A-305:1 et seq.
Liability
attorneys fees, 4A-305:7
burden of proof, 4A-506:7
consequential damages,
4A-305:5
failure to execute, 4A-305:6
identification, 4A-208:3
intermediary bank designation,
4A-305:3
late execution, 4A-305,
4A-305:1
multiple payees, 4A-208:2
refunds, 4A-506, 4A-506:1
sender’s instructions, failure to comply,
4A-305:4
statute of repose, 4A-505:1 to
4A-505:3
variation by agreement,
4A-205:5, 4A-305:8,
4A-505:4
Limitation of actions
generally, 4A-505, 4A-505:1 to
4A-505:3
variation by agreement,
4A-505:4
Misdescription of intermediary or
beneficiary’s bank, 4A-208,
4A-208:1 to 4A-208:3
Mistake, misdescription of beneficiary,
4A-207:5
Obligation to pay
beneficiary’s bank, 4A-404,
4A-404:1 et seq.
beneficiary’s bank to beneficiary,
4A-405, 4A-405:1 et seq.
originator to beneficiary,
4A-406, 4A-406:1 to
4A-406:4
receiving bank, 4A-402:1 et seq.
FUNDS TRANSFERS—Cont’d
Obligation to pay—Cont’d
sender to receiving bank,
4A-402:1 to 4A-402:4
Originator, definition, 4A-104:3
Originator’s bank
code variations, 4A-104:4
definition, 4A-104:4
Payment date
generally, 4A-401, 4A-401:1
conditional, 4A-401:4
exection date, 4A-401:5
relative specification, 4A-401:3
sender specification, 4A-401:2
Payment orders
acceptance, 4A-209:1 et seq.
amendments, 4A-202:6,
4A-203:4, 4A-211,
4A-211:1 et seq.
bank’s rights and obligations,
4A-204:4
cancellations, 4A-202:6,
4A-211:1 et seq.
charges and expenses, 4A-302:6
customer fault, 4A-203:3
defenses, 4A-404:3
definition, 4A-103:1, 4A-103:2
duplicate, 4A-303:4
duty of receiving bank for unac-
cepted payment order,
4A-212, 4A-212:1 et seq.
erroneous execution
generally, 4A-303:1 et seq.
duty of sender to report,
4A-304:1 et seq.
failure to execute payment
order, 4A-305:1 et seq.
improper execution of pay-
ment order, 4A-305:1 et seq.
late execution of payment
order, 4A-305:1 et seq.
erroneous payments
generally, 4A-205:1

FUNDS TRANSFERS—Cont’d
Payment orders—Cont’d
erroneous payments—Cont’d
agreement between parties,
variation, 4A-205:5
amendments, 4A-205:3
cancellation, 4A-205:3
mistake, 4A-205:4
restitution, 4A-205:4
sender’s duty to discover,
4A-205:2
evacution
generally, 4A-301, 4A-301:1,
4A-301:2
obligations of receiving bank,
4A-302:1 et seq.
jinjections, 4A-503, 4A-503:1
et seq.
liability of receiving bank for
unaccepted payment order,
4A-212, 4A-212:1 et seq.
order of withdrawals, 4A-504:2
priorities, 4A-504:1
receipt, 4A-106:1
refunds, 4A-204, 4A-204:1
rejection, 4A-210, 4A-210:1 et
seq.
restraining orders, 4A-503:1 et
seq.
standard of care, 4A-204:3
time to act, 4A-202:7
transmission, 4A-206:1 to
4A-206:4
unauthorized, 4A-204:2,
4A-204:5
verification
generally, 4A-202:2, 4A-203,
4A-203:1
defenses, 4A-203:5
limitations, 4A-203:2
PEB Commentary 16 on UCC
§ 4A-503, PEB Com 16
PEB Commentary 16 on UCC
§ 4A-502(D), PEB Com 16
FUNDS TRANSFERS—Cont’d
PEB Commentary 13 on UCC
§ 4A-101 et seq., PEB Com 13
Privity, 4A-102:3
Prove, definition, 4A-105:7
Receiving bank, definition, 4A-103:4
Refunds
generally, 4A-204:1, 4A-506:1
interest rate
generally, 4A-506:2
default rate, 4A-506:4
federal funds rate, 4A-506:5
Federal Reserve Banks,
4A-506:8
liability fault of third party bank, 4A-506:6
transfer system rule,
4A-506:3
Rejection of payment orders
generally, 4A-210, 4A-210:1
agreement on means, 4A-210:3
effective time, 4A-210:2
Federal Reserve System rules,
4A-210:5
interest, 4A-210:4
liability, 4A-210:4
Restitution, misdescription of beneficiary,
4A-207:5
Restraining orders, 4A-503:1 et seq.
Rights and obligations, written variations,
4A-202:5
Rules of construction, 4A-105:8
Scope of Article 4A, 4A-101:1
Security procedures
generally, 4A-201, 4A-201:1
algorithms, 4A-201:2
callback procedures, 4A-201:5
codes, 4A-201:2
encryption, 4A-201:4
identifying words, 4A-201:3
numbers, 4A-201:3

UNIFORM COMMERCIAL SERIES

FUNGIBLE GOODS
Generally, 9-207 [Rev], 9-207:1 [Rev]
Buyers, protection, 7-205:1
Commingling, 7-207:2
Commingling, effect, 7-207:2 [Rev]
Definition, 1-201 [Rev], 7-205:1
Overissue, 7-207:2

Master Index-220
FUNGIBLE GOODS—Cont’d
Overissue of documents, 7-402:1 [Rev]
Rights of holder, 7-502:1 [Rev]
Warehouse receipts
commingling, effect, 7-207:2 [Rev]
negotiable documents, 7-207:2 [Rev]
nonnegotiable documents, 7-207:2 [Rev]
overissue, liability of warehousemen, 7-207:2 [Rev]
title, 7-205:1 [Rev]
Warranty of merchantability, quality, 2A-212:9

FUNGIBLE SECURITIES
Clearing corporations’ records, 8-320:3
Definition, 8-107:1
Delivery, 8-107:1

FURNITURE
Forms, model furniture lease disclosures (Regulation M), App. 2A-A6
Warehouseman’s lien, 7-209:4 [Rev]

FUTURE ADVANCES—Cont’d
Limitations—Cont’d
renewal of loans, 9-204:5 [Rev]
same class rule, 9-204:5, 9-204:5 [Rev]
Priorities
generally, 9-307:6, 9-323 [Rev]
competing claims against same collateral, 9-204:5 [Rev]
conflicting security interests in same collateral, 9-312:8
federal tax lien, 9-323:3 [Rev]
lessee, 2A-307:4
lien creditors, 9-301:8, 9-323:3 [Rev]
between lien creditors, 9-301:3
purchasers of collateral, 9-323:2 [Rev]
Same class rule, 9-204:1 [Rev], 9-204:5, 9-204:5 [Rev]
Security interests
generally, 9-323 [Rev]
federal tax lien, 9-323:3 [Rev]
lien creditors, 9-323:3 [Rev]

FUTURE CHARGES
Warehouse receipts, lien of warehouseman, 7-209:3 [Rev]

GENDER OF WORDS
Definition, 1-106 [Rev]

GENERAL INTANGIBLES
Account debtors, 9-105:2
Assignments
amendments of 2010, 9-408:4 [Rev]
restrictions, ineffectiveness, 9-408 [Rev], 9-408:1 [Rev]
structured settlements, 9-408:3 [Rev]
inincorporated business enti-
ties, 9-408:2 [Rev]
Definition, 9-102:9 [Rev], 9-106:1, 9-106:3
GENERAL INTANGIBLES
—Cont’d
Location, 9-103:9
Purchasers, priorities, 9-301:7
Structured settlements, assignments, 9-408:3 [Rev]

GENERAL PROVISIONS
PEB Commentary 10 on UCC
§ 1-203, PEB Com 10

GENERAL REPEAL
Generally, 10-103

GENEVA CONVENTION OF 1948
Cape Town Convention, ICC 9:132

GENUINE
Definition, 1-201 [Rev]
Documents of title, warranties on transfer, 7-507:1 [Rev]

GIFT CARDS—Cont’d
Disclosure and evidence of transfers, NONUCCPY 3:39
Enforcement
enforcement actions, NONUCCPY 7:51
federal law and gift cards, NONUCCPY 7:49
state law and gift cards, NONUCCPY 7:50
statutes and rules, NONUCCPY 7:49, 7:50
Error prevention and resolution generally, NONUCCPY 5:23
federal law, error resolution, NONUCCPY 5:24
state law, error resolution, NONUCCPY 5:24
Historical background, NONUCCPY 1:17
Regulation of agreements generally, NONUCCPY 6:67
federal law and gift cards, NONUCCPY 6:65

GIFT CARDS—Cont’d
Regulation of agreements
—Cont’d
state law and gift cards, NONUCCPY 6:66
statutes and rules, NONUCCPY 6:46, 6:47
Regulation of fees and charges generally, NONUCCPY 6:49
statutes and regulations federal law, NONUCCPY 6:46
state law, NONUCCPY 6:47
Regulation of practices federal law and gift cards, NONUCCPY 6:82
statutes and rules, NONUCCPY 6:82
Statutes, regulations, and rules enforcement, NONUCCPY 7:49, 7:50
error prevention and resolution, NONUCCPY 5:23, 5:24
regulation of agreements, NONUCCPY 6:46, 6:66
regulation of fees and charges federal law, NONUCCPY 6:46
state law, NONUCCPY 6:47
regulation of practices, NONUCCPY 6:82
special considerations for federally chartered issuers of gift cards and their operating subsidiaries, NONUCCPY 6:48
state statutes regulating matters that otherwise would be governed by the EFTA and Regulation E, NONUCCPY 2:11
Unauthorized transfers, NONUCCPY 4:20

Master Index-222
GOOD FAITH—Cont’d
Changes in Code, 1-304 [Rev]
Definitions, 1-201 [Rev],
Disposal of goods by lessor, 2A-527:2
Enforcement of agreements and duties, generally, 1-304 [Rev]
Evidence, 3-302:10 [Rev]
Extension of duties or obligations, 1-304:1 [Rev]
Financing statements, improper filing, 9-401:9
Funds transfers, 4A-105:6
Holders in due course, 3-302 [Rev], 3-302:1 [Rev], 3-302:10 [Rev]
Insecurity clauses, 2A-109:1
Investment Securities, this index
Leases, disposal of goods, 2A-527:2
Letters of credit, 5-109:2, 5-109:12 [Rev], 5-114:5
Limitations and restrictions, 1-304:1 [Rev]
Merchant lessees, 2A-511:2
Negotiable instrument, full payment, 3-311:2 [Rev]
1994 revision, definition, 8-303:10
Objective standard, 3-103:5 [Rev], 3-302:10 [Rev]
Official Code text and comments, 1-304 [Rev]
Option to accelerate at will, 1-309 [Rev]
Perfect tender rule, 2A-509:4, 2-601:2
Performance of agreements and duties, generally, 1-304 [Rev]
Redundant language, 1-304:1 [Rev]
Remedies to be liberally administered, 1-305:5 [Rev]
Sales law, 1-304:1 [Rev]
GOOD FAITH—Cont’d
Specific references, 1-304:1 [Rev]
Standards, 3-103:5 [Rev],
3-302:10 [Rev], 8-318:2,
9-501:4
Subjective standard, 3-302:10 [Rev]
Tests, 9-206:3, 9-501:4
Uniform Computer Information
Transactions Act, this index
Warehousemen, enforcement of
liens, 7-210:5

GOODS
See also Bulk Sales; Delivery;
Ordinary Goods; Processed
Goods; Removal of Goods;
Returned and Repossessed
Goods; Sales
Acceptance
actions constituting, 2A-515:3,
2A-515:3 et seq.,
2A-515:5, 2-603:1
acts inconsistent with seller’s
ownership, 2-606:4
burden of proof, 2A-516:11
consequences
generally, 2A-516:1, 2-606:1,
2-607:1
additional remedies, 2-607:2
Convention on International
Sales of Goods, 2-607:2,
2-607:3
effect of acceptance, 2-607:2
price on contract terms due,
2-607:2
rejection, 2-607:3
rent on contract terms,
2A-516:2
consequential damages,
2A-519:7, 2-714:2
Convention on International
Sale of Goods, 2-606:1
damages for breach
generally, 2-714:1
GOODS—Cont’d
Acceptance—Cont’d
damages for breach—Cont’d
consequential, 2A-519:7,
2-714:2
Convention on International
Sale of Goods, 2-714:1
cover, 2-714:2
incidental, 2-714:2
nonwarranties, 2A-519:3,
2A-519:5
repair and replacement costs,
2-714:2
2003 and 2005 amendments,
2-714:3
warranties, 2A-519:4,
2-714:2
definition, 2A-515, 2A-515:1,
2-606:1
failure to reject, 2A-515:4,
2-606:3
importance, 2A-515:2
incidental damages, 2A-519:7
nonwarranties, 2A-519:5
nonwarranty damages,
2A-519:3
notice to sellers, 2-607:3
part of commercial unit,
2A-515:6, 2-606:1
repair and replacement,
2A-519:6
revocation, 2A-517:1
subsequent breach, burden of
proof, 2-607:5
warranty damages, 2A-519:4,
2-714:2
words signifying, 2-606:2
Accessions, 9-314:1
Actions for price due under
contract, 2-709:1
Affixed to real estate
capable of severance without
material harm, 2-107:3
intersection with real property
records, 2-107:4

Master Index-224
GOODS—Cont’d
Affixed to real estate—Cont’d
minerals, buildings and timber, 2-107:1
seller to sever, 2-107:2
severable without material harm, 2-107:3
2003 and 2005 amendments to Article 2, 2-107:5
Attachment, 7-602:1
Bailments, perfection of security interests, 9-305:4
Bona fide purchasers for value, transfer of title, 2-403:1
Borderline transactions, 9-103:4
Bulk Transfers, this index
Burden of proof, establishing default, 2A-516:11
Buyers
definition, 2-103:1
priorities, 9-301:7
protection, 9-307:1
carrier’s liens—Cont’d
Cash sales, sellers’ rights to reclamation, 2-507:2
Certificates of title
Consumer Goods, this index
Contracts for sales, transactions in goods, 2-102:2
Cover, 2A-518:1, 2A-518:2
Damages, measurement, 7-309:12
Definitions
generally, 2A-103:5, 7-102:8, 7-102:8 [Rev], 9-105:9
distinctions, 9-105:1
exclusions, 2-105:2
inclusions, 2-105:1
Delivery
apparent good order, 7-309:4
bailees, 7-602:1
condition, 7-309:4
destinations, 7-303:1
GOODS—Cont’d
Delivery—Cont’d
excuses, 7-204:2, 7-403:4
failure, 7-204:2, 7-403:1
persons, 7-303:1, 7-403:2,
7-403:3, 7-506:1
Description, enforcement of
warehouseman’s liens,
7-210:3
Disposal
computation of lessor’s dam-
ages, 2A-527:5
identification, unfinished goods,
2A-524:2
lesser’s damages, 2A-527:1,
2A-527:5
noncompliance with release
requirements, 2A-527:4
release requirements, 2A-527:2
substantially similar lease,
2A-527:3
Diversions, 7-303:1
Entrustment, 7-503:1
Exchange of goods
application, 2-304:2
real estate, 2-304:3
services, 2-304:4
Failure to deliver, 7-403:1,
7-403:4
Financing agencies’ rights,
2-506:1
Firm offers, leases, 2A-205:5
Fixtures, 9-302:7
Fraudulent retention by sellers
attachment by creditors,
2-402:2
common law, 2-402:1
determination of time, 2-402:3
merchant-sellers, 2-402:3
negotiable documents, 2-402:3
2003 and 2005 amendments,
2-402:4
Fungible, 9-207:1
Future goods, 2-105:3
Hazardous, 7-206:2

GOODS—Cont’d
Holders, prior interests, 7-503:1
Household, warehouseman’s liens,
7-209:4
Identification
generally, 2-501:1
assumption of risk, 2A-221:6
casualty to goods, 2A-217:2,
2A-221, 2A-221:1
concept, 2A-217:1
definition, 2A-217:2, 2-501:1
disposal of unfinished goods,
2A-524:2
future goods, 2-501:1
impossibility
delivery, 2A-221:4
without fault requirement,
2A-221:3
leases, 2A-217
lessee’s default, 2A-524
lesser’s insolvency, 2A-522:3
manner, 2-401:2
manufacture, completion,
2A-524:2
necessity, 2-105:1
partial losses, 2A-221:5
property interest of buyers,
2-501:1
purpose, 2-501:1
replevin, 2A-521:4
requirements following breach,
2-704:1
special property, 2-501:2
time of occurrence, 2-501:1
Implied warranty of merchant-
ability, 2-314:1 et seq.
Improper tender of delivery, cure
by sellers, 2-508:1 et seq.
Injury by third party tortfeasors,
actions
buyers, 2-722:1
sellers, 2-722:1
2003 and 2005 amendments,
2-722:2

Master Index-226
GOODS—Cont’d
Insolvency of sellers, buyers’ rights to reclamation, 2-502:1 et seq.
Inspections
C.O.D. agreement, 2-513:2
expenses, 2-513:1
place, 2-513:1
prior payments
acceptance, 2-512:2
recovery, 2-512:1
rights of buyers, 2-513:1
Installment contracts
cancellation
rights of buyers, 2-612:3
seasonable notice, 2-612:3
Convention on International
Sale of Goods, 2-612:3
definition, 2-612:1
leases, right to reject, 2A-510:3
nonconforming, rejection, 2-612:2
2003 and 2005 amendments, 2-612:4
Interests
buyers, 2-722:1
insurable, 2-501:2, 2-501:3
sellers, 2-722:1
2003 and 2005 amendments, 2-501:3, 2-722:2
Inventory, 6-103:6 [Rev]
Lessor’s insolvency, tender, 2A-522:5
Lot, definition, 2-105:4
Merchants
definition, 2-104:1
financing agency, 2-104:3
lessees, rightfully rejected, 2A-511:1
transactions between, 2-104:2
Misdescription
bills of lading, 7-203:1 [Rev], 7-301:1 [Rev]
liability, 7-203:1, 7-301:1

GOODS—Cont’d
Mixed goods transactions, definitions, 2A-103:6
Mobile, 9-103:2, 9-103:9
Motor vehicles, perfection of security interests, 9-302:8
Movement
certificates of title, 9-103:7
30-day rule, 9-103:4
Nonaccepted, market rent, 2A-519, 2A-519:1, 2A-519:2
Nonconforming
acceptance, notice to seller, 2-607:3
access, 2-515:1
burden of proof, 2A-509:7
delivery, 2-510:1
installment lease contracts, 2A-510:3
lemon laws, effect, 2-608:5
lessee’s options, 2A-509:8
limitation of actions, 2-725:2
notice to sellers
acceptance, 2-607:3
Convention on International Sales of Goods, 2-607:2, 2-607:3
infringement of intellectual property rights of another, 2-607:4
timeliness, 2-607:3
options of buyers, 2-601:3
payments prior to inspections, 2-512:1, 2-512:2
perfect tender rule, 2-601:1
preservation of evidence, 2-515:1 et seq.
rejection
generally, 2-327:1
commission on sale, 2-603:2
reimbursement of expenses, 2-603:2
resale rights, 2-515:1
GOODS—Cont’d
Nonconforming—Cont’d
revocation of acceptance
buyer’s obligation for goods
after revocation, 2-608:3
conditions, 2-608:1
continued use by buyer after
revocation, 2-608:3
Convention on International
Sale of Goods, 2-608:1
procedures, 2-608:2
reasonable assumption of
cure, 2-608:1
rejection distinguished,
2-608:4
rescission distinguished,
2-608:4
time limits, 2-608:2
2003 and 2005 amendments,
2-608:6
rightful rejections
Convention on International
Sale of Goods, 2-602:1,
2-602:2, 2-603:1
duties of buyers, 2-602:1,
2-602:2
duties of merchant buyers,
2-603:1
manner, 2-602:1
options of buyers, 2-604:1 to
2-604:3
seasonable notice, 2-602:1
2003 and 2005 amendments,
2-602:3, 2-603:3
sanctions, 2-515:1
tender, 2-510:1
tests, rights, 2-515:1
third party inspections or
surveys, 2-515:2
2003 and 2005 amendments,
2-515:3
Nondelivery, damages, 7-403:7
Nonreceipt, 7-203:1, 7-301:1
Owners, real parties in interest,
7-309:7
GOODS—Cont’d
Payments
checks, 2-511:3
credit periods, 2-310:4
against documents, failure to
state defects, 2-605:2
prior to inspections, 2-512:1
right of inspections by buyers,
2-511:1
shipments of goods, 2-310:2
time, 2-310:2
2003 and 2005 amendments,
2-511:4
Perfection of security interests
bailees holding, 9-305:4
subordinate rights of certain
buyers, 9-103:8
Perfect tender rule
generally, 2-601:1
conformity of goods,
2A-509:1, 2-601:3
Convention on International
Sale of Goods, 2-601:3
cure by sellers, 2-601:2
de minimis doctrine, 2-601:2
good faith, 2A-509:4,
2-601:2
options of buyers, 2-601:3
relief, 2-601:4
summary, 2A-509:6
2003 and 2005 amendments,
2-601:4
Code limitations, 2A-509:5
Perishable, carrier’s standard of
care, 7-309:1
Persons in position of sellers,
2-707
Possession, 7-502:1, 7-503:1
Possession by third parties, perfec-
tion of security interests
not possessing negotiable docu-
ments of title, 9-304:6
possessing negotiable docu-
ments of title, 9-304:5
GOODS—Cont’d
Price
- generally, 2-304:1
- filling open price terms, 2-305:3
- reasonable, setting, 2-305:3
- seller or buyer to fix, 2-305:4
Protection of buyers, qualifications, 9-307:4
Reclamation, 9-203:12
Reconsignment, 7-303:1
Rejections
- acceptance, 2-607:3
- failure as acceptance, 2-606:3
- lessee’s rejection
  - burden of proof, 2A-509:7
  - Code relief, 2A-509:5
  - default after acceptance, 2A-516:3
- de minimis doctrine, 2A-509:3
- good faith limitations, 2A-509:4
- lessee’s duties, 2A-512:1
- manner, 2A-509:10
- merchant lessee’s duties, 2A-511:1
- options when nonconforming, 2A-509:8
- perfect tender rule, 2A-509:1, 2A-509:6
- security interest of lessee, 2A-508:3
- time, 2A-509:9
- timeliness, 2A-516:5, 2A-516:6
Resales by sellers
- aggrieved buyers, 2-706:4
- measure of damages, 2-706:1
- noncompliance, consequences, 2-706:3
- persons in position, 2-706:4
- private sales, requirements, 2-706:2

GOODS—Cont’d
Resales by sellers—Cont’d
- procedures
  - commercially reasonable requirements, 2-706:1
  - good faith buyers, 2-706:3
  - good faith requirements, 2-706:1
- proper, mechanics, 2-706:2
Rightfully rejected
commission on sale, 2-603:2
Convention on International Sale of Goods, 2-603:1, 2-605:2
disposal by buyers, 2-604:1
duties of buyers, 2-602:2
good faith, 2-603:1
lessee’s duties, 2A-511:1, 2A-512:1
merchant-buyers duties, 2-603:1
options, 2-604:2
nonmerchant-buyers, 2-604:2
reimbursement of expenses, 2-605:2
sellers’ instructions, 2-604:2
specifications of defects, 2-605:1
unstated defects, waiver, 2-605:1
Rights of buyers, insolvency of sellers, 2-502:1
Risk of loss
- allocation by agreement, 2-509:2
- destination contracts, 2-509:3
goods in possession of bailees, 2-509:3
- parties controlling goods, 2-509:1
- sellers as merchants, 2-509:3
- shipment contracts, 2-509:3
Security interests
- generally, 9-113:1, 9-113:2
debtors’ possession, 9-113:3
GOODS—Cont’d

Security interests—Cont’d
repossessed, 9-315:5 [Rev]
returned, 9-315:5 [Rev]
Security interests, buyers, 2-711:4
Sellers, definition, 2-103:1
Separate, 7-207:1
Shipment contracts
documents required, tender, 2-504:1
notice requirements, 2-504:1
proper arrangements, necessity, 2-504:1
responsibilities of sellers, 2-504:1
sellers’ noncompliance, consequences, 2-504:2
tender of delivery, 2-504:1
Shipments by sellers, applicability of provisions, 2-504:1
Shipments under reservation effect, 2-505:2
improper, consequences, 2-505:2
security interests, creation, 2-505:1, 2-505:2
2003 and 2005 amendments, 2-505:3
Specific performance ascertained, 2A-521:2
uniqueness, 2A-521:3
Stoppage of delivery, 2A-526:5
Storage, termination, 7-206:1, 7-206:2
Substitute, cover by lessee, 2A-518:1, 2A-518:2
Tender of delivery conformance, 2-601:1
Convention on International Sale of Goods, 2-507:1, 2-507:2, 2-508:1
definition, 2-503:1
documents required, 2-503:5

GOODS—Cont’d
Tender of delivery—Cont’d
goods in possession of bailees, 2-503:4
improper, cure by sellers, 2-508:1 et seq.
limitation of actions, 2-725:2
manner, 2-503:2
obligations of sellers, 2-503:1
payments, concurrent conditions, 2-507:1, 2-511:1
perfect tender rule generally, 2A-509, 2A-509:1, 2-601:1
additional Code limitations, 2A-509:5
conformance, 2-601:3
cure by sellers, 2-601:2
de minimis doctrine, 2A-509:3, 2-601:2
good faith of buyers, 2A-509:4, 2-601:2
options of buyers, 2-601:3
relief, 2-601:4
summary, 2A-509:6
2003 and 2005 amendments, 2-601:4
place, 2-503:2
put and hold requirements, 2-503:2
rejection by buyers, cure by sellers, 2-508:1
shipment contracts, 2-503:3
time, 2-503:2
2003 and 2005 amendments, 2-503:6, 2-601:4
Tender of payment conditional delivery, 2-507:2
delivery, concurrent conditions, 2-507:1
GOODS—Cont’d
Termination of storage, 7-206:1, 7-206:2
Theft, warehousemen’s standard of care, 7-204:1
Third parties’ possession, perfection of security interests, 9-304:5, 9-304:6
Title
generally, 7-303:2
completion of physical delivery, 2-401:3
Convention on International Sale of Goods, 2-401:1
identification requirements, 2-401:2
lease, title and possession, 2A-302:2
passing, 2-401:2
relationship to buyer and seller rights, 2-401:1
2003 and 2005 amendments, 2-401:6
vesting of title, below voidable title, below
Transactions in goods, inclusion, 2-102:2
Transferability of future goods, 2-105:3
Value, market price
generally, 2-723:1 to 2-723:3
Convention on International Sale of Goods, 2-724:1
quotations, admissibility, 2-724:1
2003 and 2005 amendments, 2-724:2
Vesting of title
goods not to be moved, 2-401:4
goods to be moved, 2-401:3
refusal by buyers, 2-401:5
rejection by buyers, 2-401:5
revocation of acceptance, 2-401:5
GOODS—Cont’d
Voidable title
cash sale, 2-403:3
delivery procured through fraud, 2-403:3
identity of seller, deceit concerning, 2-403:3
payments by checks, 2-403:3
power to transfer, 2-403:2
transfers to bona fide purchasers for value, 2-403:1
Warehouseman’s liens
generally, 7-209:1
enforcement, 7-210:2, 7-210:4, 7-210:5
Warranties
disclaimers, 2-316:1 to 2-316:6
title, 2-312:1 et seq.
2003 and 2005 amendments, 2-316:6
GOODS COVERED BY DOCUMENT
Third-party possession, perfection, special rules, 9-312:6 [Rev]
GOVERNING LAW
Cape Town Convention, this index
Change, effect
certificates of title, 9-316:3 [Rev]
perfection
generally, 9-316 [Rev], 9-316:1 [Rev]
amendments of 2010, 9-316:5 [Rev]
four-month grace period, 9-316:1 [Rev]
Choice of forum, UCITA 110:1 to 110:3
Choice of law, UCITA 109
Federal Preemption, this index
Governing Law in Absence of UCITA, this index
International Commercial Conventions, this index

© 2018 Thomson Reuters, 12/2018
GOVERNING LAW—Cont’d
Model Tribal Secured Transactions Act, this index
Uniform Computer Information Transactions Act, this index

GOVERNING LAW IN ABSENCE OF UCITA
Generally, UCITA 103:18 to 103:27
Article 2
generally, UCITA 103:19 to 103:21
goods or services, UCITA 103:20
predominant purpose test, UCITA 103:21
Data and data processing contracts, UCITA 103:27
Development agreements, UCITA 103:24
Distribution and franchise contracts, UCITA 103:25
Information transactions perspective, UCITA 103:22
Licenses of information, UCITA 103:26
Specific types of contracts, generally, UCITA 103:23 to 103:27

GOVERNMENTAL REGULATIONS
Excused performance, 2A-405:5
Revocation of acceptance, lemon laws, 2A-517:9

GOVERNMENTS AND GOVERNMENTAL AGENCIES—Cont’d
Defined, UETA 2
Federal Reserve System, funds transfers, 4A-107:2
Interoperability, UETA 19
Issuers, 8-202:4
Uniform Electronic Transactions Act, this index

GRANDFATHER CLAUSE
UCITA provisions, UCITA 904

GUARANTORS
See also Issuers; Parties to Instruments
Collection guaranty, 3-416:2
Indorsements, 8-306:8 [Rev]
rightful transfers, 8-306:5 [Rev]
Instructions, 8-306:8 [Rev]
Negotiable instruments collection guaranty, 3-416:2
contract of parties, 3-416:1
effect of words of guaranty, 3-416:3
payment guaranty, 3-416:2
signature requirement, 3-401:4
Payment guaranty, 3-416:2
Right of redemption, 9-506:2
Signature, enforcement, 8-306:9 [Rev]

GUARANTY
Indorser, 7-505:1 [Rev]

HAGUE PROTOCOL
Documents of title, scope of Article, 7-103:1
Investment securities, 8-110:5 [Rev]

HARTER ACT
Application of law, 7-103:1 [Rev]
Bills of lading, application, 7-103:2
Coverage, 7-103:2

Master Index-232
HAZARDOUS GOODS
Warehousemen, right to sell,
7-206:2 [Rev]

HEALTH CARE INSURANCE RECEIVABLES
Assignments
amendments of 2010, 9-408:4 [Rev]
restrictions, ineffectiveness,
9-408:1 [Rev]
unincorporated business entities,
9-408:2 [Rev]

HELIÇOPTERS
Cape Town Convention, this index

HIERARCHY OF PROBATIVE VALUE
Course of performance, course of dealing, and usage of trade,
1-303:1 [Rev]

HIGH VALUE MOBILE EQUIPMENT PURCHASE
See Cape Town Convention, this index

HISTORICAL BACKGROUND
Non-UCC Payment Methods, this index

HISTORY OF CODE—Cont’d
Permanent Editorial Board,
1-101:1 [Rev]
Territorial applicability and general rules, 1-301:1 [Rev],
1-302:1 [Rev]
Uniform Bills of Lading Act (UBLA), 1-101:1 [Rev]
Uniform Conditional Sales Act (USCA), 1-101:1 [Rev]
Uniform Negotiable Instruments Law (NIL), 1-101:1 [Rev]
Uniform Sales Act (USA), 1-101:1 [Rev]
Uniform Stock Transfer Act (USTA), 1-101:1 [Rev]
Uniform Trust Receipt Act (UTRA), 1-101:1 [Rev]
Uniform Warehouse Receipts Act (IWRA), 1-101:1 [Rev]

HOLDERS
See also Holders in Due Course; Parties to Instruments
Agents’ duties, 8-406:3
Alterations, 3-407:2 [Rev]
Bank’s departure from procedure, challenge, 4-109:9
Bank status during collection process, 4-201:3
Definitions, 1-201 [Rev], 4-104:3, 4-211 [Rev], 4-211:1 [Rev],
8-105:5, 8-313:5
Depositary bank status, 4-205 [Rev], 4-205:1 [Rev], 4-205:2 [Rev]
Fictitious payees, 3-404 [Rev], 3-404:1 [Rev], 3-404:2 [Rev]
Identification, 3-301:2 [Rev]
Imposters, 3-404:1 [Rev], 3-404:2 [Rev], 3-404:4 [Rev]
Indorsements, 3-301:2 [Rev]
missing, 4-205:1 [Rev], 4-205:2, 4-205:3, 4-207:2 [Rev]
HOLDERS—Cont’d
Investment Securities, this index
Owners distinguished, 4-201:3
Pay any bank indorsement, effect, 4-201:6
Prior, notice of adverse claims, 8-301:4
Proportionate property interests in fungible bulk, 8-313:5
Recovery on stopped checks, 4-403:9
Requirements
obligation, possessor, 3-301:2 [Rev]
possession, 3-201:1 [Rev], 3-301:3 [Rev]
Rescission, 3-202:10 [Rev]
Rights, limitations, 8-301:4
Transfer between banks, 4-206:1 [Rev]

HOLDERS IN DUE COURSE
See also Holders
Acceptance
amount, 3-413:1 [Rev]
finality, 3-418:5, 4-207:15
Altered instruments
discharge of party, personal defense, 3-407:2
enforcement, 3-406:4, 3-407:8
warranties, 4-207:8
Ambiguous instruments, reformation, 3-118:2
Antecedent claims, 3-303:6, 3-303:7 [Rev]
Assignees for benefit of creditors, 3-302:5
Attachments, obtaining instrument by legal process, 3-302:5, 3-303:5
Banks
Generally, 4-210 [Rev]
advanced items, 4-210:1 [Rev]
branch, 4-107:1 [Rev]
collecting, 4-201:2 [Rev]

HOLDERS IN DUE COURSE—Cont’d
Banks—Cont’d
depository, 4-201:2 [Rev], 4-205:2 [Rev]
relationship in improper payment cases, 4-407:2
requirements, 4-211:1 [Rev]
status, 4-209:1
value, 4-211:1 [Rev]
Bulk transactions
generally, 3-302:5
FDIC, 3-302:6
FSLIC, 3-302:3 [Rev], 3-302:4 [Rev], 3-302:6
Cancellation of instruments, effect on rights, 3-605:2
Claim in recoupment, 3-305:1 [Rev]
Claims of ownership, freedom, 3-305:2
Close-connectedness doctrine, 3-302:3, 3-302:7 [Rev]
Collecting banks, 3-406:4
Conditional promises or orders, 3-105:4
Conflicts with Article 3 provisions, 4-209:3
Consideration
antecedent obligation, 3-303:7 [Rev]
exeuctive, 3-303:4 [Rev], 3-303:5 [Rev]
failure, 3-408:2
lack, 3-408:1
performance
generally, 3-303:2
defective, 3-303:3
exeuctive, 3-303:7
partial, 3-302:1 [Rev], 3-303:2 [Rev], 3-303:4
promise, 3-303:2 [Rev]
want, 3-303:1 [Rev], 3-303:6 [Rev], 3-408:3
HOLDERS IN DUE COURSE
—Cont’d
Construction of instruments
ambiguous terms, reformation, 3-118:2
parol evidence, 3-118:2
Consumer transactions
generally, 3-302:3
Federal Trade Commission rules, 3-302:8 [Rev],
3-302:9
financing, 3-302:6 [Rev]
protection, 3-302:6 [Rev], 3-302:7 [Rev]
state legislation, 3-302:9 [Rev]
statutory exceptions
generally, 3-302:8
state legislation, 3-302:10
Uniform Consumer Credit Code, 3-302:10
unfair or deceptive acts,
3-302:8 [Rev]
Cut off, notice, 3-302:1 [Rev]
Defenses
generally, 3-304:11
cut off, 3-305:6 [Rev]
discharge, 3-602:1
dishonored instruments,
3-304:12
freedom from claims
breach of contract, 3-305:2
breach of trust, 3-305:2
conditional delivery, delivery for special purpose,
3-305:2
failure of consideration,
3-305:2
nondelivery, 3-305:2
unconscionability, 3-305:2
usury, 3-305:2
want of consideration,
3-305:2
notice of claim or defense
generally, 3-304:1, 3-304:2

HOLDERS IN DUE COURSE
—Cont’d
Defenses—Cont’d
notice of claim or defense
—Cont’d
accommodation parties,
3-304:8
actual knowledge, 3-304:3
completion of incomplete instruments, 3-304:10
discharge, 3-304:9
duty to inquire, 3-304:5
exeucory promises, 3-304:7
fiduciaries, breach of trust,
3-304:6
forgotten notice doctrine,
3-304:15
inferable knowledge test,
3-304:5
receipt of notification,
3-304:4
separate agreements, 3-304:7
time when notice effective,
3-304:13, 3-304:14
notices, 3-302:3
overdue instruments, 3-304:12
personal, 3-305:6 [Rev]
real
discharge, 3-305:7
duress, 3-305:5
fraud, 3-305:6
illegality, 3-305:5
incapacity, 3-305:5
infancy, 3-305:2 [Rev] to
3-305:5 [Rev], 3-305:4
recoupment, 3-305:1 [Rev]
right of setoff, 3-103:3 [Rev], 3-305:3
Discharge, effect on rights,
3-602:1
Documents, forged or fraudulent,
3-601:3 [Rev]
Donees, 3-303:1
Drafts, set of parts, 3-801:3
Equitable defenses, 3-305:2
HOLDERS IN DUE COURSE—Cont’d
Executions, obtaining instrument by legal process, 3-302:5, 3-303:5
Executors of estates, 3-302:5
Federal agencies, 3-302:1
Federal Trade Commission rules, consumer transactions, 3-302:8 [Rev], 3-302:9
Forged indorsements, 3-406:5
Forged instruments, 3-405:1
Garnishments, obtaining instrument by legal process, 3-302:5, 3-303:5
Good faith, 3-103:5 [Rev], 3-302:10 [Rev]
Holder in Due Course Rule, 3-302:8 [Rev]
Holders, 3-201:1 [Rev]
Incomplete instruments, unauthorized completion, 3-115:5
Indorsements, 3-203:7 [Rev]
Judicial sales, 3-302:5
Legal defenses, 3-305:2
Limited interest purchasers, 3-302:7
Material alterations, warranties, 4-207:8, 4-207:15
Negligence, 3-406:4
Notice to purchasers generally, 3-304:1
accommodation parties, 3-302:18 [Rev], 3-304:8, 3-415:4
actual knowledge, 3-302:12 [Rev], 3-304:3
authenticity, 3-302:20 [Rev]
claim in recoupment, 3-302:18 [Rev]
claims, 3-302:18 [Rev], 3-304:4, 3-304:11
defenses generally, 3-302:18 [Rev], 3-304:4, 3-304:11
UNIFORM COMMERCIAL SERIES
MASTER INDEX-236
HOLDERS IN DUE COURSE
—Cont’d
Ownership, claims, 3-306 [Rev], 3-306:1 [Rev], 3-307:3 [Rev]
Party having dealt with holder, effect on status, 3-305:3
Payees, 3-302:2 [Rev], 3-302:4
Payments, finality, 3-418:3
Personal defenses, 3-305:3 [Rev], 3-305:6 [Rev]
Protection, ambiguous instruments, 3-103:3 [Rev], 3-302:1 [Rev]
Purchase of instruments
bulk transactions, 3-302:3 [Rev], 3-302:4 [Rev], 3-302:5, 3-302:6
close connectedness, 3-302:7 [Rev]
estate takeover, 3-302:3 [Rev]
judicial sales, 3-302:3 [Rev], 3-302:5
limited interests, 3-302:7
rights, 3-302:3 [Rev]
Qualification, 3-117:2 [Rev]
Real defenses
discharge, 3-305:5 [Rev], 3-305:7
duress, 3-305:3 [Rev], 3-305:5
fraud in factum, 3-305:4 [Rev], 3-305:6
fraud in the inducement, compare, 3-305:4 [Rev]
illegality, 3-305:3 [Rev], 3-305:5
incapacity, 3-305:3 [Rev], 3-305:5
infancy, 3-305:2 [Rev], 3-305:4
Recoupment, 3-305:7 [Rev], 3-305:8 [Rev]
Renunciation, effect on rights, 3-605:2
Requirements
authenticity, 3-302:1 [Rev]

HOLDERS IN DUE COURSE
—Cont’d
Requirements—Cont’d
consideration, 3-303:1 [Rev], 3-303:2 [Rev]
exceptions, 3-302:1 [Rev]
good faith, 3-302:1 [Rev], 3-302:2, 3-302:10 [Rev]
holder, 3-302:1 [Rev]
notice to purchasers, 3-304:1 et seq.
security interests in instruments, 3-303:5
taking for value
generally, 3-302:1 [Rev], 3-303:1 [Rev], 3-303:2
et seq., 3-303:2 [Rev]
consideration, 3-303:2
irrevocable commitment to third persons, 3-303:7
without notice
generally, 3-302:1 [Rev]
unauthorized signature, 3-302:1 [Rev], 3-302:11 [Rev]
Rescission, 3-202:1 [Rev], 3-202:9 [Rev], 3-202:10 [Rev], 3-207:9
Rights
generally, 3-305:1
freedom from claims or defenses, 3-305:2
Security interests in instruments
generally, 3-302:5 [Rev], 3-303:5
antecedent claims, 3-303:6, 3-303:7 [Rev]
Separate agreements, 3-117:2 [Rev], 3-119:3
Setoffs, 3-305:3
Shelter provision, 3-201:3, 3-203:4 [Rev], 3-203:5 [Rev]
Status
benefits, 3-302:4
HOLDERS IN DUE COURSE
—Cont’d
Status—Cont’d
close-connectedness, 3-302:7
[Rev]
denial
assignees for benefit of creditors, 3-302:5
bulk transactions, 3-302:5, 3-302:6
close-connectedness, 3-302:3
executors of estates, 3-302:5
judicial sales, 3-302:5
legal process, 3-302:1 [Rev], 3-302:3 [Rev], 3-302:4 [Rev], 3-302:5, 3-302:7 [Rev]
determinations, 3-302:1
federal agencies, 3-302:6
limitations, 3-302:1 [Rev]
subordination, 3-302:1 [Rev]
Taking for value requirement
generally, 3-303:1
antecedent claims, 3-303:4 [Rev], 3-303:6, 3-303:7 [Rev]
consideration distinguished, 3-303:2
defective performance, 3-303:3
instrument exchange, 3-303:5 [Rev]
irrevocable commitment to third person, 3-303:7
liens, 3-303:3 [Rev]
liens by operation of law, 3-303:5
performance of agreed consideration
generally, 3-303:2
defective performance, 3-303:3
partial performance, 3-303:2 [Rev], 3-303:4
security interests, 3-303:1 [Rev], 3-303:3 [Rev], 3-303:5

HOLDERS IN DUE COURSE
—Cont’d
Uniform Consumer Credit Code,
3-302:10
Value, definition, 4-209:2
Warranties
good title, 4-207:6
items not subject to defenses, 4-207:16
signatures, 4-207:7

HOME BANKING
Generally, NONUCCPY 2:31
Enforcement
generally, NONUCCPY 7:56
to 7:58
federal law and home banking agreements, NONUCCPY 7:56
state law and home banking agreements, NONUCCPY 7:57
statutes and rules,
NONUCCPY 7:56, 7:57
Error prevention and resolution
generally, NONUCCPY 5:34
federal law, error resolution,
NONUCCPY 5:32
state law, error resolution,
NONUCCPY 5:33
Fees regulation, federal law,
NONUCCPY 6:53
Historical background,
NONUCCPY 1:16
Regulation of agreements
generally, NONUCCPY 6:70, 6:71
federal law and home banking,
NONUCCPY 6:70
state law and home banking,
NONUCCPY 6:71
statutes and rules,
NONUCCPY 6:70, 6:71
Regulation of fees and charges:
federal law and home banking,
NONUCCPY 6:53
HOME BANKING—Cont’d
Regulation of practices
generally, NONUCCPY 6:71,
6:86 to 6:88
federal law and home banking,
NONUCCPY 6:86
methodology, NONUCCPY
6:88
state law and home banking,
NONUCCPY 6:87
statutes and rules,
NONUCCPY 6:86, 6:87
Statutes and rules
coverage, generally,
NONUCCPY 2:28
enforcement, NONUCCPY
7:56, 7:57
error prevention and resolution,
NONUCCPY 5:32, 5:33
regulation of agreements,
NONUCCPY 6:70, 6:71
regulation of fees,
NONUCCPY 6:53
regulation of practices,
NONUCCPY 6:86, 6:87
unauthorized transfers,
NONUCCPY 4:18
Unauthorized transfers
generally, NONUCCPY 4:21
statutes and rules,
NONUCCPY 4:18
HOUSEHOLD GOODS
Warehouseman’s lien, 7-209:4
[Rev]
HYPERLINKS
Contracts, manifesting assent,
UCITA 113:2
IDENTIFICATION—Cont’d
Casualty to goods—Cont’d
delivery of goods, effect,
2A-221:4
existing goods, 2A-221:2
identified goods, 2A-221:1
impossibility, 2A-221:3
partial losses, 2A-221:5
when contract made, 2A-221:2
Goods
generally, 2A-217
casualty to goods
assumption of risk, 2A-221:6
delivery, effect, 2A-221:4
existing goods, 2A-221:2
identified goods, 2A-221:1
impossibility, 2A-221:3
partial losses, 2A-221:5
definition, 2A-217:2
disposal of unfinished goods,
2A-524:2
lessee’s default, 2A-524
lessor’s insolvency, 2A-522:3
manufacture, completion,
2A-524:2
replevin, 2A-521:4
Goods, this index
Lessee’s default, 2A-524:1
IMPAIRMENT
Modification or Impairment, this index
IMPLEADER
Banks, 4-407:2 [Rev], 4-407:4
IMPLIED REPEAL
Construction and interpretation,
1-104 [Rev]
IMPLIED TERMS
Course of performance, course of dealing, and usage of trade,
1-303:2 [Rev]
Course of performance, relationship to terms of lease,
2A-207:3

© 2018 Thomson Reuters, 12/2018
**IMPLIED WARRANTIES**

**Generally**, UCITA 403 to 405

**Disclaimers**

- generally, UCITA 406:4, UCITA 406:5, 2-316:3
- agreement of parties, 2A-214:3, 2A-214:4
- contractual terms, 2A-211:5
- examination by buyers, 2A-214:5
- fitness for particular purpose, 2A-213:5
- limitations on effectiveness, 2-316:4
- Magnuson-Moss Warranty Act, 2-316:5
- merchantability, 2A-212:5

**First Amendment**, UCITA 403:1, UCITA 404:2

**Fitness for particular purpose**

- generally, 2-315:1
- breach, 2-315:3
- disclaimers, 2-316:3
- limitations, 2A-213:5
- nature, 2-315:1
- particular purpose, 2-315:2
- particular purpose, definition, 2A-213:3
- reasons to know, 2A-213:2
- reliance, 2A-213:4
- remedies for breach, 2-315:3
- requirements, 2A-213:1
- 2003 and 2005 amendments, 2-315:5

**Informational content**

- conduit liability, UCITA 404:4
- consulting sellers or licensors, UCITA 404:3
- contract rather than tort, warranty of accuracy grounded in, UCITA 404:1
- data security and privacy, UCITA 404:5

**Infringement**

- generally, 2A-211:4
- curing imperfect lessor interest, 2A-211:7
- disclaimer by circumstances, 2A-211:6
- disclaimer by contract, 2A-211:5

**Interference**

- curing imperfect lessor interest, 2A-211:7
- description, 2A-211, 2A-211:1
- disclaimer by circumstances, 2A-211:6
- lessor’s obligation, 2A-211:2

**Leases**

- disclaimers
  - agreement of parties, 2A-214:3, 2A-214:4
  - contractual terms, 2A-211:5
  - examination by buyers, 2A-214:5
  - fitness for particular purpose, 2A-213:5
  - merchantability, 2A-212:5
  - fitness for particular purpose
  - limitations, 2A-213:5
  - particular purpose, definition, 2A-213:3
  - reasons to know, 2A-213:2
  - reliance, 2A-213:4
  - requirements, 2A-213:1

**Federal Communications Decency Act**, UCITA 404:4

**Merchantability of computer program, exclusion from warranty**, UCITA 403:1

**New obligations**, UCITA 404:5

**Published informational content excluded from warranty**, UCITA 404:2

---

Master Index-240
IMPLIED WARRANTIES
—Cont’d
Leases—Cont’d
infringement
   generally, 2A-211:4
curing imperfect lessor interest, 2A-211:7
disclaimer by circumstances, 2A-211:6
disclaimer by contract, 2A-211:5
interference
curing imperfect lessor interest, 2A-211:7
description, 2A-211:1
disclaimer by circumstances, 2A-211:6
lessor’s obligation, 2A-211:2
merchantability
   affirmations of fact on container or label, 2A-212:13
   allergies, 2A-212:11
   applicability, 2A-212:2
   definition, 2A-212:7
   fit for ordinary purpose, 2A-212:10
   fungible goods quality, 2A-212:9
   labeling, adequacy, 2A-212:12
   lease and goods limitations, 2A-212:3
   limitations, 2A-212:5
   nature, 2A-212, 2A-212:1
   packaging, adequacy, 2A-212:12
   pass without objection in the trade, 2A-212:8
   privity limitations, 2A-212:5
   reliance of buyers, 2A-212:4
   statements on label, conformance, 2A-212:13
   strict liability in tort, 2A-212:14

IMPLIED WARRANTIES
—Cont’d
Leases—Cont’d
   privity limitations, 2A-212:5
Licensee’s purpose
   generally, UCITA 405:1 to 405:4
developmental contracts under non-UCITA law, UCITA 405:3
fitness warranty and services issues, UCITA 405:4
reliance on information provider’s expertise, UCITA 405:1
service-goods distinction adapted, UCITA 405:2 to 405:4
Magnuson Moss Warranty Act, disclaimers, 2-316:5
Merchantability
   generally, 2-314:1 to 2-314:7
   affirmations of fact on container or label, 2A-212:13
   allergies, 2A-212:11
   applicability, 2A-212:2, 2-314:2
   breach, 2-314:4
   computer programs
      generally, UCITA 403:1 to 403:3
      character of warranty, UCITA 403:2
      informational content excluded, UCITA 403:1
      ordinary use and characteristics, UCITA 403:3
      definition, 2A-212:7, 2-314:3
      disclaimers, 2-316:3
      fit for ordinary purpose, 2A-212:10
      fungible goods quality, 2A-212:9
      labeling, adequacy, 2A-212:12
IMPLIED WARRANTIES—Cont’d
Merchantability—Cont’d
lease and goods limitations,
2A-212:3
limitations, 2A-212:5
limitations on recovery, 2-314:5
nature, 2A-212, 2A-212:1,
2-314:1
packaging, adequacy,
2A-212:12
pass without objection in the
trade, 2A-212:8
privity limitations, 2A-212:5
reliance of buyers, 2A-212:4
remedies for breach, 2-314:4
statements on label, confor-
mance, 2A-212:13
strict liability in tort, 2A-212:14
strict liability in tort, relation-
ship, 2-314:6
tort law, relationship, 2-314:6
2003 and 2005 amendments,
2-314:7
Priorities, 2-317:1, 2-317:2
Privity limitations, 2A-212:5
Products Liability, this index
Remedies for breach, 2-314:4
2003 and 2005 amendments,
2-314:7
IMPOSSIBILITY
Casualty to identified goods
delivery, 2A-221:4
no fault requirement, 2A-221:3
Performance, UCITA 615
Substituted performance,
distinguished, 2A-404:1
IMPOSTORS—Cont’d
Fictitious payees, 3-404:1 [Rev],
3-404:2 [Rev]
Imposture, mail, 3-404:1 [Rev],
3-404:2 [Rev], 3-404:4
[Rev], 3-405:4
Indorsements, this index
Leases, voidable title, imposture,
2A-304:2
Local government instruments,
3-405:7
Payee intended to have no interest
agent or employee supplying
name, 3-405:6
signing as maker or drawer,
3-405:5
Third-party representations, reli-
ance, 3-405:4
IMPRACTICABILITY
Commercial
elements, 2A-405:7
relief available, 2A-405:18
Substituted performance,
distinguished, 2A-404:1
INCIDENTAL DAMAGES
Accepted goods, 2A-519:7
Actions for rent, 2A-530:1
Consequential damages
distinguished, 2A-530:1
Examples, 2A-530:2
Lessees, 2A-520:1, 2A-520:2
INCITRAL 2005 CONVENTION
Uniform Electronic Transactions
Act, this index
INCOMPETENCY
Adjudication
limitations on banks’ authority,
4-405:1
payees’, subsequent to deposit,
4-405:3
Drawers, 4-303:3 [Rev], 4-405:1,
4-405:1 [Rev], 4-405:2 [Rev]
INCOMPLETE INSTRUMENTS
Acceptance, 3-409:3 [Rev], 3-410:3, 3-413:3
Alterations, 3-407:4 [Rev], 3-407:8
Completion authorized, 3-115:1, 3-115:1 [Rev], 3-115:2 [Rev], 3-115:4
material alteration, 3-407:8
notice to purchasers, 3-304:10, 3-304:11
unauthorized generally, 3-115:1, 3-407:8
ratification, 3-115:1 [Rev], 3-115:3 [Rev], 3-115:5, 3-407:4 [Rev]
Contents, 3-115 [Rev], 3-115:1 [Rev]
Enforcement, 3-115:2
Holder in due course, 3-115:5, 3-302:20 [Rev]
Intent, proof, 3-115:1 [Rev], 3-115:3
Maker’s liability, 3-413:2
Terms necessary, 3-115:2
nonessential, 3-115:6
Traveler’s checks, 3-115:2
Unauthorized completion, material alteration, 3-407:8
Unspecified payee, 3-111:3

INCORRECT DECISIONS
Construction and interpretation, 1-103:8 [Rev]

INDEMNITY
Bills of lading, rights of issuer, 7-301:1 [Rev]
Letters of credit, 5-113 to 5-113:3
Lost or destroyed instruments, security of claimant, 7-601:1 [Rev]

INDEX OF DEFINITIONS
Article 2A, 2A-103:8
Sales, 2-103:4
Secured transactions, 9-105:16

INDIRECT HOLDING SYSTEMS
Generally, 8-501:1 [Rev]
Adverse claims, rules, 8-503:11 [Rev]
Entitlement holders, adverse claims
nature, 8-502:5 [Rev]
protections, 8-502:1 [Rev]
Financial assets
duty to maintain, clearing corporation exception, 8-504:8 [Rev]
securities account, definition, 8-501:2 [Rev]
Issuers, defenses precluded, 8-202:7 [Rev]
Protected purchasers, 8-303:8 [Rev]
Securities entitlements, acquisition
generally, 8-501:7 [Rev], 8-510:2 [Rev]
purchasers, shelter rule, 8-510:4 [Rev]
rights of purchasers, generally, 8-510:1 [Rev]
Terms, 8-202:5 [Rev]

INDORSEMENTS
Generally, 8-304:1 [Rev]
See also Forgery; Indorsers; Signatures
Absence, transfer warranties, 4-207:18
Agent, 3-110:7 [Rev], 3-202:4
Allonge, 3-202:5, 3-204:3 [Rev], 4-401:5
INDORSEMENTS—Cont’d
Anomalous, 3-204:1 [Rev],
3-205:1 [Rev], 3-419:4 [Rev]
Appropriate person, 8-107:1
[Rev], 8-107:2 [Rev],
8-308:5
Authenticity, 3-201:4 [Rev],
3-505:8
Bearer form, 8-304:6 [Rev],
8-310:1, 8-310:2
Bearer instruments
generally, 3-201:10
indorsement in blank, 3-109
[Rev], 3-109:1 [Rev]
intervening holders, liability,
3-401:7
negotiation, 3-205:1 [Rev]
Bills of lading, 7-501:1 [Rev],
7-505:1
Blank
generally, 3-204:3, 8-308:2,
8-308:3
conversion to special, 3-204:4,
3-205:4 [Rev], 8-304:2
[Rev], 8-308:4
definition, 8-304:2 [Rev]
effect, 3-205:1 [Rev], 3-205:2
[Rev], 3-205:3 [Rev],
7-501:1
Compelled, 7-506:1
Compelling, 8-307:2
Conditional, 3-205:3, 3-206:3,
3-206:3 [Rev]
Contract, 3-414:1
Conversion, 3-120:3
Converting form, 8-308:4
Date, 3-503:7
Death of indorsers, 4-405:3
Definition, 8-102:3 [Rev], 8-304:1
[Rev], 8-308:1
Delivery
goods, 7-506:1
lack, 8-309:1, 8-309:3
security in registered form not
containing, 8-307:1

UNIFORM COMMERCIAL SERIES
Master Index-244

INDORSEMENTS—Cont’d
Delivery, lack, 8-304:4 [Rev]
Depository banks, Regulation CC,
4-202:4 [Rev]
Discharge of liability, reacquisi-
tion of instrument, 3-208:3
Effectiveness, 3-404:3 [Rev],
8-107:1 [Rev], 8-107:3
[Rev], 8-402:1, 8-402:1
[Rev], 8-402:2 [Rev]
Examination, item, 4-406:4 [Rev]
Fictitious payees
compative negligence,
3-405:2 [Rev]
employees, 3-404:5 [Rev],
3-405 [Rev], 3-405:1
[Rev] to 3-405:4 [Rev]
employer’s liability, 3-404:5
[Rev], 3-405:1 [Rev],
3-405:4 [Rev]
intent, 3-404:1 [Rev], 3-404:2
[Rev], 3-404:5 [Rev]
Fiduciaries
generally, 3-307:4 [Rev]
appointment, 8-402:4
incumbency, 8-402:4
Forgers
generally, 3-405:1, 8-311:1
breach of warranty, 4-207:6
comparative negligence,
3-406:2 [Rev]
conversion, 3-120:3
damages, 4-207:20
double, 3-404:5 [Rev]
effect on warranties, 4-207:14
interpleaders and impleaders,
4-407:4
issuer’s liability, 8-404:3
joint payees, 3-110:4 [Rev]
liability, 3-120:3
loss allocations, 4-401:4
negligent parties, preclusion,
3-406:3 [Rev], 3-406:5
ratification, 3-403:2 [Rev],
3-404:2

Master Index-244
INDORSEMENTS—Cont’d
Forgeries—Cont’d
recovery, 4-406:6
subrogation rights of banks,
3-201:4 [Rev], 3-501:5 [Rev], 4-406:7 [Rev], 4-407:3
Format, 3-201:4 [Rev]
Fraudulent, 3-405:4 [Rev]
Guarantees, 8-312:6
Guarantors, 8-306:8 [Rev]
Holders, 3-301:2 [Rev]
Holders in due course, 3-203:7 [Rev]
Impostors
effectiveness, 3-404:1 [Rev], 3-404:2 [Rev], 3-404:4 [Rev], 3-405:3
employees, 3-405:5
employer’s liability, 3-405:6
instrument payable to principal,
3-404:4 [Rev]
intent, 3-405:5
name of payee, 3-405:2
Ineffective, issuers’ liability,
8-403:6 [Rev], 8-404:2 [Rev]
Investigation, duties, 4-406:3
Joint payee, 3-110:2 [Rev], 3-110:4 [Rev]
Lack, 3-404:2 [Rev]
Liability
banks, 3-120:3
discharge, 3-415:2 [Rev]
discharges, 3-415:4 [Rev]
employers, 3-404:5 [Rev], 3-405:1 [Rev], 3-405:6
indorser, 3-415 [Rev], 3-415:1 [Rev] to 3-415:4 [Rev], 3-416:2 [Rev]
intervening holders of bearer instruments, 3-401:7
order, 3-415:3 [Rev]
order of signing, 3-414:2
parol evidence, 3-415:2 [Rev]
reacquisition of instrument,
3-208:3
INDORSEMENTS—Cont’d
Liability—Cont’d
unauthorized signatures,
3-404:4
unnamed principal, 3-401:3
without recourse, 3-116 [Rev], 3-116:1 [Rev], 3-415:2 [Rev]
Location, 3-204:2 [Rev]
Making, 8-308:1
Missing
breach of warranty, 4-207:6
customer liability, 4-205:1 [Rev]
depository bank holder, 4-205:2 [Rev]
liability, 3-120:3
subrogation rights of banks,
4-407:3
supplying
generally, 4-205:1
bank, 4-205:1 [Rev]
customers’ items, 4-205:3
effect, 4-205:2
joint payees, 4-205:4
restrictive, 4-205:5
Multiple registered owners,
8-308:5
Names
different, 3-401:4 [Rev]
improper designation, 3-204:4 [Rev]
wrong or misspelled, 3-203:2
Nature, 7-505:1
Necessity, 3-201:9, 3-203:7 [Rev], 3-203:8 [Rev], 8-307:1
1977 amendments, 8-307:3, 8-308:10
Nonagents, 8-402:5
Nonfiduciaries, 8-402:5
Notice of adverse claims, 8-304:2
Organization, 3-110:8 [Rev]
Parol evidence, order of signing,
3-414:2
Partial, 8-304:3 [Rev], 8-308:7
INDORSEMENTS—Cont’d
Partial assignments, 3-110:4
[Rev], 3-202:6, 3-203:9
[Rev]
Partnerships holding securities,
8-308:5
Pay any bank, 4-201:6, 4-201:6
[Rev], 4-203:2
Payees
alternative, 3-110:2 [Rev],
3-110:3 [Rev]
fictitious, 3-110:1 [Rev]
identification, 3-110:1 [Rev],
3-110:5 [Rev] to 3-110:8
[Rev]
joint, 3-110:2 [Rev] to 3-110:4
[Rev]
necessity, 3-405:2
rmitter, 3-103:2 [Rev]
Placement, 3-202:5
Presentments, 3-501:5 [Rev],
3-505:7, 3-505:8
Prior indorsers’ solvency, effect on
warranties, 4-207:17
Prohibition of further transfer or
negotiation, 3-205:4
Prohibitive, 3-206:4 [Rev]
Purposes, 3-204 [Rev], 3-204:1
[Rev]
Ratification, 3-403:2 [Rev],
3-404:2
Reacquisition, 3-207 [Rev],
3-207:1 [Rev] to 3-207:3
[Rev]
Restrictive, 3-205:1 et seq.
agencies, 3-205:6
banks
failure to exercise ordinary
care, damages, 4-103:8
intermediary, 3-206:2
nondepository payor, 3-206:2
supplying, 4-205:5
for collection, 3-205:5, 3-206:3,
3-206:5 [Rev] to 3-206:7
[Rev]

andon

Master Index-246
INDORSEMENTS—Cont’d
Signatures—Cont’d
presumptions, 3-308:4 [Rev], 3-402:1
prohibitive, 3-206:4 [Rev], 3-206:1 [Rev], 3-206:2 [Rev], 3-206:4 [Rev] to 3-206:8 [Rev]
special, 3-201:4 [Rev], 3-205:1 [Rev], 3-205:2 [Rev], 3-206:4 [Rev]
stock power, 8-102:3 [Rev]
Special
generally, 3-204:1, 3-204:2
conversion from blank, 3-204:4, 3-205:4 [Rev]
conversion to blank, 8-308:4
definition, 8-304:2 [Rev]
effect, 3-205:2 [Rev]
forms, 8-304:2 [Rev], 8-308:2
payments, 3-116:1, 3-205:1 [Rev], 3-206:4 [Rev]
Subsequent to maturity, presentment and notice of dishonor, 3-501:7
Sufficiency, 3-201:4 [Rev]
Trusts, 3-110:8 [Rev], 3-206:4
Unauthorized
generally, 3-404:4, 4-406:6, 8-311:1
breach of warranty, 4-207:6
charges against customers’ accounts, 4-401:3
issuer’s liability for registering, 8-311:3, 8-404:3
liability, 3-403:4 [Rev]
1977 amendments, 8-311:4
take free of claims, 3-201:4 [Rev], 3-403:1 [Rev], 4-207:5 [Rev], 8-311:2
Underlying obligor, 3-310:2 [Rev]
Validity, 8-308:8, 8-308:9
Verifications, 3-301:1

INDORSEMENTS—Cont’d
Warehouse receipts, 7-501:1, 7-505:1
Warehouse receipts, transfer by indorsement, 7-501:1 [Rev]
Warranties
generally, 4-207:3, 8-312:6
genuine signatures, 4-207:14
indorsers’ contracts distinguished, 4-102:1
1977 amendments, 8-312:8
Without recourse
limitations on warranty liability, 4-207:16
transfer warranties, 3-415:2 [Rev], 3-416:2 [Rev], 4-207:11

INDORSERS
Capacity of party signing instrument, 3-402:1
Contracts distinguished from warranties, 4-102:1
Discharge, 3-415:4 [Rev], 3-502:3, 3-605:1 [Rev]
Guarantees, 8-308:6
Liability, 3-415 [Rev], 3-415:1 [Rev] to 3-415:4 [Rev], 3-416:2 [Rev]
Limitation of liability, 8-304:7 [Rev]
Rights of recourse, 3-606:3 et seq.
Secondary liability, assumption, 8-308:6

INFERENCES
Third parties, prima facie evidence, 1-307:3 [Rev]

INFORMATION
Defined, UETA 2

INFORMATION PROCESSING SYSTEM
Defined, UETA 2

INFRINGEMENT
Copy, title to, UCITA 502:1

© 2018 Thomson Reuters, 12/2018
INFRINGEMENT—Cont’d
Scope of license, UCITA 307:4
Uniform Computer Information Transactions Act, this index
Warranties, this index

INJUNCTIONS
Rights of purchaser, 7-602:1
[Rev]

INJURIES TO GOODS BY THIRD PARTIES
Sales, 2-722:1

INNOCENT PURCHASER
Warehouse receipts, 7-208:1

INSECURITY
Adequate assurance of performance, 2A-401:1
Default, 2A-501:4
Grounds, 2A-401:2
Option to accelerate at will, 1-309 [Rev]
Procedures for giving assurances, 2A-401:4
Standard for adequate assurances, 2A-401:3

INSECURITY CLAUSES
See also Acceleration; Performance
Acceleration, 2A-501:4
Adequate assurance of performance, reasonable grounds, 2A-401:2
Construction, 9-501:4
Default, 2A-501:4
Development, good faith, burden of proof, 2A-109:1
Good faith, 2A-109:1
Grounds for insecurity, 2A-401:2
Option to accelerate, 2A-109:1
Performance of contract, 2A-401:1
Provisions, 9-501:4

INSOLVENCY
Cape Town Convention, this index
Possession of goods, lessor’s right, 2A-525, 2A-525:1

INSOLVENCY OF BUYER
Definition, 2-702:1
Delivery for cash, 2-702:1
Reclamation, demands, 2-702:2
Remedies of sellers, delivery for cash, 2-702:1
Third parties’ rights
buyers in ordinary course, 2-702:3
good faith purchasers, 2-702:3

INSOLVENCY OF SELLERS
Creditors of seller, rights of, 2-502:3
Reclamation, buyers’ rights, 2-502:1 et seq.
Specific performance as remedy, 2-502:1
tender of balance due requirements, 2-502:2

INSOLVENCY PROCEEDING
Definition, 1-201 [Rev]

INSOLVENT
Definition, 1-201 [Rev]

INSPECTION
CISG, ICC 10:45

INSPECTION OF GOODS
Prior payments, 2-512:1
Rights of buyers, 2-513:1

INSPECTOR’S CERTIFICATE
Third parties, prima facie evidence, 1-307 [Rev]

INSTALLATION
Assent by installer, UCITA 112:8
INSTALLMENT CONTRACTS

Breach of contract
cancellation, 2-612:3
rejection, 2-612:2
Cancellation
righ... eal notice, 2-612:3
Definition, 2-612:1
Nonconforming installments
documents, rejection, 2-612:2
goods, rejection, 2-612:2
Sales, this index
2003 and 2005 amendments, 2-612:4

INSTALLMENT LEASE CONTRACTS

Generally, 2A-510
Cancellation
notice, 2A-510:6
right, 2A-510:5
Definition, 2A-510:2
Issues, 2A-510:1
Nonconforming installments
documents, rejection, 2A-510:4
good to reject, 2A-510:3
Notice of cancellation, 2A-510:6
Problems, 2A-510, 2A-510:1
Rejection of nonconforming installments, 2A-510:3, 2A-510:4

INSTRUCTIONS

Bills of lading
change of instructions, 7-303:1
change of shipping instructions, effect, 7-504:3 [Rev]
delivery of goods, 7-303:1 [Rev]
holder, diversion instructions, 7-303:1 [Rev]
Carriers, 7-309:1

INSTRUCTIONS—Cont’d

Definition, 8-305:1 [Rev]
Effectiveness, 8-107:3 [Rev], 8-402:1 [Rev], 8-402:2 [Rev]
Funds transfers
generally, 4A-103:5
multiple payments, 4A-103:6
prerequisites, 4A-103:2
Guarantors, 8-306:8 [Rev]
Incomplete, 8-305:3 [Rev]
Ineffective, issuers’ liability,
8-403:6 [Rev], 8-404:2 [Rev]
Obligation of originator, limitation, 8-305:4 [Rev]
Origination without registration of transfer, 8-305:2 [Rev]
Payment orders
amendments, 4A-202:6
cancellations, 4A-202:6
receipt, 4A-106:1
time to act, 4A-202:7
verification, 4A-202:2
verified, 4A-203:1
Signatures, warranties, 8-306:6 [Rev]

INSTRUMENTS

Definition, 9-105:10, 9-304:4, 9-308:3
Mobility, 9-103:2
Nonpossessory purchase money security interests, 9-308:3
Perfection, special rules, 9-312:4 [Rev]
Perfection of security interests
generally, 9-103:2, 9-304:4
last event test, 9-103:3
temporary, 9-304:7
four month rule, 9-103:5
Priorities
possessors, 9-309:1
purchasers, 9-308:1
Proceeds, priorities, 9-330:5 [Rev]
INSTRUMENTS—Cont’d
Protection
purchasers
generally, 9-308:5, 9-309:1,
9-331:1 [Rev]
1962 Code, 9-308:5
reasonable care, 9-207:3
Security interests
amendments of 2010, 9-330:6
[Rev]
Priorities, 9-330:1 [Rev],
9-330:3 [Rev]
Tests, 9-105:10

INSURANCE
Collateral
generally, 9-207:1
failure to maintain, 9-207:1
[Rev]
right to proceeds, 9-207:1 [Rev]
Exclusion exceptions
health care insurance
receivables, 9-109:12
[Rev]
refund entitlement, 9-109:12
[Rev]
Premium refunds, excluded
transactions, 9-104:8
Proceeds, 2A-218:1, 9-207:1,
9-306:1
Third parties, prima facie evi-
dence, 1-307 [Rev]
Transfer of policies, excluded
transactions, 9-104:8
Warehousemen, lien for costs,
7-209:3 [Rev]

INTEGRATED CONTRACTS
Generally, UCITA 301:4

INTELLECTUAL PROPERTY
Sales, notice of infringement of
intellectual property rights of
another, 2-607:4

INTENT—Cont’d
Course of performance, course of
dealing, and usage of trade,
1-303 [Rev]
Option to accelerate at will,
1-309:1 [Rev]
Territorial applicability and gen-
eral rules, 1-302:1 [Rev]

INTEREST RECOVERY
CISG, ICC 10:81

INTERIM RELIEF
Cape Town Convention, this
index, ICC 9:49, ICC 9:50

INTERMEDIARIES
Broker, 8-102:6 [Rev]
Determination, 8-306:4
Financial, definition, 8-313:7
Liabilities, wrongful transfer,
8-107:3 [Rev]
Registration of securities, capa-
city, 8-402:3
Securities, 8-102:6 [Rev]
Warranties on transfers, 8-306:4

INTERNATIONAL AIR
TRANSPORT
ASSOCIATION (IATA)
Cape Town Convention, ICC 9:3

INTERNATIONAL CIVIL
AVIATION
ORGANIZATION (ICAO)
Cape Town Convention, ICC 9:3,

INTERNATIONAL
COMMERCIAL
CONVENTIONS
Generally, ICC 8:1 et seq., ICC
9:1 et seq.
Accession
Cape Town Convention, ICC
9:101, ICC 9:134

Master Index-250
INTERNATIONAL COMMERCIAL CONVENTIONS—Cont’d
Accession—Cont’d
U.S. treaty ratification, ICC 8:15
Aggregate sum of fractional shares, Cape Town Convention, ICC 9:99
Aircraft engines or airframes. Cape Town Convention, this index
Aircraft protocol generally, see Cape Town Convention, this index
Approval or consent, Cape Town Convention, ICC 9:74, ICC 9:134
Arrest of object, Cape Town Convention, ICC 9:123
Article 1 of Cape Town Convention, Introduction to Convention, ICC 9:1 to 9:9
Article 2 of Cape Town Convention, scope of Convention, ICC 9:10 to 9:21
Article 3 of Cape Town Convention, connection between Convention and transaction, ICC 9:22 to 9:24
Article 4 of Cape Town Convention, connection between Convention and transaction, ICC 9:22 to 9:24
Article 5 of Cape Town Convention, interpretation of Convention, ICC 9:25 to 9:28
Article 6 of Cape Town Convention, interpretation of Convention, ICC 9:25 to 9:28
Article 7 of Cape Town Convention conditions for constituting international interest, ICC 9:29 to 9:33
contract of sale, ICC 9:34
Article 8 of Cape Town Convention remedial scheme of Convention, ICC 9:35
remedies of chargee/secured party, ICC 9:36 to 9:43
Article 9 of Cape Town Convention remedial scheme of Convention, ICC 9:35
remedies of chargee/secured party, ICC 9:36 to 9:43
Article 10 of Cape Town Convention remedial scheme of Convention, ICC 9:35
remedies of conditional seller or lessor, ICC 9:44 to 9:46
Article 11 of Cape Town Convention default, ICC 9:47
remedial scheme of Convention, ICC 9:35
Article 12 of Cape Town Convention additional remedies of creditor, ICC 9:48
remedial scheme of Convention, ICC 9:35
Article 13 of Cape Town Convention relief pending final determination, ICC 9:49, ICC 9:50
remedial scheme of Convention, ICC 9:35
INTERNATIONAL COMMERCIAL CONVENTIONS—Cont’d

Article 14 of Cape Town Convention
remedial scheme of Convention, ICC 9:35
remedies of creditor, procedural requirements, ICC 9:51, ICC 9:52

Article 15 of Cape Town Convention
derogation, ICC 9:53, ICC 9:54
remedial scheme of Convention, ICC 9:35

Article 16 of Cape Town Convention, International Registry, ICC 9:55 to 9:66

Article 17 of Cape Town Convention, Supervisory Authority and Registrar, ICC 9:67, ICC 9:68

Article 18 to 21 of Cape Town Convention, other matters relating to international registration system, ICC 9:69 to 9:75

Article 22 to 24 of Cape Town Convention, International Registry searches and search results, ICC 9:76 to 9:81

Article 25 of Cape Town Convention, discharge of international registration, ICC 9:82 to 9:87

Article 26 of Cape Town Convention, access to International Registry, ICC 9:88

Article 27 of Cape Town Convention, Supervisory Authority legal personality, privileges and immunity, ICC 9:89, ICC 9:90

Article 28 of Cape Town Convention, liability of Registrar, ICC 9:91, ICC 9:92

Article 29 of Cape Town Convention, priority of interests, ICC 9:93 to 9:101

Article 30 of Cape Town Convention, insolvency effects, ICC 9:102 to 9:105

Article 31 to 38 of Cape Town Convention, assignments of associated rights, ICC 9:106 to 9:121

Article 39 to 41 of Cape Town Convention nonconsensual rights and interests, ICC 9:122 to 9:124

sales and prospective sales, ICC 9:125

Article 42 to 45 of Cape Town Convention, jurisdiction, ICC 9:126 to 9:129

Article 45bis and 46 of Cape Town Convention, relationship of Cape Town Convention with other Conventions, ICC 9:130 to 9:133

Article 47 to 49 of Cape Town Convention, signature, ratification, and entry into force, ICC 9:134 to 9:136

Article 50 of Cape Town Convention, internal transactions, ICC 9:137

Article 51 of Cape Town Convention, future protocols, ICC 9:138

Article 52 to 59 of Cape Town Convention, declarations, reservations, and denunciations, ICC 9:139 to 9:148

Article 60 of Cape Town Convention, pre-existing rights and interests, ICC 9:149

Master Index-252
INTERNATIONAL COMMERCIAL CONVENTIONS—Cont’d

Article 61 of Cape Town Convention, future of Cape Town Convention, ICC 9:150
Article 62 of Cape Town Convention, depositary role, ICC 9:151
Asset-based financing and leasing. Cape Town Convention, this index
Asset-based international registry, Cape Town Convention, ICC 9:1, ICC 9:8, ICC 9:55 to 9:66
Assignment
Cape Town Convention, this index
International Registry, ICC 9:60, ICC 9:61
Attachment
Cape Town Convention and Convention for the Unification of Certain Rules Relating to Precautionary Attachment of Aircraft, ICC 9:133
Aviareto
generally, ICC 9:68
jurisdiction, ICC 9:128
liability, ICC 9:91, ICC 9:92
Cape Town Convention, this index
Chicago Convention, this index
Consent or approval, Cape Town Convention, ICC 9:74, ICC 9:134
Consolidated text of convention and aircraft protocol interpretation of Convention, ICC 9:28
structure of Convention, ICC 9:2

INTERNATIONAL COMMERCIAL CONVENTIONS—Cont’d
Consultation, U.S. treaty ratification, ICC 8:10
Contracting state search, Cape Town Convention, International Registry, ICC 9:76, ICC 9:80
Convention, defined, ICC 8:2
Convention on international civil aviation. Chicago Convention, this index
Convention on International Interests in Mobile Equipment. Cape Town Convention, this index
Creditor’s remedies. Cape Town Convention, this index
Customs helicopters, Cape Town Convention, ICC 9:17
Declarations
Cape Town Convention, this index
private law conventions, ICC 8:16, ICC 8:19
Depositary, Cape Town Convention, ICC 9:151
Detention of object, Cape Town Convention, ICC 9:123
Discharge of registration, Cape Town Convention, ICC 9:82 to 9:87, ICC 9:128
Drafting organizations
Hague Conference, ICC 8:7
Private law conventions, ICC 8:4 et seq.
UNCITRAL, ICC 8:5
UNIDROIT, ICC 8:6
Economically significant mobile equipment purchase. Cape Town Convention, this index
Effect of ratification on U.S. law, ICC 8:20 et seq.
Electronic registrations, Cape Town Convention,
INTERNATIONAL COMMERCIAL CONVENTIONS—Cont’d

Entry into force
Cape Town Convention, ICC 9:136
U.S. treaty ratification, ICC 8:14

Entry points for registration information, ICC 9:70
Extension of registration, international registration, ICC 9:75
Federal Aviation Administration aircraft registry, ICC 9:70
Fee schedule, Cape Town Convention, ICC 9:67
Foreclosure, Cape Town Convention, ICC 9:42

Fractional shares
aggregate sum, ICC 9:99
Cape Town Convention, ICC 9:16, ICC 9:99
international interest, ICC 9:16
priority, ICC 9:99

Governing law
agreement concerning, ICC 9:27
Cape Town Convention Articles 5 and 6, ICC 9:26, ICC 9:27
evidentiary value of search certificate, ICC 9:81
interpretation of Cape Town Convention, ICC 9:26, ICC 9:27
protocols, Cape Town Convention, ICC 9:2
types of international interest, applicable law of forum State, ICC 9:13

INTERNATIONAL COMMERCIAL CONVENTIONS—Cont’d

Governing law—Cont’d
United Nations Convention on Assignment of Receivables in International Trade, ICC 9:130
Hague Conference, drafting organization, ICC 8:7
Helicopters
aircraft protocol, generally, ICC 9:2
Cape Town Convention, this index
High value mobile equipment purchase. Cape Town Convention, this index
Identification of object, Cape Town Convention, ICC 9:32
Informational search of International Registry, ICC 9:76
Insolvency. Cape Town Convention, this index
Installed goods, Cape Town Convention, ICC 9:101
Instrument of ratification, U.S. treaty ratification, ICC 8:13
Insurance, Cape Town Convention, liability of Registrar, ICC 9:92
Interests in mobile equipment. Cape Town Convention, this index
International Institute for Unification of Private Law (UNIDROIT), this index
International obligation, private law, ICC 8:21
Leasing agreement
Cape Town Convention, this index

Master Index-254
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Luxembourg Protocol</td>
<td>This index</td>
</tr>
<tr>
<td>Mobile equipment</td>
<td>Cape Town Convention, ICC 9:62, ICC 9:137</td>
</tr>
<tr>
<td>National Registry</td>
<td>This index</td>
</tr>
<tr>
<td>Office of Private International Law (L/PIL)</td>
<td>ICC 8:131</td>
</tr>
<tr>
<td>Ottawa Convention</td>
<td>Relationship with Cape Town Convention, ICC 9:17</td>
</tr>
<tr>
<td>Police service helicopters</td>
<td>Cape Town Convention, ICC 9:17</td>
</tr>
<tr>
<td>Preemption</td>
<td>Supremacy Clause, ICC 8:23</td>
</tr>
<tr>
<td>“Principles” of private law conventions</td>
<td>ICC 8:3</td>
</tr>
<tr>
<td>Priority search of International Registry</td>
<td>ICC 9:76</td>
</tr>
<tr>
<td>Private law conventions generally</td>
<td>ICC 8:1 et seq.</td>
</tr>
<tr>
<td>Preemption, Supremacy Clause of U.S. Constitution</td>
<td>ICC 8:23</td>
</tr>
<tr>
<td>U.S. treaty ratification</td>
<td>ICC 8:14</td>
</tr>
<tr>
<td>interagency consultation in U.S. treaty ratification</td>
<td>ICC 8:10</td>
</tr>
<tr>
<td>international obligation, ratification</td>
<td>ICC 8:21</td>
</tr>
<tr>
<td>legal guides</td>
<td>ICC 8:3</td>
</tr>
<tr>
<td>model laws</td>
<td>ICC 8:3</td>
</tr>
<tr>
<td>Office of Private International Law (L/PIL)</td>
<td>ICC 8:9</td>
</tr>
<tr>
<td>preemption under Supremacy Clause</td>
<td>ICC 8:23</td>
</tr>
<tr>
<td>U.S. treaty ratification below reservations</td>
<td>ICC 8:16, ICC 8:17</td>
</tr>
<tr>
<td>senate advice and consent, U.S. treaty ratification</td>
<td>ICC 8:12</td>
</tr>
<tr>
<td>signature, U.S. treaty ratification</td>
<td>ICC 8:11</td>
</tr>
<tr>
<td>soft law instruments</td>
<td>ICC 8:3</td>
</tr>
<tr>
<td>treaty defined, ICC 8:2</td>
<td>UNIDROIT, ICC 8:6</td>
</tr>
<tr>
<td>treaty defined</td>
<td>ICC 8:12</td>
</tr>
<tr>
<td>UNIDROIT</td>
<td>ICC 8:6</td>
</tr>
<tr>
<td>UNIDROIT</td>
<td>ICC 8:6</td>
</tr>
</tbody>
</table>
INTERNATIONAL COMMERCIAL CONVENTIONS—Cont’d

Private law conventions—Cont’d

U.S. treaty ratification
generally, ICC 8:8
consent by accession, ICC 8:15
deposit of instrument of rati-
fication, ICC 8:13
entry into force, ICC 8:14
interagency consultation,
ICC 8:10
Office of Private International Law
(L/PIL), ICC 8:9
senate advice and consent,
ICC 8:12
signature, ICC 8:11
transmittal, ICC 8:12
words and phrases
convention, ICC 8:2
treaty, ICC 8:2

Ratification

Cape Town Convention, ICC 9:134
private law conventions, above
U.S. treaty ratification process,
ICC 8:8 et seq.

Redemption, Cape Town Conven-
tion, ICC 9:43
Regional economic integration
organizations, Cape Town
Convention, ICC 9:135
Registration, Cape Town Conven-
tion, this index
Reservations, private law con-
ventions, ICC 8:16, ICC 8:17
Rome Convention, relationship to
Cape Town Convention, ICC 9:133
Satellites, Cape Town Convention
space protocol, ICC 9:3
Search certificate, International
Registry, Cape Town

INTERNATIONAL COMMERCIAL CONVENTIONS—Cont’d

Secured transactions, U.C.C.
Article 9 compared, Cape Town
Convention, this index
Signature

Cape Town Convention, ICC 9:134
U.S. treaty ratification, ICC 8:11
Space-assets, Cape Town Conven-
tion space protocol, ICC 9:3
Space protocol, Cape Town
Convention, ICC 9:3
Sum of fractional shares, Cape
Town Convention, ICC 9:99
Supremacy clause of U.S. Consti-
tution, preemption, ICC 8:23
Transacting registry user,
International Registry, Cape
Town Convention, ICC 9:88
Transmittal, U.S. treaty ratification,
ICC 8:12
Treaty defined, ICC 8:2
UCC Article 9 concepts
comparison Cape Town
Convention, this index
UNCITRAL, drafting organiza-
tion, ICC 8:5
Understandings, ICC 8:16, ICC 8:18
Understandings, private law con-
ventions, ICC 8:16
UNIDROIT, International Institute
for Unification of Private Law
(UNIDROIT), this index
United Nations Convention on
Assignment of Receivables in
International Trade, rela-
tionship to Cape Town Conven-
tion, ICC 9:130
United Nations Convention on
International Sale of Goods,
this index

Master Index-256
INTERNATIONAL COMMERCIAL CONVENTIONS—Cont’d
U.S. treaty ratification process, ICC 8:8 et seq.
Validity of registration, Cape Town Convention, ICC 9:71
Words and phrases generally, ICC 9:9
aircraft engines, ICC 9:17
aircraft objects, ICC 9:17
airframes, ICC 9:17
applicable law, ICC 9:26
assignment, ICC 9:106
associated rights, ICC 9:20, ICC 9:106
convention, ICC 8:2
courts, ICC 9:140
creditor, ICC 9:14
helicopters, ICC 9:17
insolvency proceedings, ICC 9:102
internal transaction, ICC 9:137
international interest, ICC 9:11, ICC 9:15
national interest, ICC 9:62
non-consensual rights and interests, ICC 9:122
party in whose favor it was made, ICC 9:82
proceeds, ICC 9:19
registration, ICC 9:66
sales, ICC 9:21, ICC 9:125
transaction, ICC 9:126
treaty, ICC 8:2
undue delay, ICC 9:83, ICC 9:86
unregistered interest, ICC 9:93
Writing, constituting international interest, Cape Town Convention, ICC 9:30

INTERNATIONAL DEVELOPMENTS
UNCITRAL 2005 Convention, this index

INTERNATIONAL INSTITUTE FOR UNIFICATION OF PRIVATE LAW (UNIDROIT)
Generally, ICC 8:6
Consolidated Text of Convention and Aircraft Protocol interpretation of Convention, ICC 9:28
structure of Convention, ICC 9:2
Convention on International Interests in Mobile Equipment, Cape Town Convention, this index
Declarations text availability, ICC 9:4
Drafting organization, ICC 8:6
Languages of Cape Town Convention, ICC 9:6
Private law conventions, ICC 8:6
Protocols of Cape Town Convention, ICC 9:2
Text searches, web pages, ICC 9:7
Updates, web pages, ICC 9:3
Webpages, ICC 9:3, ICC 9:7

INTERNATIONAL OBLIGATION
International commercial conventions, private law, ICC 8:21

INTERNATIONAL ORGANIZATION FOR INTERNATIONAL CARRIAGE BY RAIL
Cape Town Convention, ICC 9:3

INTERNATIONAL REGISTRY
Cape Town Convention, this index

INTERNATIONAL SIGHT DRAFTS
Definition, 3-701:1
## INTERNATIONAL SIGHT

**DRAFTS—Cont’d**

- Dishonor, 3-701:2
- Letters of advice generally, 3-701:1
  - failure to send, 3-701:2

## INTERNATIONAL TRANSACTION

- Definition, 1-301 [Rev]

## INTERNET PAYMENTS

- Generally, NONUCCPY 2:31
- Historical background, NONUCCPY 1:19 to 1:21

## INTEROPERABILITY

- Federal E-Sign, UETA 19:2
- History, analysis, and cases, UETA 19:1
- Official comments, UETA 19
- Related law
  - federal E-Sign, UETA 19:2
  - Uniform Real Property Electronic Recording Act, UETA 19:3
- Statutory text, UETA 19
- Uniform Electronic Transactions Act, this index
- Uniform Real Property Electronic Recording Act, UETA 19:3

## INTERPLEADER

- Bank deposits and collections, 4-407:4
- Miscellaneous provisions, 7-603:1 [Rev]

## INTERPRETATION

- Construction and Interpretation, this index

## INTERSTATE COMMERCE ACT, CARMACK AMENDMENT

- Relation of Article, 7-103:2

## INTOXICATING LIQUORS

- Warehouse receipts, 7-201:1 [Rev]

## INVENTORY

- Bulk sales, quantitative limitations, 6-103:6 [Rev]
- Bulk transfers, limitations, 6-102:3, 6-102:7
- Choice of law, 6-103:4 [Rev]
- Classifications generally, 9-109:1
  - problems, 9-109:5
  - requirements, 9-109:5
- Collateral, purchase money security interests, 9-107:6
- Definitions, 6-103:6 [Rev], 9-109:5, 9-307:2
- Equipment, distinguished, 6-103:6 [Rev]
- Farm products, distinguished, 6-103:6 [Rev]
- Fractions, 6-103:6 [Rev]
- Interest, 9-114:4
- Purchase-money security interests, priorities, 9-312:4, 9-324:1 [Rev]
- Value, 6-103:6 [Rev]

## INVESTMENT PROPERTY

- Generally, 9-106 [Rev], 9-106:1 [Rev]
  - Control generally, 9-203:14 [Rev]
  - prior law, 9-106:2 [Rev]
- Perfection
  - governing law change, effect, 9-316:4 [Rev]
  - special rules, 9-312:1 [Rev], 9-312:8 [Rev]
- Security interests generally, 9-305 [Rev], 9-305:1 [Rev]
  - Hague Securities Convention, 9-305:2 [Rev]
INVESTMENT PROPERTY
—Cont’d
Security interests—Cont’d
operation of law, 9-203:14 [Rev]
perfection, 9-203:14 [Rev], 9-305:1 [Rev]
priorities, 9-305:1 [Rev], 9-328:1 [Rev]

INVESTMENT SECURITIES
See also Indorsements; 1977 Amendments; Notices; Pledges; Registrations; Security Interests; Signatures; Stock Certificates; Transfers; Warranties
Action on security, 8-105:2
Actions for price, 8-107:5
Adverse claims
generally, 7-603:1 [Rev]
duty of inquiry, 8-403:1, 8-403:4, 8-403:6
notice, 8-403:2, 8-403:3, 8-403:5
Alterations
instruments, 8-206:2
1977 amendments, 8-206:3
Article 3, comparison, 3-102:2 [Rev]
Authenticating trustees
generally, 8-208:1 [Rev]
definition, 8-406:1
duties, 8-406:2, 8-406:3
1977 amendments, 8-406:5
functions, 8-406:1
notices, receipt, 8-406:4
warranties
authority, 8-208:3
capacity, 8-208:3
form and amount, 8-208:1
genuineness of security, 8-208:2
1977 amendments, 8-208:5

INVESTMENT SECURITIES
—Cont’d
Bearer form
bona fide purchasers, 8-302:6
time of control, requirements, 8-106:2 [Rev], 8-303:6 [Rev]
debt securities, 8-102:3
definition, 8-102:3, 8-107:2, 8-302:6
indorsements, 8-304:6 [Rev]
indorsements of security, 8-310:1, 8-310:2
registered form distinguished, 8-102:3
Bona fide purchasers
ability to become, staleness of defenses affecting, 8-203:3
actions against, wrongful transfers, 8-315:3
definition, 8-301:2
freedom from claims, 8-301:5
intervention, 8-405:4
1977 amendments, 8-302:7
notice of adverse claim, 8-302:5
purpose of rule, 8-302:2
requirements
generally, 8-302:1
bearer form of security, 8-302:6
giving value, 8-302:3
good faith, 8-302:4
purchase, 8-302:2
registered form issued, indorsed or blank, 8-302:6
rights
generally, 8-302:1
limitations, 8-301:2
lost or stolen securities, 8-301:2
paramount, 8-301:3
status requirements, New York rule, 8-304:4
transfers, 8-401:3
INVESTMENT SECURITIES
—Cont’d
Bona fide purchasers—Cont’d
warranties on presentment, 8-306:2
Brokers
automatic perfection rule, 8-102:6 [Rev]
capacity, 8-102:6 [Rev]
contractual relationship with customers, 8-102:6 [Rev], 8-303:1
definition, 8-102:6 [Rev], 8-303:1
deliveries, 8-313:3, 8-314:3
determinations, 8-303:1
fiduciaries, 8-303:1
1977 amendments, 8-303:4
transactions
generally, 8-314:2
national stock exchanges, 8-303:2
over the counter markets, 8-303:2
warranties on transfer, 8-108:5 [Rev], 8-306:6
Business associations, equity interests in, 8-103:2 [Rev]
Certificated securities
attachment, 8-112:1 [Rev]
control, requirements, 8-106:2 [Rev]
definitions, 8-102:2 [Rev]
transfers, restrictions, 8-204:1 [Rev]
Clearing corporations, definition, 8-102:5
Commodity contracts, 8-103:7 [Rev]
Completion of instruments
alterations, 8-206:2
failure, 8-206:1
incorrect, 8-206:1
1977 amendments, 8-206:3
Conflict of laws, 8-106:1 to 8-106:4
Contracts to purchase, 8-202:7
Control, generally, 8-106 [Rev]
Conversion, refusal to transfer shares, 8-204:3
Creditors’ rights, 8-317:1 et seq.
Custodian banks, 8-102:6
Damages
allocation, 8-107:4
breach of contract, 8-107:4
INVESTMENT SECURITIES
—Cont’d
Damage—Cont’d
mitigation, 8-107:3
overissued securities, 8-104:4
price, 8-107:4
wrongful transfers, 8-315:2
Debt securities
bearer form, 8-102:3
blanks, maturity date, 8-206:1
registered form, 8-102:3
Defects
effectiveness, burden of proof, 8-105:6
notice, revoked calls, 8-203:4
validity of securities, 8-202:4
Defenses
conditional deliveries, 8-202:6
conditional delivery, 8-202:6 [Rev]
effectiveness, burden of proof, 8-105:6
genuineness of security, 8-202:5
genuineness of security, lack, 8-202:6 [Rev]
invalidity of security, 8-202:6 [Rev]
invalid securities, 8-202:4
issuers, 8-201:3, 8-202:1, 8-202:1 [Rev], 8-202:6 [Rev]
nondeliveries, 8-202:6
nondelivery, 8-202:6 [Rev]
notice, revoked calls, 8-203:4
staleness, 8-203:1, 8-203:1 [Rev], 8-203:3
unauthorized signatures, 8-205:1 [Rev], 8-205:3
Delivery
acknowledgments, 8-313:4
acts constituting, 8-313:2, 8-313:4
bearer form, 8-106:2 [Rev]
book entry transfers as equivalent, 8-320:4

INVESTMENT SECURITIES
—Cont’d
Delivery—Cont’d
brokers, transactions, 8-314:2
conditional, defense, 8-202:6
control
absence, 8-106:2 [Rev]
requirements, 8-106:2 [Rev]
defenses, 8-202:6
definition, 8-201:3, 8-309:1
duties
generally, 8-314:1
fulfillment, 8-314:3
transactions involving brokers, 8-314:2
forms, 8-107:2
gifts, failure to make, 8-309:2
indorsements, registered form, 8-106:2 [Rev]
indorsements, without, 8-304:5 [Rev]
indorsements without, 8-309:1, 8-309:3
necessity, 8-313:1, 8-314:1
1977 amendments, 8-313:7, 8-314:4
nondelivery, defense, 8-202:6
notice of adverse claim, lack, 8-313:6
obligations, 8-107:1
purchasers’ rights, 8-301:1, 8-301:7
registered form without indorsements, 8-307:1
risk of loss, 8-314:3
securities, 8-107:1
statute of frauds, satisfaction, 8-319:5
transactions involving brokers, 8-313:3
valid transfer of security, 8-308:8
Drafting history of revision, 8-101:4 [Rev], 8-102:4 [Rev]

© 2018 Thomson Reuters, 12/2018
Master Index-261
INVESTMENT SECURITIES
—Cont’d
Duty of inquiry
  generally, 8-403:1
  absence, 8-403:5
  adverse claims, 1977 amendments, 8-403:6
  discharging, methods, 8-403:4
Effect of 1977 amendments, 8-101:3
Enforcement
  estoppel, 8-319:8
  specific, 8-315:4
Entitlement holder, 8-102:7 [Rev]
Entitlement orders, warranties, 8-109:1 [Rev]
Equity interests in business associations, 8-103:2 [Rev]
Evolution of indirect holding system, 8-101:2 [Rev]
Exchanges
  certificated for uncertificated, 8-407:3
  class, 8-407:2
  1977 amendments, 8-407:1 to 8-407:4
  uncertificated for certificated, 8-407:4
Exclusion from Article 3, 3-103:1, 3-103:2, 3-104:3
Fungible securities
  clearing corporations’ records, 8-320:3
  definition, 8-107:1
  delivery, 8-107:1
Gifts, 8-309:2
Good faith
  generally, 8-303:10 [Rev]
  agents, 8-318:1, 8-318:2, 8-318:3
  bailees, 8-318:1, 8-318:2, 8-318:3
  bona fide purchasers, 8-302:4
  definition, 8-102:10, 8-302:4, 8-318:2

INVESTMENT SECURITIES
—Cont’d
Good faith—Cont’d
requirements, 8-318:2
standards, 8-318:2
Holders
  agents’ duties, 8-406:3
  definition, 8-105:5, 8-313:5
  prior, notice of adverse claims, 8-301:4
  proportionate property interest in fungible bulk, 8-313:5
  rights, limitations, 8-301:4
Indirect holding systems, 8-101:2 [Rev]
  Investment company shares, 8-103:3 [Rev]
Issuers
  adverse claims, duty to inquire, 8-403:1
  amendments, 8-201:8
  defenses
    generally, 8-201:3, 8-202:1
    conditional delivery, 8-202:6, 8-202:6 [Rev]
    genuineness of security, 8-202:5
    genuineness of security, lack, 8-202:6 [Rev]
    invalidity of security, 8-202:6 [Rev]
    nondelivery, 8-202:6, 8-202:6 [Rev]
    staleness, 8-203:1, 8-203:1 [Rev]
    definitions, 8-201:1, 8-201:2, 8-201:4, 8-201:7
  duties, registration of transfers, 8-401:1, 8-401:2, 8-401:3, 8-401:4 [Rev], 8-401:5, 8-401:5 [Rev], 8-403:4 [Rev]
  governmental, 8-202:4
  guarantors, 8-201:6
  liabilities, 8-401:2
INVESTMENT SECURITIES
—Cont’d
Issuers—Cont’d
liability, collusion, 8-404:5
[Rev]
names, placement on certifi-
cates, 8-201:4
nongovernmental, 8-202:4
obligations, 8-202:1
parties responsible, 8-201:5
registration of transfers, refusal, 8-401:4
transfers ineffective, 8-403:6 [Rev], 8-404:2 [Rev]
registration, 8-401:1 to 8-401:4
restrictions, 8-204:2
treatment of registered owners of securities, 8-207:1, 8-207:1 [Rev]
Issuer’s liens
amendments, 8-103:2
description on security, 8-103:1
notations on security, conspicuousness, 8-103:1
validity, 8-103:1
Legal uncertainty as reason for revision, 8-101:3 [Rev]
Limited liability companies, 8-103:4 [Rev]
Lost, destroyed or stolen
bona fide purchasers
intervention, 8-405:4
rights, 8-301:2
1977 amendments, 8-405:5
notice to issuer, 8-405:2
owners’ options, 8-405:1
parties, limitation of rights, 8-301:3
replacements, 8-405:2, 8-405:3
Mutual fund shares, 8-103:3 [Rev]
Negotiability
generally, 8-105:1

INVESTMENT SECURITIES
—Cont’d
Negotiability—Cont’d
defects, burden of establishing effectiveness, 8-105:6
defenses, burden of establishing effectiveness, 8-105:6
Negotiable
generally, 8-105:1
holders’ rights, 8-105:5
signatures, rights of holders, 8-105:5
Negotiable instruments, 8-103:5 [Rev]
Options, distinguished from security, 8-103:6 [Rev]
Organization of Article 8, 8-101:2
Overissued
generally, 8-210:1 [Rev]
amendments, 8-104:5
damages, 8-104:4
definition, 8-104:1
effect, 8-104:2
remedies, forcing purchase and delivery of identical shares, 8-104:3
validity, 8-104:1
Over the counter markets, brokers’ roles, 8-303:2
Overview of 1994 revision, 8-101:1 [Rev]
Partnership interests, 8-103:4 [Rev]
Pledges, central depository system, 8-320:1 et seq.
Presentments, warranties, 8-306:1, 8-306:2
Presumptions, signatures, 8-105:3
Property interests in financial assets other than securities, 8-104:3 [Rev]
Property interests in securities, 8-104:2 [Rev]
Purchaser, entitlement holder as, 8-104:4 [Rev]
INVESTMENT SECURITIES
—Cont’d

Purchasers
delivery, taking, 8-301:1
fraud, 8-301:3
illegal actions, 8-301:3
limited interest, rights, 8-301:6
notice, adverse claims, 8-304:1
security interest, 9-309:1
special, warranties on present-
m ent, 8-306:2
stale securities, 8-305:2
subsequent, definition, 8-102:4

Purchases
definition, 8-302:2
voluntary transfers as constitut-
ing, 8-302:2

Purpose of Article 8, 8-101:1

Registered form
bearer form distinguished, 8-102:3
bona fide purchasers, 8-302:6
control, requirements, 8-106:2
[Rev]
debt securities, 8-102:3
definitions, 8-102:3, 8-107:2,
8-302:6
delivery of security without
indorsement, 8-307:1
delivery without indorsements,
8-304:5 [Rev]

Registered owners
agents’ duties, 8-406:3
duties, lost certificates, 8-406:1
[Rev]
liability, 8-207:2
multiple, indorsing security,
8-308:5
stop orders, 8-403:2
treatment, 8-207:1

Registrars
generally, 8-208:1 [Rev]
definition, 8-406:1
duties, 8-406:2, 8-406:3,
8-406:5

INVESTMENT SECURITIES
—Cont’d

Registrars—Cont’d

notices, receipt, 8-406:4
responsibilities, 8-205:2,
8-406:1
warranties
generally, 8-208:1
authority, 8-208:3
capacity, 8-208:3
form and amount, 8-208:4
genuineness of security,
8-208:2
1977 amendments, 8-208:5

Relationship between security and
security entitlement, 8-104:5
[Rev]

Remedies
delivery of like securities,
8-404:4
overissued securities, 8-104:2,
8-104:3
registration of transfers, 8-404:4

Replacements
bona fide purchasers, interven-
tion, 8-405:4
indemnity bonds, 8-405:3
issuance, 8-405:2, 8-405:3
requirements, 8-405:3

Representatives
entitlement orders, effective-
ness, 8-107:4 [Rev]
indorsements, effectiveness,
8-107:4 [Rev]
instructions, effectiveness,
8-107:4 [Rev]
wrongful transfer, effectiveness,
8-107:4 [Rev]

Restrictions
private placement, 8-204:3
transfer of shares
generally, 8-204:1
enforcement, 8-204:2
imposition by issuers,
8-204:2
INVESTMENT SECURITIES—Cont’d
Restrictions—Cont’d
transfer of shares—Cont’d
knowledge, 8-204:5
1977 amendments, 8-204:6
notations on securities,
8-204:3, 8-204:4
restrictive stock options,
8-204:3
Rights
bona fide purchasers, 8-301:2
compelling indorsements,
8-307:2
indenture trustees, treatment of
registered owners of securities,
8-207:1
issuers, treatment of registered
owners of securities,
8-207:1, 8-207:1 [Rev]
owners, wrongful transfers
generally, 8-315:1
actions against transferees,
8-315:2
pledgors, 8-108:3
purchasers
delivery, 8-301:3, 8-302:2 [Rev]
limited interest, 8-301:6
shelter, 8-301:1
shelter rule, 8-302:1 [Rev]
registered pledgees, 8-108:4
transfers, 8-301:1
Scope of Article 8, 8-101:1
Scope of Article 8 Revised,
8-101:5 [Rev]
Securities accounts
definition, 8-501:2 [Rev]
exclusions
brokerage asset management
accounts, 8-501:4 [Rev]
deposit accounts, 8-501:3 [Rev]
mutual fund accounts,
8-501:5 [Rev]
INVESTMENT SECURITIES—Cont’d
Securities accounts—Cont’d
exclusions—Cont’d
trust accounts, 8-501:6 [Rev]
Securities Act of 1933
definitions, 8-303:3
restrictions on transfers,
8-204:2
Securities Exchange Act of 1934,
8-303:3
Security interests
generally, 8-321:1 et seq.
perfection, 9-302:10
Signatures
presumption, 8-105:3
unauthorized, 8-205:1 et seq.
Specific enforcement, wrongful
transfers, 8-315:4
Staleness
issuers’ defenses, 8-203:1,
8-203:1 [Rev]
notice of adverse claims,
8-305:1, 8-305:2
time, 8-203:2
Statute of frauds
generally, 8-319:1
admissions, 8-319:7
contracts applicable, 8-319:2
delivery, 8-319:5
description, 8-319:4
estoppel, 8-319:8
1977 amendments, 8-319:10
noncompliance, 8-319:9
payments, 8-319:5
prerequisites, 8-319:2
price, 8-319:4
purpose, 8-319:4
quantity, 8-319:4
signed writings, 8-319:4
taped conversations, 8-319:3
written confirmations, 8-319:6
Systemic risk as reason for revi-
sion, 8-101:3 [Rev]
INVESTMENT SECURITIES
—Cont’d
Terms
  generally, 8-202:2
certificated securities, 8-202:2 [Rev]
incorporation by reference, 8-202:3
1977 amendments, 8-202:8
uncertificated securities
  1978 version, 8-202:4 [Rev]
  1994 version, 8-202:3 [Rev]
Transfer agents
  generally, 8-208:1 [Rev]
definition, 8-406:1
duties, 8-406:2, 8-406:3, 8-406:5, 8-407:2 [Rev]
functions, 8-406:1
notices, receipt, 8-406:4
responsibilities, 8-205:2
warranties
  generally, 8-108:4 [Rev], 8-208:1
  authority, 8-208:3
capacity, 8-208:3
form and amount, 8-208:4
genuineness of security, 8-208:2
  1977 amendments, 8-208:5
Transfers, central depository system, 8-320:1 et seq.
Unauthorized signatures, 8-205:1 et seq.
Uncertificated
adverse claims, 1977 amendments, 8-403:6
alterations, 1977 amendments, 8-206:3
amendments affecting, 8-101:4
assurances, 1977 amendments, 8-402:7
attachment, 8-112:1 [Rev]
completion, 1977 amendments, 8-206:3

INVESTMENT SECURITIES
—Cont’d
Uncertificated—Cont’d
control, requirements, 8-106:3 [Rev], 8-303:7 [Rev]
creation of security interests
  junior interests, 8-321:5
  senior interests, 8-321:4
creditors’ legal process, 8-112:1 [Rev]
creditors’ rights, 1977 amendments, 8-317:9
definitions, 1977 amendments, 8-102:8, 8-102:10
definitions, 1994 revision, 8-102:2 [Rev]
exchanges, 8-407:4
issuers’ rights, treatment of registered owners, 1977 amendments, 8-207:3
negotiability, 1977 amendments, 8-105:7
  1977 amendments, 8-101:4, 8-202:8, 8-408:1
notices, 1977 amendments, 8-408:1
perfection of security interests
  junior interests, 8-321:5
  senior, 8-321:4
pledges, 8-321:4
pledgors’ rights, 8-108:3
registered pledges, termination, 8-108:5
statements, 1977 amendments, 8-408:2
Validity
  generally, 8-202:4
  staleness, 8-203:1
Warranties
indorsements, 8-402:2
indorsers, 8-308:6
presentments, 8-306:1, 8-306:2
transfers, 8-306:7

INVOICE
Third parties, prima facie evidence, 1-307 [Rev]
ISSUERS
Adverse claims, duty to inquire, 8-403:1
Amendments, 8-201:8
Burden of proof, 7-301:2
Damages, 7-301:1
Defenses
generally, 8-201:3, 8-202:1
conditional delivery, 8-202:1 [Rev], 8-202:6
genuineness of security, 8-202:5, 8-202:6 [Rev]
invalidity of security, 8-202:6 [Rev]
nondelivery, 8-202:6, 8-202:6 [Rev]
preclusion, 8-202:6 [Rev], 8-202:7 [Rev]
staleness, 8-203:1, 8-203:1 [Rev], 8-203:2
unauthorized signatures, 8-205:1 [Rev]
Definitions, 7-102:9, 7-102:9 [Rev], 7-301:1, 7-401:1, 8-201:1, 8-201:1 [Rev], 8-201:2, 8-201:2 [Rev], 8-201:4, 8-201:7
Duties
inquiry, 8-403:1
registration of transfers, 8-401:1, 8-401:3, 8-401:4 [Rev], 8-401:5 [Rev], 8-403:4 [Rev]
Governmental, 8-202:4, 8-202:6 [Rev]
Guarantors, 8-201:3 [Rev], 8-201:6
Indemnification, through bills of lading, 7-302:3
Indirect holding system, defenses, preclusion, 8-202:7 [Rev]
Investment Securities, this index
Jurisdiction, choice of law, 8-110:2 [Rev]

ISSUERS—Cont’d
Liabilities
adverse claims, notices, 8-404:6 [Rev]
collusion, 8-404:5 [Rev]
failure to register transfers, 8-401:2
indorsements, ineffective, 8-403:6 [Rev], 8-404:2 [Rev]
instructions, ineffective, 8-403:6 [Rev], 8-404:2 [Rev]
refusal to register transfers, 8-401:2
wrongful transfer, 8-107:3 [Rev], 8-404:1 [Rev]
Liability
damages, 7-301:1
defenses, prohibitions, 7-301:1
extent, 7-301:2
misdescription of goods, 7-203:1
innocent, 7-301:1
nonreceipt of goods, 7-203:1
third parties, 7-301:1
through bills of lading, 7-302:1
Names, certificates, 8-201:4
Negotiable instruments, 3-105:1 [Rev], 3-110:1 [Rev]
Nongovernmental, 8-202:4, 8-202:6 [Rev]
Obligations, 7-102:9, 7-401:1, 8-202:1
Parties responsible, 8-201:5
Registration of transfers, refusal, 8-401:4
Rights, treatment of registered owners of securities, 8-207:1
Through bills of lading
indemnification, 7-302:3
liability, 7-302:1
ISSUERS—Cont’d
Transfers
registration, 8-401:1 to 8-401:4
restrictions, 8-204:2
wrongful, violating injunction,
8-404:4 [Rev]

ISSUER’S LIENS
Amendments, 8-103:2
Certificated securities, conspicuous notations, 8-209:1 [Rev]
Description, 8-103:1
Notations, conspicuousness,
8-103:1
Uncertificated securities, applicability, 8-209:2 [Rev]
Validity, 8-103:1

ITEMS
Acceptance, time allowed,
4-302:6
Accountability, 4-302:6 [Rev]
Alterations, 4-401:3 [Rev],
4-401:5, 4-406:1 et seq.
Bank’s obligation to pay, 4-401:1
Cash, 4-101:4 [Rev]
Cashier’s checks, stop payment orders, 4-403:11
Cash letters, 4-301:9
Certified checks, stop payment orders, 4-403:11
Classification, posting process,
4-109:7
Clearinghouse, return, 4-301:7
Computer printouts, 4-406:2
Definition, 4-102:1 [Rev],
4-104:2, 4-104:6 [Rev]
Demand, 4-301:9, 4-302:2
Description, stop payment orders,
4-403:3 [Rev], 4-403:7
Direct sending, 4-204:2 [Rev],
4-204:4, 4-212:1 [Rev]
Dishonor
protest, 4-202:5

ITEMS—Cont’d
Dishonor—Cont’d
wrongful, 4-212:1 [Rev],
4-301:5 [Rev], 4-402:1 et seq.
Double forgery, 4-406:7 [Rev]
Electronic transfers, 4-104:2,
4-104:6 [Rev]
Identification, 4-406:2 [Rev],
4-406:4 [Rev]
Improper completion, 4-401:4
Incomplete, 4-401:3 [Rev]
Indirect routing for presentment,
4-204:2
Indorsements, missing generally,
4-205:1, 4-205:1 [Rev]
effect, 4-205:2 restrictive,
4-205:5
Instructions for collection, 4-203:1
Mistakenly sent, 4-202:4 [Rev]
Money orders, stop payment orders, 4-403:13
Noncash, 4-101:4 [Rev], 4-109:3
Off-premises presentment, 4-204:5
Other, strict time for return,
4-302:6
Overdrafts, 4-401:2 [Rev]
Over the counter, 4-301:2 [Rev]
Payable through bank generally, 4-106 [Rev]
Alternative A, 4-106:5 [Rev]
Alternative B, 4-106:6 [Rev]
bank’s duty, 4-106:3 [Rev]
domiciled instruments, 4-106:1 [Rev], 4-106:2 [Rev],
4-106:4 [Rev]
Pay any bank indorsements,
4-201:6, 4-201:6 [Rev],
4-203:2
Payment order, 4-303:4 [Rev]
Postdated checks, 4-401:4 [Rev]
Presentment
bank’s duty of ordinary care,
4-202:1 [Rev], 4-202:2
ITEMS—Cont’d
Presentment—Cont’d
indirect routing, 4-204:2
methods, 4-204:1 et seq.,
4-204:2 [Rev], 4-212:1
[Rev]
notice, 4-210:1, 4-212:1 [Rev]
off-premises, 4-204:5
time of dishonor, 4-210:2
Process of posting, 4-109:1 et seq.
Properly payable
generally, 4-301:4
authority to pay by bank,
4-401:2
contractual stipulations, 4-401:2
definition, 4-401:1, 4-401:1
[Rev], 4-402:3 [Rev]
unauthorized signatures,
4-302:4 [Rev], 4-401:1
[Rev], 4-401:2
Provisional credits
generally, 4-301:7
revocation, 4-301:5
security interest, 4-208:1 et seq.
Represented, 4-302:3 [Rev]
Restrictive indorsements, 4-203:2
Retention, 4-406:3 [Rev]
Returnable, determination,
4-301:4
Returns
bank duty, 4-406:3 [Rev]
charge-backs by collecting
banks, 4-103:4
clearinghouse, 4-301:4 [Rev],
4-301:7
direct, 4-212:7
dishonor distinguished, 4-402:4
expeditious, 4-301:6 [Rev]
forward collection test, 4-301:6
[Rev]
late, 4-302:1 et seq.
notice, nonpayment, 4-301:7
[Rev]
notice of dishonor, 4-103:4
time, 4-301:4 [Rev], 4-301:7

ITEMS—Cont’d
Returns—Cont’d
two-day/four-day test, 4-301:6
[Rev]
Security interests of collecting
banks
generally, 4-208:1
advances made against items,
4-208:4, 4-210:3 [Rev],
4-210:4 [Rev]
credits, 4-208:3, 4-210:2 [Rev]
enforceability, 4-208:6
extent, several items, 4-208:5,
4-210:1 [Rev], 4-210:5
[Rev]
perfection, 4-208:6
priorities
conflicting secured interest,
4-208:6
several deposits, 4-208:5
relation to Article 9, 4-208:6
types, 4-208:6
withdrawal of funds, provision-
al credits, 4-208:2
Settlements
banks’ duties, 4-202:6
final, 4-211:4, 4-213:3 [Rev]
medium, 4-211:1, 4-213:1
[Rev]
methods authorized, 4-211:2
time, 4-213:2 [Rev]
Signatures, validity, 4-401:2
Stale checks, 4-404:1, 4-404:1
[Rev], 4-404:2 [Rev]
Statement of account, 4-406:1
[Rev], 4-406:2
Stop payment orders, 4-403:1 et
seq.
Teller’s checks, stop payment
orders, 4-403:12
Time
cutoff hour, 4-108:1 [Rev]
delays, 4-109 [Rev], 4-109:1
[Rev], 4-109:3 [Rev]
receipt, 4-107:1, 4-108:1 [Rev]
ITEMS—Cont’d
Time—Cont’d
return, 4-301:4 [Rev], 4-301:7
Title
determination, 4-201:1
warranty of good title, 4-207:13
Transferees’ rights, 4-201:3
Transfers between banks, 4-206:1, 4-206:1 [Rev]
determination, 4-206:2
Traveler’s checks, stop payment orders, 4-403:13
Unpaid, direct return, 4-212:7
On us, 4-212:6, 4-301:2 [Rev], 4-301:9
Warranties, 4-207:1 et seq.

JOINT TENANCY
Warehouse receipts, 7-202:1 [Rev]

JUDGES
Construction and interpretation, 1-103:3 [Rev]

JUDGMENTS
Assignments, 9-104:9
Deficiencies, barring claim, 9-507:7
Transfer of rights, 9-104:9

JUDICIAL RECOGNITION
Third parties, prima facie evidence, 1-307:2 [Rev]

JUDICIAL USE
Construction and interpretation, 1-103:10 [Rev]

JURISDICTION
Cape Town Convention, this index
Goods covered by certificates of title, 9-103:6, 9-103:7
Letters of credit, 5-116:14 [Rev]
Location of debtors, 9-103:9
Mobile goods, 9-103:4
Movement of goods, 9-103:5
Vouching, 2A-516:12

KEYSTROKE ERROR
Generally, UETA 10 et seq.

KNOWLEDGE
Notices distinguished, 8-204:5
Restrictions on transfers, 8-204:5

LABELS, WARRANTY OF
MERCHANTABILITY
Adequacy, 2A-212:12
Affirmations of fact, 2A-212:13

LABOR
Lien of warehousemen, 7-209:3 [Rev]

LANGUAGE
Cape Town Convention, this index

LARCENY
Lost, stolen, or destroyed documents, 7-601:1 [Rev]
Title and rights, 7-502:1 [Rev]

LATENT DEFECTS
Revocation of acceptance, establishment of defect, 2A-517:4, 2A-517:6

LAW OF THE FORUM
Territorial applicability and general rules, 1-301:4 [Rev]

LAW REVIEW ARTICLES
Construction and interpretation, 1-103:10 [Rev]

LAY-DICTIONARY
Course of performance, course of dealing, and usage of trade, 1-303 [Rev]

LAYERED CONTRACTS
Contracts, this index

LEASES
Generally, 1-203 [Rev]
See also Commercial Leases; Consumer Leases; Lessees; Lessors
LEASES—Cont’d
Acceleration
generally, 2A-501:3, 2A-501:4
clauses, at will option, leases,
2A-109, 2A-109:1
Acceptance, time, 2A-206:4
Acceptance of goods
generally, 2A-515:1
actions constituting
generally, 2A-515:3 et seq.
default by lessor, 2A-515:3,
2A-515:5
failure to reject, 2A-515:4
part of commercial unit,
2A-515:6
burden of proof, 2A-516:11
consequences
generally, 2A-516, 2A-516:1
rent on contract terms,
2A-516:2
consequential damages,
2A-519:7
damages for breach
consequential, 2A-519:7
nonwarranties, 2A-519:3,
2A-519:5
warranties, 2A-519:4
default by lessor, 2A-515:3,
2A-515:5
definition, 2A-515:1
failure of rejection, 2A-515:4
importance, 2A-515:2
incidental damages, 2A-519:7
liability for rent, 2A-516:2
nonwarranty damages,
2A-519:3, 2A-519:5
part of commercial unit,
2A-515:6
repair and replacement,
2A-519:6
revocation, 2A-517, 2A-517:1
warranty damages, 2A-519:4
Accessions
generally, 2A-310, 2A-310:1 et
seq.
LEASES—Cont’d
Accord and satisfaction, deduction
damages compared, 2A-508:4
Actions for rent, default by lessee, 2A-529:1
Adequate assurances of performance
generally, 2A-401:1
grounds for insecurity, 2A-401:2
mechanics for giving assurances, 2A-401:5
standard, 2A-401:3
Admissions, statute of frauds, 2A-201:7
Agreement, lease agreement as contractual base, 2A-301:2
Alienability of interests
assignment and delegation distinguished, 2A-303:2
assignment of rights, 2A-303:4
delegation of performance, 2A-303:3
recognition of assignments and delegations, 2A-303:1
transfer terms, construction, 2A-303:5
Allergies, warranty of merchantability, 2A-212:11
Ambiguous offers, 2A-206:2
Amendments
certificate of title laws, 2A-105:3
cover, 2A-518:3
related laws, 2A-104:4
summary of amendments
alienability of interests, 2003 amendments, 2A-303:7
casualty to identified goods, 2003 amendments, 2A-221:8
LEASES—Cont’d
Amendments—Cont’d
summary of amendments—Cont’d
exclusion or modification, warranties, 2003 amendments, 2A-214:12
firm offers, 2003 amendments, 2A-205:13
interference and infringement, warranties against, 2003 and 2005 amendments, 2A-211:10
lease formation, 2003 amendments, 2A-204:5
liens, priority, 2003 amendments, 2A-306:4
merchantability warranties, 2003 amendments, 2A-212:16
risk of loss, 2003, 2A-219:7
risk of loss, default, 2003, 2A-220:6
seals, 2003 amendments, 2A-203:3
statute of frauds, 2003 amendments, 2A-201:12
subleases, discussion, 2003 amendments, 2A-305:4
subsequent lease, 2003 amendments, 2A-304:9
2003 and 2005 amendments, 2A-103:10
warranties
exclusion or modification, 2003 amendments, 2A-214:12
against interference and infringement, 2003 and 2005 amendments, 2A-211:10
merchantability, 2003 amendments, 2A-212:16
LEASES—Cont’d
Amendments—Cont’d
text and comment amendments—Cont’d
waiver, 2A-208:8
waiver or renunciation of claim or right after default, 2A-107:6
warranties conflict, 2A-215:2
cumulation, 2A-215:2
disclaimers, 2A-216:7
exclusion or modification, 2A-214:11
fitness for particular purpose, 2A-213:6
interference and infringement, 2A-211:9
limitations, 2A-216:7
merchantability, 2A-212:15
2003 amendments acceleration clauses, 2A-109:4
acceptance of goods, 2A-515:8, 2A-516:16
accessions, 2A-310:5
actions against third parties, 2A-531:4
actions for rent, 2A-529:4
anticipatory repudiation, 2A-402:6
assurance of performance, 2A-401:7
choice of law, 2A-106:3
cure of improper tender or delivery, 2A-513:10
damages for default, 2A-528:7
disposal of goods, lessor’s rights, 2A-527:7
enforceability, 2A-301:3
excused performance, 2A-405:21, 2A-406:5
fixtures, 2A-309:9

LEASES—Cont’d
Amendments—Cont’d
2003 amendments forum limitation, 2A-106:3
incidental damages, 2A-530:4
insolvency of lessor, 2A-522:9
installment lease contracts, 2A-510:8
lessees, rightfully rejected goods, 2A-512:4
liens, priority, 2A-306:4,
2A-307:6
liquidated damages, 2A-504:7
merchant, rightfully rejected goods, 2A-511:5
renunciation of claim or right after default, 2A-107:7
replevin, 2A-521:6
specific performance, 2A-521:6
statute of limitations, 2A-506:7
stoppage in transit, 2A-526:11
subsequent leases, discussion, 2A-304:8
substituted performance, 2A-404:7
title to and possession of goods, 2003 and 2005 amendments, 2A-302:3
unconscionability, 2A-108:9
waivers, 2A-107:7

2003 and 2005 amendments cancellation and termination, 2A-505:4
default, 2A-501:12
incidental and consequential damages of lessee, 2A-520:12
irrevocable promises, 2A-407:4
market value, 2A-507:4

© 2018 Thomson Reuters, 12/2018

Master Index-273
LEASES—Cont’d
Amendments—Cont’d
2003 and 2005 amendments—Cont’d
notice after default, 2A-502:2
retraction of anticipatory repudiation, 2A-403:2
rights and remedies, modification, 2A-503:10
UCC Article 2A, 2A-101:2 et seq., 2A-602
Anticipatory repudiation generally, 2A-402, 2A-402:1 et seq., 2A-402:3
impossibility of future performance, 2A-402:3
market rent, time and place factors, 2A-528:2
remedies, 2A-402:4
requisites, 2A-402:2
retraction, 2A-403:1
Applicability, 2A-603
Applicable laws, 2A-104:1
Application, 9-105:13
Article 2A
certificate of title, goods covered by, 2A-105:1
choice of law and forum selection, 2A-106:1
definitions and index of definitions, 2A-103:1
forum selection, 2A-106:1
index of definitions, 2A-103:8
option to accelerate at will, 2A-109:1
organization, 2A-101:1
other applicable laws, 2A-104:1
scope, 2A-102:1
transitional provisions, amended Art 2A
Amendment of existing Art 2A, 2A-601
Applicability, 2A-603
Effective date, 2A-601

UNIFORM COMMERCIAL SERIES

LEASES—Cont’d
Article 2A—Cont’d
transitional provisions, amended Art 2A—Cont’d
Savings clause, 2A-604
unconscionability, 2A-108, 2A-108:1
waiver or renunciation of claim or right after default, 2A-107:1
Article 2 and Article 9 provisions not carried over, cross reference table showing reasons, App. 2A-A1
Artisan’s liens, operation of law, 2A-306:1
Assignments
delegation of performance distinguished, 2A-303:2
lease interests, 2A-303:1, 2A-303:4
Assumption of risk
casualty to identified goods, 2A-221:6
substituted performance, 2A-404:5
Assurances, revocation of acceptance, reasonable assumption of cure, 2A-517:4, 2A-517:7
Attornment, lessor’s stoppage of delivery, 2A-526:6
Attribution, signing and sending and electronic record, 2A-223
Bailees
lessor’s stoppage of delivery, 2A-526:3
risk of loss, goods held without movement, 2A-219:4
Bankruptcy
lessor’s right to possession, 2A-525:10
repossession of goods, effect on right, 2A-525:10

Master Index-274
LEASES—Cont’d

Breach
  breach of warranty, remedy,
  2A-211:8
  damages
  consequential, 2A-519:7
  nonwarranties, 2A-519:3,
  2A-519:5
  personal injuries, breach of
  warranty, 2A-520:10
  property, breach of warranty,
  2A-520:10
  warranties, 2A-519:4
  delivery, stoppage in transit,
  2A-526:4
  property damage, breach of
  warranty, 2A-520:10
  remedies, breach of warranties,
  2A-211:8
  stoppage of delivery, 2A-526:4
  warranties
  damages, 2A-519:4,
  2A-520:10
  express warranties,
  2A-210:11
  infringement, 2A-211:8
  interference, 2A-211:8
  personal injuries, 2A-520:10
  property damage, 2A-520:10
  remedies, 2A-211:8
  repair and replacement,
  2A-519:6

Burden of proof
  acceptance of goods, 2A-516:11
  conformity of goods, 2A-509:7
  default, 2A-516:11
  good faith, insecurity clauses,
  2A-109:1
  goods, conformity, 2A-509:7
  insecurity clauses, good faith,
  2A-109:1
  nonconformity of goods,
  2A-509:7
  rejection of goods by lessees,
  2A-509:7

LEASES—Cont’d

Cancellation or termination
  generally, 2A-505, 2A-505:1 et
  seq.
  communications with defaulting
  party, protecting remedies,
  2A-505, 2A-505:1
  default by lessee, lessor’s rem-
  edy, 2A-523:3
  fraud, 2A-505:2, 2A-505:3
  installment lease contracts
  notice, 2A-510:6
  right, 2A-510:5
  repudiation, lessor’s remedies,
  2A-523:3
  words and phrases, 2A-523:3

Cape Town Convention, this index
  Carriers
  goods held without movement,
  2A-219:4
  risk of loss
  goods held without move-ment,
  2A-219:4
  time of passage, 2A-219:3 et
  seq.
  stoppage of delivery, 2A-526:3
  time of passage, 2A-219:3 et
  seq.

Casualty
  assumption of risk, 2A-221:6
  goods, 2A-217:2
  identified goods
  generally, 2A-221, 2A-221:1
  assumption of risk, 2A-221:6
  impossibility
  effect of delivery,
  2A-221:4
  without fault requirement,
  2A-221:3
  partial loss, 2A-221:5
  when contract made,
  2A-221:2
  impossibility, identified goods
  delivery, 2A-221:4
LEASES—Cont’d
Casualty—Cont’d
impossibility, identified goods
—Cont’d
no fault requirement,
2A-221:3
partial loss, 2A-221:5
time of contract, 2A-221:2
Causes of action
accrual, leases, 2A-506:2
categorization, 2A-506:3
statute of limitations
accrual, 2A-506:2
categorization, 2A-506:3
Certificates of title, leased goods,
2A-105:1
Changes in Code, 1-203 [Rev]
Choice of law
applicable laws, general provi-
sions, 2A-104:1
consumer leases, 2A-106:1
scope of Article 2A, 2A-102:3
Claims, excused performance,
2A-405:13
Collateral, secured parties’ rights
after default, 9-504:2
Commercial leases,
unconscionability doctrine,
2A-108:6
Commercial units, acceptance,
2A-515:6
Completion of manufacture,
default of lessee, 2A-524:2
Conformity of goods
burden of proof, 2A-509:7
installment lease contracts,
2A-510:3
options of lessee, 2A-509:8
perfect tender rule, 2A-509:1
risk of loss, delivery of
nonconforming goods,
2A-220:3
Consequential damages
accepted goods, 2A-519:7
economic loss, 2A-520:5 et seq.

LEASES—Cont’d
Consequential damages—Cont’d
incidental damages
distinguished, 2A-530:1
lessee’s damages, 2A-519:7,
2A-520:3 et seq.
limitations, 2A-520:11
mitigation, 2A-520:9
modification or impairment of
remedy, 2A-503:8
ordinary damages, relationship,
2A-520:4
personal injuries, 2A-520:10
proof of loss, 2A-520:6
property damage, 2A-520:10
reason to know, 2A-520:7
rejection of agreement,
2A-520:8
Consumer Credit Act
other applicable law, 2A-104:1
unconscionability doctrine,
2A-108, 2A-108:1
Consumer Credit Code
default, 2A-501:4
lessor’s right to possession,
2A-525:10
other applicable laws, 2A-104:1
repossession of goods,
2A-525:10
unconscionability doctrine,
2A-108:1
Consumer Leases, this index
Consumer Leasing Act, this index
Consumer protection statutes, les-
sor’s right to possession,
2A-525:10
Containers, warranty of merchant-
ability, affirmations of fact,
2A-212:13
Contracts
effect of lease contract,
2A-301:1
formation
leases, 2A-204:1 et seq.
missing terms, 2A-204:3

Master Index-276
LEASES—Cont’d
Contracts—Cont’d
formation—Cont’d
time not identified, 2A-204:2
offer and acceptance
generally, 2A-206, 2A-206:1,
2A-206:1 et seq.
firm offers, 2A-205:1 et seq.
firm offers, leases, 2A-205:1
et seq.
leases, 2A-206:1 et seq.
master of offer, 2A-206:1
revocation of acceptance,
2A-517:1
unilateral contract trick,
2A-206:3
Performance, below
Uniform Electronic Transaction
Act (UETA), 2A-222:2
unilateral contract tricks,
2A-206:3
Convention on international
financial leasing
Article 2A, scope, 2A-102:1
scope of Article 2A, 2A-102:1
Costs
attorneys’ fees, unconscionabil-
ity doctrine, 2A-108:7
repair, warranty damages,
2A-519:6
replacement, warranty damages,
2A-519:6
Counterclaims, deduction of dam-
gages compared, 2A-508:4
Course of dealing, parol evidence,
terms supplementation,
2A-202:3
Course of performance
generally, 2A-207, 2A-207:1 et
seq
course of dealing, and usage of
trade, 1-303:1 [Rev]
definition, 2A-207:2
parol evidence, 2A-202:3

LEASES—Cont’d
Course of performance—Cont’d
relationship to terms of lease,
2A-207:3
Cover, default by lessor, 2A-518,
2A-518:1, 2A-518:2
Creditors
common law, 2A-308:1
documents covering goods,
2A-308:6
enforceability of lease,
2A-308:3
fraudulent retention of posses-
sion
common law, 2A-308,
2A-308:1
documents covering goods,
2A-308:6
lease enforceability,
2A-308:3
lessee’s right to goods,
2A-308:5
lessors, 2A-308:2
rights to goods, 2A-308:4
sale-leaseback, 2A-308:3
lessee’s right to goods,
2A-308:5
liens, 2A-307, 2A-307:1
sale-leaseback, 2A-308:3
Criminal law, fraud, voidable title,
2A-304:4
Crop failures, excused perfor-
mance, basis, 2A-405:15
Cross reference table, derivation
of Article 2A sections, App.
2A-A1
Damages
accepted goods
consequential, 2A-519:7
incidental, 2A-519:7
market rent, 2A-519:1
nonwarranties, 2A-519:5
nonwarranty, 2A-519:3
warranties, 2A-519:4
action for rent, 2A-530:1

© 2018 Thomson Reuters, 12/2018

Master Index-277
LEASES—Cont’d
Damages—Cont’d
availability, deduction from rent, 2A-508:6
comparison with other remedies, 2A-508:4
computation, 2A-528:4, 2A-528:5
computation, market rent, 2A-528:1
consequential
accepted goods, 2A-519:7
economic loss, 2A-520:5 et seq.
incidental damages distinguished, 2A-530:1
lessee’s damages, 2A-519:7, 2A-520:3 et seq.
limitations, 2A-520:11
modification or impairment of remedy, 2A-503:8
ordinary damages, relationship, 2A-520:4
personal injuries, 2A-520:10
property damage, 2A-520:10
constructing, market value, 2A-507:2
deduction from rent
availability, 2A-508:6
comparison with other remedies, 2A-508:4
notice, 2A-508:5
disposal of goods, 2A-527:5
economic loss, 2A-520:5 et seq.
measure of damages, 2A-503:8
fraud, measure of damages, 2A-504:3

LEASES—Cont’d
Damages—Cont’d
lessees
consequential, 2A-520:3 et seq.
incidental, 2A-520:1, 2A-520:2
lessors, release rent, 2A-527:1
limitations, consequential, 2A-520:11
liquidated
generally, 2A-504, 2A-504:1 et seq.
invalidation, consequences, 2A-504:4
leases, generally, 2A-504, 2A-504:1 et seq.
proof of loss, 2A-504:3
reasonableness, 2A-504:1, 2A-504:2
remedies, 2A-504:3
restitution of payments, 2A-504:5
unconscionability, 2A-503:8
market quotations, admissibility, 2A-507:3
market rent
accepted goods, 2A-519:1
computation, 2A-528:1
time and place factors, 2A-528:2
time and place for measuring, 2A-507:1 et seq., 2A-519:2, 2A-528:2
market value
constructing, 2A-507:2
market quotations, admissibility, 2A-507:3
place, 2A-507:1
time, 2A-507:1
measurement, market price
place, 2A-507:1
time, 2A-507:1
modification or impairment of remedy, 2A-503:8

Master Index-278
LEASES—Cont’d
Damages—Cont’d
nonaccepted goods, market rent, 2A-519:1
nonwarranty damages for accepted goods, 2A-519:3
notice, deduction from rent, 2A-508:5
ordinary damages, relationship, consequential, 2A-520:4
personal injuries, 2A-520:10
place factors
market rent, 2A-528:2
market value, 2A-507:1
measurement, market price, 2A-507:1
profit, 2A-528:3, 2A-528:4
proof of loss, 2A-504:3
property, breach of warranty, 2A-520:10
property damage, 2A-520:10
reasonableness, liquidated, 2A-504, 2A-504:1, 2A-504:2
remedies, 2A-504:3
repair, warranties, 2A-519:6
replacement, warranties, 2A-519:6
restitution of payments, liquidated, 2A-504:5
time factors
market rent, 2A-507:1 et seq., 2A-519:2, 2A-528:2
market value, 2A-507:1
measurement, market price, 2A-507:1
unconscionability, 2A-503:8
warranties
accepted goods, 2A-519:4
repair, 2A-519:6
replacement, 2A-519:6
Default
generally, 2A-501

LEASES—Cont’d
Default—Cont’d
acceleration clauses, 2A-501:3, 2A-501:4
burden of proof, 2A-516:11
completion of manufacture, 2A-524:2
damages
computation, 2A-528:4, 2A-528:5
market rent, 2A-528:1, 2A-528:2
nonwarranty, 2A-519:3
profit, 2A-528:3, 2A-528:4
definition, 2A-501:2
disposal of unfinished goods, 2A-524:2
fixtures, right to remove, 2A-309:7
identification of goods, 2A-524:1
insecurity clauses, 2A-109:1, 2A-501:4
judicial procedure, 2A-501:11
lessees
cancellation of contract, 2A-523:3
duties, 2A-501:8
lesser right to identify goods, 2A-524:1
lesser’s remedies, index, 2A-523:1
property rights, 2A-501:10
remedies, 2A-501:8
rights, 2A-501:8
withholding of goods, 2A-523:2
lessors
accord and satisfaction, 2A-508:4
availability of deduction of damages, 2A-508:6
comparison of remedies, 2A-508:2, 2A-508:4
counterclaims, 2A-508:4
LEASES—Cont’d
Default—Cont’d
lessors—Cont’d
deduction of damages, 2A-508:4, 2A-508:6
duties, 2A-501:6
election of remedies, 2A-501:7
index of lessee’s remedies, 2A-508:1
lessee’s remedies compared, 2A-508:2
lessee’s remedies index, 2A-508:1
notice of deduction of damages, 2A-508:5
property rights, 2A-501:10
recoupment, 2A-508:4
rights and remedies, 2A-501:5
security interest of lessee, 2A-508:3
manufacture, completion, 2A-524:2
modification or impairment
ancillary obligations, 2A-503:9
collateral obligations, 2A-503:9
competence to limit or modify, 2A-503:1
consequential damages, 2A-503:8
failure of essential purpose, 2A-503:3
limitations, 2A-503:2
repair, 2A-503:4, 2A-503:5
replacement, 2A-503:4, 2A-503:5
unconscionability, 2A-503:7, 2A-503:8
unwilling or unable to repair or replace, 2A-503:5
notice
contents, 2A-516:9

LEASES—Cont’d
Default—Cont’d
notice—Cont’d
manner, 2A-516:9
person required to give, 2A-516:7, 2A-516:8
procedure, 2A-502:1
social policies underlying, 2A-516:6
timeliness, 2A-516:5, 2A-516:6
who must provide, 2A-516:7, 2A-516:8
postdefault waivers, 2A-501:9
procedure, 2A-501
property rights of parties, 2A-501:10
revocation of acceptance, conditions, 2A-517:2
risk of loss
generally, 2A-220:1
lessee repudiation, 2A-220:4
lessor delivers nonconforming goods, 2A-220:3
lessor failure to tender or deliver, 2A-220:2
Defects
revocation of acceptance, latent defects, 2A-517:4, 2A-517:6
waiver by lessee
documents, 2A-514:3, 2A-514:4
particularizing, 2A-514:1
unstated, 2A-514:2
Delegation of performance, assignments distinguished, 2A-303:2
Delivery
damages, lessor’s failure, 2A-519:1
leases, stoppage of goods in transit, 2A-526, 2A-526:1, 2A-526:2
LEASES—Cont’d
Delivery—Cont’d
perfect tender rule, cure by sellers
cure defined, 2A-513:7
expiration of time for performance, 2A-513:3,
2A-513:4, 2A-513:5
limitation, 2A-513:1
shaken faith limitation, 2A-513:8
time for performance, 2A-513:2
refusal, lessee’s insolvency, 2A-525:1
stoppage in transit generally, 2A-526:1,
2A-526:2
attornment, 2A-526:6
breach of contract, 2A-526:4
document of title, negotiation, 2A-526:8
goods held by carrier or bailee, 2A-526:3
insolvency, 2A-526:4
mechanics, 2A-526:9
repudiation, 2A-526:4
reshipment, 2A-526:7
termination of rights
attornment, 2A-526:6
negotiation of documents of title, 2A-526:8
receipt of goods, 2A-526:5
reshipments, 2A-526:7
substituted performance, limitation, 2A-404:2, 2A-404:3
waiver, document containing, 2A-107:5

Derivation of Article 2A sections, cross reference table showing, App. 2A-A1
Descriptions, express warranties, 2A-210:7
Determinations, 9-102:4

LEASES—Cont’d
Disposal of goods
right of lessor, 2A-527, 2A-527:1 et seq.
unfinished goods, default of lessee, 2A-524:2
without removal, 2A-525:9

Documents
documents of title
delivery of goods, stoppage,
2A-526:8
lesser’s stoppage of delivery, negotiation to lessee,
2A-526:8
fraudulent retention of possession, 2A-308:6
installment contracts, rejection of nonconforming installments, 2A-510:4
waiver of lessee’s objections to goods, failure to state defects, 2A-514:3, 2A-514:4

Documents of title
delivery of goods, stoppage,
2A-526:8
lesser’s stoppage of delivery, negotiation to lessee,
2A-526:8

Duties
default
lessee, 2A-501:8
variation, 2A-501
lessees
default, 2A-501:8
rightfully rejected goods, 2A-511:1, 2A-512:1
merchant lessees, rightfully rejected goods, 2A-511:1
Economic loss, lessee, 2A-520:5 et seq.

Effective date, 2A-601
Election of remedies, default, lessees, 2A-501:7
LEASES—Cont’d
Electronic communications, leases, 2A-224:1
Electronic contracts, records, and signatures
attribution, 2A-223, 2A-223:1
Electronic Signatures in Global and National Commerce Act (ESign), 2A-222:2
legal effect, 2A-222, 2A-222:1
overriding law, 2A-222:2
receipt of electronic record, 2A-224:1
recognition, 2A-222
signing and sending electronic record, 2A-223, 2A-223:1
Uniform Electronic Transaction Act (UETA), 2A-222:2
Electronic Signatures in Global and National Commerce Act (ESign), legal recognition, 2A-222:2
Enforceability
generally, 2A-301:1, 2A-301:2
discussion of 2003 amendments, 2A-301:3
2003 Official Code text and comments, 2A-301:3
variations of Code, 2A-301
Entrustment
lessee, 2A-305:2
sale or sublease, 2A-305:2
subsequent lease, 2A-304:7
ESign (Electronic Signatures in Global and National Commerce Act), legal recognition, 2A-222:2
Estoppel
statute of frauds, 2A-201:9
subsequent leases, 2A-304:6
subsequent transactions, 2A-304:6
Excused performance
generally, 2A-405

UNIFORM COMMERCIAL SERIES
Master Index-282

LEASES—Cont’d
Excused performance—Cont’d
assumption of greater obligation, 2A-405:4
claims, 2A-405:12
commercial impracticability, 2A-405:7
absence of lease provisions, 2A-405:10
agreement provisions, 2A-405:8, 2A-405:9
difficulty in determining assumptions, 2A-405:11
foreseeable contingencies, 2A-405:13
conditions of relief, 2A-405:18
crop failures, 2A-405:15
failure of source of supply, 2A-405:16
governmental regulations, 2A-405:5
lessee’s applicability, 2A-405:6
options, 2A-406:2
limitation by agreement, 2A-406:3
miscellaneous causes, 2A-405:17
price terms, 2A-405:14
procedure, 2A-406
relationship to 2A-405, 2A-406:1, 2A-406:2
remedies, 2A-405:19
Express terms, course of performance, relationship to terms of lease, 2A-207:3
Express warranties
generally, 2A-210, 2A-210:1 et seq.
affirmations of fact, 2A-210:3
breach, 2A-210:11
creation, 2A-210, 2A-210:1
descriptions, 2A-210:7
disclaimers, 2A-210:9, 2A-214:2
LEASES—Cont’d
Express warranties—Cont’d
lessee misconduct, 2A-210:11
limitations of remedies, 2A-216:6
limitations on recovery, 2A-210:7
models, 2A-210:7
nature of obligation, 2A-210:2
necessity of lease, 2A-210:10
privity of contract, 2A-210:10
promises as part of basis of bargain, 2A-210:5
promises not related to goods, 2A-210:4
promises of fact, 2A-210:3
samples and models as bases, 2A-210:7
value statement, 2A-210:3
Extrinsic evidence, final written expression, 2A-202:1 et seq.
Failure of essential purpose
limitations of remedies, 2A-503:3
modification or impairment of remedies, 2A-503:3
Filing, 9-102:4
1962 Code, 9-408:4
Finance Leases, this index
Firm offers
generally, 2A-205
computation of time, 2A-205:9
elements of offers, 2A-205:2 et seq.
irrevocability and expiration of different periods, 2A-205:11
identical periods, 2A-205:10
leases, 2A-205, 2A-205:5
limitation to leases of goods, 2A-205:5
merchant offers, 2A-205:6
offeree’s form used, 2A-205:8
signature requirement, 2A-205:4
term of offer, 2A-205:7
Fitness for particular purpose, warranty
disclaimers, 2A-213:5
implied warranty, 2A-213, 2A-213:1
particular purpose defined, 2A-213:3
reason to know requirement, 2A-213:2
reliance, 2A-213:4
Fixtures
Code rules and nonrules, 2A-309:2
construction mortgages, 2A-309:6
default, right to remove, 2A-309:7
goods as fixtures, 2A-309, 2A-309:1
priorities
construction mortgages, 2A-309:6
leases, 2A-309:4, 2A-309:5
removal, debtor’s default, 2A-309:7
specialized priority rules, 2A-309:4, 2A-309:5
Formation
lease contract form, 2A-204:1
missing terms, 2A-204:3
time not identified, 2A-204:2
Forms
equipment leases, App. 2A-A3
firm offers
different irrevocability and expiration periods, 2A-205:11
identical irrevocability and expiration periods, 2A-205:10
introductory drafting points, App. 2A-A2
Firm offers—Cont’d
writing requirement, 2A-205:3
LEASES—Cont’d
Forms—Cont’d
master equipment lease agreement, App. 2A-A3
model closed-end or net vehicle lease disclosures (Regulation M), App. 2A-A5
model furniture lease disclosures (Regulation M), App. 2A-A6
model open-end or finance vehicle lease disclosures (Regulation M), App. 2A-A4
personal property lease, App. 2A-A7
Forum limitation, consumer leases, 2A-106:1
Fraud
cancellation or termination damages, 2A-505:3
remedies, 2A-505:2
damages, 2A-505:3
remedies, 2A-505:2
voidable title, 2A-304:4
Fraudulent retention of possession generally, 2A-308:1
common law, 2A-308:1
creditors’ rights, retained goods, 2A-308:4
documents covering goods, 2A-308:6
lease enforceability, 2A-308:3
lessees’ rights, retained goods, 2A-308:5
lessors, 2A-308:2
sale-leaseback protection, 2A-308:3
time of enforceability, 2A-308:3
Fungible goods, quality, warranty of merchantability, 2A-212:9
Future advances
lien priority, lessee, 2A-307:4
priorities, lessees, 2A-307:4

UNIFORM COMMERCIAL SERIES

Master Index-284
<table>
<thead>
<tr>
<th>LEASES—Cont’d</th>
<th>LEASES—Cont’d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goods—Cont’d</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>cover</strong>, 2A-518:1, 2A-518:2</td>
<td><strong>nonaccepted, market rent</strong>, 2A-519:1, 2A-519:2</td>
</tr>
<tr>
<td>definitions, 2A-103:5</td>
<td><strong>nonconforming</strong></td>
</tr>
<tr>
<td>disposal</td>
<td>burden of proof, 2A-509:7</td>
</tr>
<tr>
<td>computation of lessor’s damages, 2A-527:5</td>
<td>installment lease contracts, 2A-510:3</td>
</tr>
<tr>
<td>identification, unfinished goods, 2A-524:2</td>
<td>lessee’s options, 2A-509:8</td>
</tr>
<tr>
<td>lessor’s damages, 2A-527, 2A-527:1, 2A-527:5</td>
<td><strong>perfect tender rule</strong></td>
</tr>
<tr>
<td>noncompliance with release requirements, 2A-527:4</td>
<td>additional Code limitations, 2A-509:5</td>
</tr>
<tr>
<td>release requirements, 2A-527:2</td>
<td>conformity of goods, 2A-509:1</td>
</tr>
<tr>
<td>substantially similar lease, 2A-527:3</td>
<td>good faith, 2A-509:4</td>
</tr>
<tr>
<td>firm offers, leases, 2A-205:5</td>
<td>summary, 2A-509:6</td>
</tr>
<tr>
<td>identification</td>
<td>rejections by lessees</td>
</tr>
<tr>
<td>assumption of risk, 2A-221:6</td>
<td>burden of proof, 2A-509:7</td>
</tr>
<tr>
<td>casualty to goods, 2A-217:2, 2A-221:1</td>
<td>Code relief, 2A-509:5</td>
</tr>
<tr>
<td>concept, 2A-217, 2A-217:1</td>
<td>default after acceptance, 2A-516:3</td>
</tr>
<tr>
<td>definition, 2A-217:2</td>
<td>de minimis doctrine, 2A-509:3</td>
</tr>
<tr>
<td>disposal of unfinished goods, 2A-524:2</td>
<td>good faith limitations, 2A-509:4</td>
</tr>
<tr>
<td>impossibility</td>
<td>lessee’s duties, 2A-512:1</td>
</tr>
<tr>
<td>delivery, 2A-221:4</td>
<td>manner, 2A-509:10</td>
</tr>
<tr>
<td>without fault requirement, 2A-221:3</td>
<td>merchant lessee’s duties, 2A-511:1</td>
</tr>
<tr>
<td>leases, 2A-217</td>
<td>options when nonconform-</td>
</tr>
<tr>
<td>lessee’s default, 2A-524</td>
<td>ing, 2A-509:8</td>
</tr>
<tr>
<td>lessor’s insolvency, 2A-522:3</td>
<td>perfect tender rule, 2A-509:1, 2A-509:6</td>
</tr>
<tr>
<td>manufacture, completion, 2A-524:2</td>
<td>security interest of lessee, 2A-508:3</td>
</tr>
<tr>
<td>partial losses, 2A-221:5</td>
<td>time, 2A-509:9</td>
</tr>
<tr>
<td>replevin, 2A-521:4</td>
<td>timeliness, 2A-516:5, 2A-516:6</td>
</tr>
<tr>
<td>installment lease contracts, right to reject, 2A-510:3</td>
<td>rightfully rejected, lessee’s duties, 2A-511:1, 2A-512:1</td>
</tr>
<tr>
<td>lessor’s insolvency, tender, 2A-522:5</td>
<td><strong>specific performance</strong></td>
</tr>
<tr>
<td>merchants, lessees, rightfully rejected, 2A-511:1</td>
<td>ascertained, 2A-521:2</td>
</tr>
<tr>
<td>mixed goods transactions, definitions, 2A-103:6</td>
<td>uniqueness, 2A-521:3</td>
</tr>
<tr>
<td>stoppage of delivery, 2A-526:5</td>
<td></td>
</tr>
</tbody>
</table>
LEASES—Cont’d
Goods—Cont’d
substitute, cover by lessee,
2A-518:1, 2A-518:2
tender of delivery, perfect tender rule
generally, 2A-509:1
additional Code limitations,
2A-509:5
de minimis doctrine,
2A-509:3
good faith of buyers,
2A-509:4
summary, 2A-509:6
title and possession, 2A-302:2
Governmental regulations
excused performance, 2A-405:5
revocation of acceptance, lemon laws, 2A-517:9
Identification
casualty to goods
assumption of risk, 2A-221:6
delivery of goods, effect,
2A-221:4
existing goods, 2A-221:2
identified goods, 2A-221:1
impossibility, 2A-221:3
partial losses, 2A-221:5
casualty to goods, when contract made, 2A-221:2
goods
generally, 2A-217
casualty to goods
assumption of risk,
2A-221:6
delivery, effect, 2A-221:4
existing goods, 2A-221:2
identified goods, 2A-221:1
impossibility, 2A-221:3
partial losses, 2A-221:5
definition, 2A-217:2
disposal of unfinished goods,
2A-524:2
lessee’s default, 2A-524
lessor’s insolvency, 2A-522:3

LEASES—Cont’d
Identification—Cont’d
goods—Cont’d
manufacture, completion,
2A-524:2
replevin, 2A-521:4
lessee’s default, 2A-524:1
Impairment. Modification or Impairment, this index
Implied terms, course of performance, relationship to terms of lease, 2A-207:3
Implied Warranties, this index
Impossibility
casualty to identified goods delivery, 2A-221:4
no fault requirement,
2A-221:3
substituted performance, distinguished, 2A-404:1
Impostors, voidable title, imposture, 2A-304:2
Impracticability
commercial elements, 2A-405:7
relief available, 2A-405:18
substituted performance, distinguished, 2A-404:1
Incidental damages
accepted goods, 2A-519:7
actions for rent, 2A-530:1
consequential damages distinguished, 2A-530:1
examples, 2A-530:2
lessees, 2A-520:1, 2A-520:2
Index of definitions, Article 2A, 2A-103:8
Insecurity
adequate assurance of performance, 2A-401:1
default, 2A-501:4
grounds, 2A-401:2
procedures for giving assurances, 2A-401:4
LEASES—Cont’d
Insecurity—Cont’d
standard for adequate assurances, 2A-401:3
Insecurity clauses
acceleration, 2A-501:4
adequate assurance of performance, reasonable grounds, 2A-401:2
default, 2A-501:4
development, good faith, burden of proof, 2A-109:1
good faith, 2A-109:1
grounds for insecurity, 2A-401:2
option to accelerate, 2A-109:1
performance of contract, 2A-401:1
Insolvency, lessor’s right, possession of goods, 2A-525:1
Installment Lease Contracts, this index
Insurance proceeds, 2A-218:1
International Commercial Conventions, this index
Jurisdiction, vouching, 2A-516:12
Labels, warranty of merchantability
adequacy, 2A-212:12
affirmations of fact, 2A-212:13
Landlord’s liens, 9-104:3
Latent defects, revocation of acceptance, establishment of defect, 2A-517:4, 2A-517:6
Lemon laws, revocation of acceptance, special regulatory legislation, 2A-517:9
Lessees
acceptance of goods
consequences, 2A-516:1
liability for rent, 2A-516:2
accepted goods
consequential damages, 2A-519:7

LEASES—Cont’d
Lessees—Cont’d
accepted goods—Cont’d
incidental damages, 2A-519:7
nonwarranty damages, 2A-519:3, 2A-519:5
repair and replacement, 2A-519:6
warranty damages, 2A-519:4
burden of proof, rejection of goods, 2A-509:7
Code relief, rejection of goods, 2A-509:5
consequential damages generally, 2A-520:3 et seq.
accepted goods, 2A-519:7
economic loss, 2A-520:5 et seq.
limitations, 2A-520:11
ordinary damages, relationship, 2A-520:4
personal injuries, 2A-520:10
property, 2A-520:10
cover
equivalent of release, 2A-518:1
manner and consequences, 2A-518:2
creditors’ liens, 2A-307:1
damages
Consequential damages, above
market rent, time and place factors, 2A-519:2
nonaccepted goods, 2A-519:1
default
remedies and duties, 2A-501:8
reputation, risk of loss, 2A-220:4
de minimis doctrine, rejection of goods, 2A-509:3

© 2018 Thomson Reuters, 12/2018
LEASES—Cont’d
Lessees—Cont’d

documentary defects, rejection of goods, 2A-514:3, 2A-514:4
documents of title, negotiation, 2A-526:8
duties
merchant, rightfully rejected goods, 2A-511:1
rightfully rejected goods, 2A-512:1
economic loss, consequential damages, 2A-520:5 et seq.
equivalent of release, cover, 2A-518:1
excused performance, 2A-405:6
finance leases, beneficiary of supply contract, 2A-209
fitness for particular purpose, effect of misconduct on warranties, 2A-213:5
good faith
merchant, rightfully rejected goods, 2A-511:2
rejection of goods, 2A-509:4
identification of goods, lessor’s insolvency, 2A-522:3
incidental damages, accepted goods, 2A-519:7
index of remedies, lessor’s default, 2A-508:1
insolvency
lessor’s right to possession, 2A-525:1
withholding goods, 2A-523:2
insurable interest, 2A-218:1
keeping tender good, lessor’s insolvency, 2A-522:5
lessor’s default
index of remedies, 2A-508:1
remedies compared, 2A-508:2
security interest in goods of lessee, 2A-508:3

LEASES—Cont’d
Lessees—Cont’d
lessor’s insolvency
identification of goods, 2A-522:3
keeping tender good, 2A-522:5
payment of rent and security, 2A-522:2
reclamation, 2A-522:7
right to goods, limitations, 2A-522:2
specific performance, 2A-522:1
third parties, 2A-522:6
timing, 2A-522:4
liability for rent, acceptance, 2A-516:2
liens
creditors, 2A-307:1
ordinary course of business, 2A-307:2
priority, future advances, 2A-307:4
limitations, consequential damages, 2A-520:11
manner and consequences cover, 2A-518:2
rejection of goods, 2A-509:10
market rent, damages, time and place factors, 2A-519:2
merchant, rightfully rejected goods
duties, 2A-511:1
good faith considerations, 2A-511:2
reimbursement, 2A-511:3
merchantability warranties, effect of misconduct, 2A-212:5
misconduct, effect on warranties
fitness for particular purpose, 2A-213:5
LEASES—Cont’d
Lessees—Cont’d
misconduct, effect on warranties—Cont’d
merchantability, 2A-212:5
nonaccepted goods, damages,
2A-519:1
nonwarranty damages, accepted goods, 2A-519:3,
2A-519:5
options as to rightfully rejected goods, 2A-512:2
options when goods nonconforming, rejection of goods, 2A-509:8
ordinary course of business, liens, 2A-307:2
ordinary damages, relationship of consequential damages, 2A-520:4
payment of rent and security, lessor’s insolvency, 2A-522:2
perfect tender rule, rejection of goods, 2A-509:1,
2A-509:6
personal injuries, consequential damages, 2A-520:10
power to transfer, 2A-305:1
priority, future advances, liens, 2A-307:4
property, consequential damages, 2A-520:10
reclamation, lessor’s insolvency, 2A-522:7
reimbursement, merchant, rightfully rejected goods, 2A-511:3
rejection of goods burden of proof, 2A-509:7
Code relief, 2A-509:5
de minimis doctrine, 2A-509:3
documentary defects, 2A-514:3, 2A-514:4

LEASES—Cont’d
Lessees—Cont’d
rejection of goods—Cont’d
good faith limitations, 2A-509:4
manner, 2A-509:10
options when goods nonconforming, 2A-509:8
particularizing defects, 2A-514:1
perfect tender rule, 2A-509:1, 2A-509:6
time, 2A-509:9
unstated defects, 2A-514:2
remedies compared, lessor’s default, 2A-508:2
repair and replacement, accepted goods, 2A-519:6
replevin, 2A-521:4
revocation of acceptance risk of loss, 2A-220:3
substantial impairment of value, 2A-517:3
rightfully rejected goods duties, 2A-512:1
options, 2A-512:2
right to possession, insolvency, 2A-522:2, 2A-525:1
risk of loss default by repudiation, 2A-220:4
revocation of acceptance, 2A-220:3
security interest in goods of lessee, lessor’s default, 2A-508:3
specific or ascertained goods, specific performance, 2A-521:2
specific performance
lessor’s insolvency, 2A-522:1
specific or ascertained goods, 2A-521:2
uniqueness, 2A-521:3
LEASES—Cont’d
Lessees—Cont’d
third parties, lessor’s insolvency, 2A-522:6
timing
lessor’s insolvency, 2A-522:4
rejection of goods, 2A-509:9
uniqueness. specific performance, 2A-521:3
unstated defects, rejection of goods, 2A-514:2
warranty damages, accepted goods, 2A-519:4
withholding goods, insolvency, 2A-523:2

Lessors
actions for rent due under contract, 2A-529:1
market rent, 2A-528:1 et seq.
actions for repossession, 2A-525:7
additional reasonable time, cure of improper tender or delivery, 2A-513:6
after time specified for performance, cure of improper tender or delivery, 2A-513:3
alternatives to self-help repossession, 2A-525:7
assembly of goods by lessee, 2A-525:8
bankruptcy statutes, 2A-525:10
breach of contract, stoppage of delivery, 2A-526:4
cash sales, subsequent leases, 2A-304:3
common law, subsequent leases, 2A-304:1
computation, damages, 2A-528:4, 2A-528:5
consequential damages distinguished, incidental damages, 2A-530:1
consumer protection statutes, right to possession, 2A-525:10

LEASES—Cont’d
Lessees—Cont’d
cure of improper tender or delivery
additional reasonable time, 2A-513:6
after time specified for performance, 2A-513:3
cure defined, 2A-513:7
money allowance, 2A-513:5
perfect tender rule limitation, 2A-513:1
reasonable grounds to believe, 2A-513:4
shaken faith limitation, 2A-513:8
within time specified for performance, 2A-513:2

damages
computation, 2A-527:5, 2A-528:4, 2A-528:5
disposal of goods, computation, 2A-527:5
incidental, 2A-530:1, 2A-530:2
market rent, 2A-528:1, 2A-528:2
profit, 2A-528:3, 2A-528:4
default
duties, 2A-501:6
election of remedies, 2A-501:7
rights and remedies, 2A-501:5
right to identify goods, default by lessee, 2A-524:1
delivery of nonconforming goods, risk of loss, 2A-220:3
disposal of goods
computation of damages, 2A-527:5
right, 2A-527:1 et seq.
LEASES—Cont’d
Lessors—Cont’d
disposal of goods—Cont’d
unfinished goods, right to
identify goods,
2A-524:2
document of title negotiation,
stoppage of delivery,
2A-526:8
due under contract, 2A-529:1
duties, default, 2A-501:6
election of remedies, default,
2A-501:7
entrustment, subsequent leases,
2A-304:7
estoppel, subsequent leases,
2A-304:6
failure to deliver, risk of loss,
2A-220:2
fraud, subsequent leases,
2A-304:4
goods held by carrier or bailee,
stoppage of delivery,
2A-526:3
identification of goods,
2A-522:3, 2A-524,
2A-524:2
imposture, subsequent leases,
2A-304:2
incidental damages
consequential damages
distinguished, 2A-530:1
illustrations, 2A-530:2
insolvency
identification of goods,
2A-522:3
keeping tender good,
2A-522:5
lessee’s insolvency, right to
possession, 2A-525:1
payment of rent and security,
2A-522:2
reclamation, 2A-522:7
specific performance,
2A-522:1

LEASES—Cont’d
Lessors—Cont’d
insolvency—Cont’d
stoppage of delivery, 2A-526:4
third parties, 2A-522:6
timing, 2A-522:4
insurable interest, 2A-218:1
keeping tender good, 2A-522:5
liens, creditors, 2A-307:1
manufacture, completion, right
to identify goods, 2A-524:2
market rent
actions for rent, 2A-528:1 et
seq.
damages, 2A-528:1,
2A-528:2
mechanics, stoppage of
delivery, 2A-526:9
money allowance, cure of
improper tender or
delivery, 2A-513:5
noncompliance with release
requirements, right to
dispose of goods,
2A-527:4
notice of repossession,
2A-525:3
payment of rent and security,
insolvency, 2A-522:2
perfect tender rule limitation,
2A-513:1
possession of goods, 2A-525:1
et seq.
profit, damages, 2A-528:3,
2A-528:4
purchase transactions,
subsequent leases,
2A-304:5
reasonable grounds to believe,
cure of improper tender or
delivery, 2A-513:4
reclamation, insolvency,
2A-522:7

© 2018 Thomson Reuters, 12/2018

Master Index-291
LEASES—Cont’d
Lessors—Cont’d
release
cover by lessee as equivalent, 2A-518:1
right to dispose of goods, 2A-527:1, 2A-527:2
remedies, index, 2A-523:1
repossession, 2A-525:2 et seq.
repudiation, stoppage of delivery, 2A-526:4
reshipment, stoppage of delivery, 2A-526:7
right to dispose of goods
damages, computation, 2A-527:5
noncompliance with release requirements, 2A-527:4
release, 2A-527:1, 2A-527:2
substantially similar lease, 2A-527:3
right to identify goods
default by lessee, 2A-524:1
disposal of unfinished goods, 2A-524:2
manufacture, completion, 2A-524:2
right to possession
actions for repossession, 2A-525:7
alternatives to self-help repossession, 2A-525:7
assembly of goods by lessee, 2A-525:8
bankruptcy statutes, 2A-525:10
consumer protection statutes, 2A-525:10
lessee’s insolvency, 2A-525:1
notice of repossession, 2A-525:3
repossession, 2A-525:2 et seq.
self-help, 2A-525:4

LEASES—Cont’d
Lessors—Cont’d
right to possession—Cont’d
violence, threats, and protest, 2A-525:5
right to residual interest, 2A-532:1
risk of loss
delivery of nonconforming goods, 2A-220:3
failure to deliver, 2A-220:2
self-help, right to possession, 2A-525:4
shaken faith limitation, cure of improper tender or delivery, 2A-513:8
specific performance
action for rent, 2A-529:2
insolvency, 2A-522:1
stoppage of delivery
generally, 2A-526:1
attornment, 2A-526:6
breach of contract, 2A-526:4
document of title negotiation, 2A-526:8
goods held by carrier or bailee, 2A-526:3
insolvency, 2A-526:4
mechanics, 2A-526:9
repudiation, 2A-526:4
reshipment, 2A-526:7
termination of right, 2A-526:5
when permitted, 2A-526:2
subsequent leases
cash sales, 2A-304:3
common law, 2A-304:1
entrustment, 2A-304:7
estoppel, 2A-304:6
fraud, 2A-304:4
imposture, 2A-304:2
purchase transactions, 2A-304:5
voidable title, 2A-304:2
worthless checks, 2A-304:3
LEASES—Cont’d
Lessors—Cont’d
substantially similar lease, 2A-527:3
termination of right, stoppage of delivery, 2A-526:5
third parties, insolvency, 2A-522:6
within time specified for performance, cure of improper tender or delivery, 2A-513:2
timing, insolvency, 2A-522:4
voidable title, subsequent leases, 2A-304:2
warranties, curing imperfect interest, 2A-211:7
worthless checks, subsequent leases, 2A-304:3
Letters of confirmation, statute of frauds, 2A-201:6
Liens
artisan’s liens, 2A-306:1
attachment, priorities, 2A-307:1
creditor’s, 2A-307:1
future advances and lease, 2A-307:4
landlord’s, 9-104:3
lessee in ordinary course of business, 2A-307:2
levy, 2A-307:1 et seq.
operation of law, 2A-306:2
priorities
   generally, 2A-307:1
   future advances and lease, 2A-307:4
   operation of law, 2A-306:2
   protection of lessee, 2A-307:2
Limitation of actions
   generally, 2A-506, 2A-506:1
   accrual of cause of action, 2A-506:2
   characterization of action, 2A-506:3
   retroactivity, 2A-506:4
LEASES—Cont’d
Limitation of actions—Cont’d
savings clause, 2A-506:5
tolling, 2A-506:4
Liquidated damages
generally, 2A-504:1 et seq.
invalidation, consequences, 2A-504:4
proof of loss, 2A-504:3
reasonableness, 2A-504:1, 2A-504:2
remedies, 2A-504:3
restitution of payments, 2A-504:5
unconscionability, 2A-503:8
Magnuson-Moss Warranty Act
disclaimers of warranties, 2A-214:10
unconscionability doctrine, 2A-108:4
Market rent
computation, nonaccepted goods, 2A-519:1
leases, time and place of measuring, 2A-528:2
lessor’s damages, computation, 2A-528:1
nonaccepted goods computation, 2A-519:1
time and place for measuring, 2A-519:2
time and place of measuring, 2A-528:2
Market value
constructing, 2A-507:2
place, 2A-507:1
quotations, use, 2A-507:3
time, 2A-507:1
Merchantability, warranty of
generally, 2A-212
affirmation of fact, 2A-212:13
allergies, 2A-212:11
conduct, 2A-212:6
definition, 2A-212:7
disclaimers, 2A-212:5
LEASES—Cont’d
Merchantability, warranty of
—Cont’d
fit for ordinary purpose,
2A-212:10
fungible goods, quality,
2A-212:9
labeling, 2A-212:12
lease and goods limitations,
2A-212:3
limitations, 2A-212:5
packaging, 2A-212:12
pass without objection in the
trade, 2A-212:8
reliance, 2A-212:4
strict tort liability, 2A-212:14

Merchants
duties as to rightfully rejected
goods, 2A-511:1
firm offers, 2A-205:6
good faith considerations,
2A-103:7, 2A-511:2

Lessees
duties as to rightfully rejected
goods, 2A-511:1
good faith considerations,
2A-103:7, 2A-511:2

Missing terms, formation of
contract, 2A-204:3

Mixed goods transactions, defini-
tion, 2A-103:6

Mixed transactions, scope of
Article 2A, 2A-102:2

Models, warranties, 2A-210:7,
2A-215:1

Modifications
generally, 2A-208
common law, 2A-208:1

LEASES—Cont’d
Modifications—Cont’d
default, modification or impair-
ment of rights and reme-
dies
ancillary obligations, 2A-503:9
collateral obligations, 2A-503:9
competence to limit or
modify, 2A-503:1
consequential damages, 2A-503:8
failure of essential purpose, 2A-503:3
limitations, 2A-503:2
repair, 2A-503:4, 2A-503:5
replacement, 2A-503:4, 2A-503:5
unconscionability, 2A-503:7, 2A-503:8
unwilling or unable to repair
or replace, 2A-503:5
no consideration, validity,
2A-208:2
operation of rule, 2A-208:3, 2A-208:5
operation of rule, no
consideration, 2A-208:3
validation, no consideration,
2A-208:2
writing requirement, 2A-208:4

Negligence, warranty of merchant-
ability, relationship,
2A-212:14

Notice and notices
contents, 2A-516:9
deduction of damages,
2A-508:5

default
generally, 2A-502:1
contents, 2A-516:9
manner, 2A-516:9
person required to give,
2A-516:7, 2A-516:8

Master Index-294
LEASES—Cont’d
Notice and notices—Cont’d
default—Cont’d
  social policies underlying requirement, 2A-516:6
timeliness, 2A-516:5, 2A-516:6
who must provide, 2A-516:7, 2A-516:8
installment lease contracts, cancellation, 2A-510:6
leases, default, 2A-502:1
manner, default, 2A-516:9
person required to give, default, 2A-516:7, 2A-516:8
repossession, 2A-525:3
social policies underlying, default, 2A-516:6
timeliness, default, 2A-516:5, 2A-516:6
who must provide, default, 2A-516:7, 2A-516:8
Offer and acceptance
generally, 2A-206:1 et seq., lease formation, 2A-206, 2A-206:1
revocation of acceptance, 2A-517:1
unilateral contract trick, 2A-206:3
Official Code text and comments, 1-203 [Rev]
Options of lessees, rightfully rejected goods, 2A-512:2
Organization of Article 2A, 2A-101:1
Ownership of goods, effect of lease contract, 2A-302:2
Packaging, warranty of merchantability, adequacy, 2A-212:12
Parol evidence
  generally, 2A-202:1, 2A-202:1 et seq.
  additional terms, 2A-202:3

LEASES—Cont’d
Parol evidence—Cont’d
course of dealing or performance, 2A-202:3
disclaimers of warranties, 2A-214:7
explanation of terms, 2A-202:3, 2A-202:4
final writing, 2A-202:2
supplementation of terms, 2A-202:3, 2A-202:4
trade usage, 2A-202:3
Patent infringement, vouching, 2A-516:14
Payments
lessee’s default
  lessor’s remedies, 2A-523:1
  withholding of goods, 2A-523:2
lesser’s remedies, lessee’s default, 2A-523:1
liquidated damages, restitution, 2A-504:5
substituted performance, limitation, 2A-404:2, 2A-404:3
withholding of goods, lessee’s default, 2A-523:2
Perfection by filing, 9-408:3
Perfect tender rule
  additional Code limitations, 2A-509:5
  Code relief, rejection by lessee, 2A-509:5
  conformity of goods, 2A-509:1
cure by sellers
  cure defined, 2A-513:7
  expiration of time for performance, 2A-513:3 et seq.
  limitation on perfect tender rule, 2A-513:1
  shaken faith limitation, 2A-513:8
time for performance, 2A-513:2
de minimis doctrine, 2A-509:3

© 2018 Thomson Reuters, 12/2018
LEASES—Cont’d
Perfect tender rule—Cont’d
expiration of time for performance, 2A-513:3 et seq.
good faith limitations, 2A-509:4
limitation on perfect tender rule,
2A-513, 2A-513:1
qualifications, 2A-509:1
rejection by lessee
Code relief, 2A-509:5
good faith limitations,
2A-509:4
summary, 2A-509:6
shaken faith limitation,
2A-513:8
summary, 2A-509:6
time for performance, 2A-513:2

Performance
absence of agreement provision,
2A-405:10
adequate assurance
generally, 2A-401, 2A-401:1
insecurity grounds, 2A-401:2
mechanics, 2A-401:5
standard, 2A-401:3
assumption of greater obligation,
2A-405:4
assumption of risk, 2A-404:5
claims of excuse, 2A-405:12
Code section structure,
2A-405:2
commercial impracticability
elements, 2A-405:7
contrary agreement regarding remedies,
2A-406:3
crop failures, 2A-405:15
default, protection against,
2A-405:3
foreseeable contingencies,
2A-405:13
governmental regulations,
2A-405:5
lessees, 2A-405:6
lessee’s options, excused lessor or supplier,
2A-406:2
limitations, 2A-405:4
miscellaneous causes,
2A-405:17
price terms, 2A-405:14
procedure, 2A-406
relief available, 2A-405:18
remedies, 2A-405:19
source of supply failure,
2A-405:16
foreseeable contingencies,
2A-405:13
governmental regulations,
2A-405:5
impossibility and impracticability distinguished, 2A-404,
2A-404:1
LEASES—Cont’d
Performance—Cont’d
insecurity grounds, 2A-401:2
lessees, excused, 2A-405:6
lessee’s options, excused lessor or supplier, 2A-406:2
limitations
excused, 2A-405:4
substituted, 2A-404:2, 2A-404:3
mechanics, adequate assurance, 2A-401:5
miscellaneous causes, excused, 2A-405:17
no fault requirement, 2A-404:4
price terms, 2A-405:14
procedure, excused, 2A-406
relief available, excused performance, 2A-405:18
remedies, excused performance, 2A-405:19
source of supply failure, 2A-405:16
standard, adequate assurance, 2A-401:3
substituted
generally, 2A-404:1 et seq.
assumption of risk, 2A-404:5
impossibility and impracticability distinguished, 2A-404:1
limitation, 2A-404:2, 2A-404:3
no fault requirement, 2A-404:4
Personal injuries, consequential damages, breach of warranty, 2A-520:10
Personal property, 9-102:4
default, lessor and lessee rights, 2A-501:10
Possession
lease goods, importance, 2A-302:1, 2A-302:2

LEASES—Cont’d
Possession—Cont’d
liens by operation of law, priority rule, 2A-306:2
Power to transfer, lessee, 2A-305:1
Price, excused performance, 2A-405:14
Privity of contract
express warranties, 2A-210:10
implied warranty of fitness for particular purpose, 2A-213:5
implied warranty of merchantability, 2A-212:5
third-party beneficiaries of warranties, 2A-216:1 et seq.
Problems, 9-114:1
Products liability
implied warranties, strict liability in tort, 2A-212:14
warranty of merchantability, relationship, 2A-212:14
Profits, measure of damages, 2A-528:3, 2A-528:4
Property damage, breach of warranty, 2A-520:10
Real estate
default, lessor and lessee rights, 2A-501:10
leases, rights of parties, 2A-501:10
Receipts, electronic record, 2A-224:1
Reclamation, lessor’s insolvency, 2A-522:7
Recoupment
deduction of damages compared, 2A-508:4
repossession of leased goods, 2A-525:7
Refusal to deliver goods, lessee’s insolvency, 2A-525:1
Regulation M, 2A-104:1

© 2018 Thomson Reuters, 12/2018

Master Index-297
LEASES—Cont’d
Reimbursement, merchant lessee’s duty, 2A-511:3
Rejection of goods
consequences of acceptance, 2A-516:3
default under contract, lessor’s remedies, 2A-523:1
manner, 2A-509:10
perfect tender rule, 2A-509:1
revocation of acceptance compared, 2A-517:1
time, 2A-509:9
timeliness, 2A-516:5, 2A-516:6
Related laws, 2A-104:2
Releases, substitute goods, cover by lessee as equivalent, 2A-518:1
Remedies
actions for rent, 2A-528:1 et seq., 2A-529:1
ancillary obligations, 2A-503:9
anticipatory repudiation, 2A-402:4
breach of warranties, 2A-211:8
Cancellation or termination, above
collateral obligations, 2A-503:9
communications with defaulting party, protecting remedies, 2A-505, 2A-505:1
comparison of lessor’s and lessee’s, 2A-508:2
competence to limit or modify, 2A-503, 2A-503:1
consequential damages, 2A-503:8
cover, 2A-518:1, 2A-518:2
dispose of goods, 2A-527:1 et seq.
election, default, 2A-501:7
excused performance, 2A-405:19
failure of essential purpose, modification or impair-
LEASES—Cont’d
Remedies—Cont’d
right to dispose of goods, lessors, 2A-527:1 et seq.
right to goods, limitation, lessor’s insolvency, 2A-522:2 et seq.
right to possession, lessors, 2A-525:1 et seq.
Specific performance, below standing to sue, third parties, 2A-531:1
Stoppage of delivery, 2A-526:1 et seq.
unwilling or unable to repair or replace, 2A-503:5
Withholding goods, 2A-523:2
Rents
acceptance of goods, 2A-516:2
action for rent, 2A-528:1 et seq., 2A-529:1
computation, release, 2A-527:5
Disposal of goods, lessor’s right, 2A-527:1
Goods
acceptance, 2A-516:2
disposal, lessor’s right, 2A-527:1
lessee’s insolvency, payment of all or part, 2A-522:2
market, damages, 2A-528:1 et seq.
Release
computation, 2A-527:5
lessee’s right to dispose of goods, 2A-527:1
Specific performance, 2A-529:2
Renunciation of claim or right after default
conditional, 2A-107:4
definition, 2A-107:2
delivery of statement, 2A-107:5

LEASES—Cont’d
Renunciation of claim or right after default—Cont’d
general provisions, 2A-107, 2A-107:1
partial discharge, 2A-107:3
Repairs
cure of improper tender or delivery, shaken faith limitation, 2A-513:8
limitations of remedies, 2A-503:4, 2A-503:5
modification or impairment of remedies, 2A-503:4, 2A-503:5
warranty, damages, 2A-519:6
Replacement
limitations of remedies, 2A-503:4, 2A-503:5
modification or impairment of remedies, 2A-503:4, 2A-503:5
warranty, damages, 2A-519:6
Replevin
lessee’s right, 2A-521:4
specific goods, 2A-521:2
Repossession of goods
generally, 2A-525:2 et seq.
actions to repossess, 2A-525:7
alternatives to self-help repossession, 2A-525:7
assembly of leased goods by lessee, 2A-525:8
bankruptcy laws, effect on right, 2A-525:10
consumer protection laws, effect on right, 2A-525:10
disposal of goods without removal, 2A-525:9
lessee’s right, 2A-525:2
notice prior to repossession, 2A-525:3
self-help, 2A-525:4
violence, threats, and protest, 2A-525:5
LEASES—Cont’d
Repudiation
  cancellation, 2A-523:3
  damages, 2A-528:1 et seq.
  index of lessor’s remedies, 2A-523:1
lessee’s damages, market rent, 2A-519:1, 2A-519:2
lessor’s remedies
  cancellation, 2A-523:3
  damages, 2A-528:1 et seq.
  index, 2A-523:1
withholding goods, 2A-523:2
withholding goods, 2A-523:2
Rescission
generally, 2A-208
common law, 2A-208:1
communications with defaulting party, protecting remedy, 2A-505, 2A-505:1
fraud, 2A-505:2, 2A-505:3
revocation of acceptance, comparison, 2A-517:1
Residual interest, right of lessor, 2A-532:1
Retroactivity, statute of limitations, 2A-506:4
Revised Sales Act, privity limitations, 2A-216, 2A-216:1
Revocation of acceptance
  assurances by lessor, 2A-517:7
  conditions, 2A-517:2
  correction of nonconformities, 2A-517:5
default, 2A-517:2
  finance lease limitations, 2A-517:8
  latent defect, 2A-517:4, 2A-517:6
  lemon laws, 2A-517:9
  notice, 2A-517:15
  policy, 2A-517:14
  procedure, 2A-517:10
  reasonable assumption of cure, 2A-517:4

LEASES—Cont’d
Revocation of acceptance
  —Cont’d
  reasonable time, 2A-517:11
  rejection and rescission compared, 2A-517:1
  substantial change in condition, 2A-517:12
  substantial impairment of value, 2A-517:3
  use of revoked goods, 2A-517:13
Rights
  ancillary obligations, 2A-503:9
  collateral obligations, 2A-503:9
  competence to limit or modify, 2A-503:1
  default
    lessees, 2A-501:8
    variation, 2A-501
  failure of essential purpose, 2A-503:3
  lessees, default, 2A-501:8
  lessors, 2A-501:5
  limitations, 2A-503:2
  modification or impairment
    ancillary obligations, 2A-503:9
    collateral obligations, 2A-503:9
    competence to limit or modify, 2A-503:1
    failure of essential purpose, 2A-503:3
    limitations, 2A-503:2
    repair, 2A-503:4, 2A-503:5
    replacement, 2A-503:4, 2A-503:5
    unconscionability, 2A-503:7
    unwilling or unable to repair or replace, 2A-503:5
    repair, 2A-503:4, 2A-503:5
    replacement, 2A-503:4, 2A-503:5
    unconscionability, 2A-503:7

Master Index-300
LEASES—Cont’d
Rights—Cont’d
unwilling or unable to repair or replace, 2A-503:5
Risk of loss
  generally, 2A-219:1
  actions against third parties, 2A-531:2
  allocation by contract, 2A-219:2
  bailee holding goods, 2A-219:4
  carrier transportation, 2A-219:3
  casualty to identified goods, effect of delivery, 2A-221:4
default
  generally, 2A-220, 2A-220:1
  delivery of nonconforming goods, 2A-220:3
  lessee, repudiation, 2A-220:4
  lessor
    delivery of nonconforming goods, 2A-220:3
    failure to tender or deliver, 2A-220:2
    lessor’s failure to tender or deliver, 2A-220:2
    repudiation, 2A-220:4
    revocation of acceptance, 2A-220:3
  delivery of nonconforming goods, 2A-220:3
  lessor
    default, above this group
    lessee’s failure to tender or deliver, 2A-220:2
    repudiation, 2A-220:4
    residual cases, 2A-219:5
    revocation of acceptance, 2A-220:3
    time of passage
      bailee holding goods, 2A-219:4
      carrier transportation, 2A-219:3

LEASES—Cont’d
Risk of loss—Cont’d
time of passage—Cont’d
residual cases, 2A-219:5
warehousemen, 2A-219:4
Sale-leasebacks, fraudulent retention of possession, 2A-308:3
Sales, lessees
  entrapment, 2A-305:2
  power to transfer, 2A-305:1
Sales Act
  affirmations and promises of fact, 2A-210:3
  express warranties, 2A-210:7
  statute of frauds, 2A-201:5
  warranty against infringement, 2A-211:4
  warranty against interference, 2A-211:1
  warranty as basis of bargain, 2A-210:5
  warranty of merchantability, 2A-212:3
Satisfaction
  accord and satisfaction, deduction of damages compared, 2A-508:4
  admissions, 2A-201:7
  contracts between parties, 2A-201:6
  letters of confirmation, 2A-201:6
  memorandum, 2A-201:4, 2A-201:5
  part performance, 2A-201:8
  statute of frauds
    admissions, 2A-201:7
    contracts between parties, 2A-201:6
    letters of confirmation, 2A-201:6
    memorandum, 2A-201:4, 2A-201:5
    part performance, 2A-201:8
    tape recordings, 2A-201:5
LEASES—Cont’d
Satisfaction—Cont’d
tape recordings, 2A-201:5
Savings clause, 2A-604
Savings provisions, statute of limitations, 2A-506:5
Scope of Article 2A, 2A-102
Seals
effect, 2A-203:1
inoperative, 2A-203
Secured transactions, option of creditor, 9-102:4
Security interests
creditors’ liens, 2A-307:1
debtors’ possession, 9-110:1 [Rev]
defined, 9-102:3, 9-102:4
distinguished, 1-203 [Rev]
filings, 9-408:1
leases, rejected goods, 2A-508:3
lessee in ordinary course of business, 2A-307:2, 9-321:1 [Rev]
liens
creditors, 2A-307:1
lessee in ordinary course of business, 2A-307:2
priority between future advances and lessee, 2A-307:4
priority between future advances and lessee, 2A-307:4
rejected goods, 2A-508:3
restrictions on creation or enforcement, 9-407:1 [Rev]
Setoffs, repossession of leased goods, 2A-525:7
Short title, 2A-101
Signatures
electronic signatures, 2A-222:2
Electronic Signatures in Global and National Commerce

LEASES—Cont’d
Signatures—Cont’d
Act (ESign), 2A-222:2
firm offers, 2A-205:4
statute of frauds, 2A-201:4
Uniform Electronic Transactions Act (UETA), 2A-222:2
Special manufacturing, statute of frauds, 2A-201:3
Specific performance action for rent, 2A-529:2
identification of goods, 2A-522:3
inability to obtain cover, 2A-521:3
insolvency of lessor generally, 2A-522:1
identification of goods, 2A-522:3
keeping tender good, 2A-522:5
payment of rent and security, 2A-522:2
reclamation as exclusive remedy, 2A-522:7
third party rights, 2A-522:6
timing, 2A-522:4
keeping tender good, 2A-522:5
lessee’s right, 2A-521:1, 2A-521:2
payment of rent and security, 2A-522:2
reclamation as exclusive remedy, 2A-522:7
third party rights, 2A-522:6
timing, 2A-522:4
uniqueness, 2A-521:3
Standing to sue
absence of risk of loss, 2A-531:2
third party injuries to goods, 2A-531:1
Statute of frauds
generally, 2A-201:1 et seq.
LEASES—Cont’d
Statute of frauds—Cont’d
admissions, 2A-201:7
estoppel, 2A-201:9
letters of confirmation, 2A-201:6
limitations, 2A-201:2, 2A-201:3
memorandum, 2A-201:4, 2A-201:5
noncompliance, 2A-201, 2A-201:9, 2A-201:10
part performance, 2A-201:8
preservation of bargain, 2A-208:7
requirement, 2A-201:4
safeguard, 2A-208:6
satisfaction admissions, 2A-201:7
contracts between parties, 2A-201:6
letters of confirmation, 2A-201:6
memorandum, 2A-201:4, 2A-201:5
part performance, 2A-201:8
tape recordings, 2A-201:5
special manufacturing, 2A-201:3
tape recordings, 2A-201:5
Statute of limitations generally, 2A-506, 2A-506:1
accrual of cause of action, 2A-506:2
characterization of action, 2A-506:3
retroactivity, 2A-506:4
savings clause, 2A-506:5
tolling, 2A-506:4
Statutes
Consumer Credit Act
other applicable law, 2A-104:1
unconscionability doctrine, 2A-108:1

LEASES—Cont’d
Statutes—Cont’d
Consumer Credit Code
default, 2A-501:4
lessor’s right to possession, 2A-525:10
other applicable law, 2A-104:1
repossession of goods, 2A-525:10
unconscionability doctrine, 2A-108:1
Consumer Leasing Act
applicable laws, 2A-104:1
definitions and index of definitions, 2A-103:2
finance lease, 2A-103:3
other applicable law, 2A-104:1
scope of Act, 2A-102:1
Electronic Signatures in Global and National Commerce Act (ESign), legal recognition, 2A-222:2
 Magnuson-Moss Warranty Act
disclaimers of warranties, 2A-214:10
unconscionability doctrine, 2A-108:4
Revised Sales Act, privity limitations, 2A-216:1
Uniform Electronic Transaction Act (UETA), legal recognition, 2A-222:2
Uniform Laws, this index
Stoppage of goods in transit generally, 2A-526:1, 2A-526:2
attornment, lessors, 2A-526:6
goods held by carrier or bailee, 2A-526:3
mechanics of stopping, 2A-526:9
negotiation of documents of title, 2A-526:8

© 2018 Thomson Reuters, 12/2018 Master Index-303
LEASES—Cont’d
Stoppage of goods in transit
—Cont’d
receipt of goods by lessee,
2A-526:5
reshipment, 2A-526:7
termination of right
negotiation of documents of
title, 2A-526:8
receipt of goods by lessee,
2A-526:5
reshipment, 2A-526:7
Strict liability in tort, warranty of
merchantability, 2A-212:14
Subleases
entrustment, 2A-305:2
power to transfer, 2A-305:1
Subordination agreements,
2A-311:1
Subsequent
cash sales, 2A-304:3
common law, 2A-304:1
entrustment, 2A-304:7
estoppel, 2A-304:6
fraud, 2A-304:4
imposture, 2A-304:2
purchase transactions, 2A-304:5
2003 amendments, discussion,
2A-304:8
variations of Code, 2A-304
voidable title, 2A-304:2
worthless checks, 2A-304:3
Substituted performance
generally, 2A-404
assumption of risk, 2A-404:5
delivery, 2A-404:2, 2A-404:3
no fault requirement, 2A-404:4
payments, 2A-404:2, 2A-404:3
Tenants’ personal property, provi-
sions, 9-104:3
Termination. Cancellation or
termination, above
Terms
missing, 2A-204:3
parol evidence, 2A-202:3

LEASES—Cont’d
Text and comment amendments
acceleration clauses, 2A-109:3
applicable law and judicial
form, selection, 2A-106:2
casualty to identified goods,
2A-221:7
certificate of title, coverage
under, 2A-105:2
choice of law, 2A-106:2
conflict, warranties, 2A-215:2
course of performance,
2A-207:4
cumulation, warranties,
2A-215:2
definitions, 2A-103:9
disclaimers, warranties,
2A-216:7
exclusion or modification, war-
ranties, 2A-214:11
express warranties, 2A-210:12
firm offers, 2A-205:12
fitness for particular purpose,
warranties, 2A-213:6
forum limitation, 2A-106:2
identification of goods,
2A-217:3
insurance and proceeds, 2003,
2A-218:2
interference and infringement,
warranties, 2A-211:9
lease formation, 2A-204:4
leases subject to other law,
2A-104:3
lessee under finance lease as
beneficiary of supply
contract, 2A-209:4
limitations, warranties,
2A-216:7
merchantability, warranties,
2A-212:15
modifications, 2A-208:8
offer and acceptance, 2A-206:5
parol evidence, 2A-202:5
rescission, 2A-208:8

Master Index-304
MASTER INDEX

LEASES—Cont’d
Text and comment amendments—Cont’d
risk of loss, 2A-219:6
risk of loss, default, 2A-220:5
scope, 2A-102:4
seals, 2A-203:2
short title, 2A-101:3
statute of frauds, 2A-201:11
territorial application, 2A-105:2
unconscionability, 2A-108:8
waiver, 2A-208:8
waiver or renunciation of claim or right after default, 2A-107:6
warranties
conflict, 2A-215:2
cumulation, 2A-215:2
disclaimers, 2A-216:7
exclusion or modification, 2A-214:11
fitness for particular purpose, 2A-213:6
interference and infringement, 2A-211:9
limitations, 2A-216:7
merchantability, 2A-212:15
Text and comments
accessions, 2003 Official Code, 2A-310:4
actions against third parties, 2003 Official Code, 2A-531:3
actions for rent, 2003 Official Code, 2A-529:3
alienability of interests, 2A-303:6

LEASES—Cont’d
Text and comments—Cont’d
cover, 2003 Official Code, 2A-518:3
cure of improper tender or delivery, 2003 Official Code, 2A-513:9
damages for default, 2003 Official Code, 2A-528:6
damages in regards to accepted goods, 2003 Official Code, 2A-519:8
enforceability, 2003 Official Code, 2A-301:3
fixtures, 2003 Official Code, 2A-309:8
fraudulent retention of possession, 2003 Official Code, 2A-308:7
incidental damages, 2003 Official Code, 2A-530:3
insolvency of lessor, 2003 Official Code, 2A-522:8
installment lease contracts, 2003 Official Code, 2A-510:7
lessees, rightfully rejected goods, 2003 Official Code, 2A-512:3

© 2018 Thomson Reuters, 12/2018

Master Index-305
LEASES—Cont’d
Text and comments—Cont’d
merchant, rightfully rejected
goods, 2003 Official Code,
2A-511:4
possession of goods, 2003
Official Code, 2A-525:11
rejection of goods, 2003
Official Code, 2A-509:11
remedies of lessor, 2003 and
2005 Official Code,
2A-523:4
replevin, 2003 Official Code,
2A-521:5
repossession of goods, 2003
Official Code, 2A-525:11
residual interest, 2003 Official
Code, 2A-532:2
retraction of anticipatory
repudiation, 2003 and 2005
amendments, 2A-403:2
revocation of acceptance of
goods, 2003 and 2005
Official Code, 2A-517:16
specific performance, 2003
Official Code, 2A-521:5
statute of limitations, 2003
Official Code, 2A-506:6
stoppage in transit, 2003
Official Code, 2A-526:10
subleases, Official Code,
2A-305:3
subordination, 2003 Official
Code, 2A-311:2
subsequent leases, 2003 Official
Code, 2A-304:8
substituted performance, 2003
Official Code, 2A-404:6
title to and possession of goods,
2003 Official Code,
2A-302:3
2003 Official Code text and
comments, 2A-301:3
waiver of lessee’s objections to
goods, 2003 and 2005
Official Code, 2A-514:5

Third parties
actions against
injury to goods, 2A-531:1
party without risk of loss,
2A-531:2
standing of third parties to
sue, 2A-531, 2A-531:1
injury to goods, 2A-531:1
lessor’s insolvency, superior
rights, 2A-522:6
party without risk of loss,
2A-531:2
standing of third parties to sue,
2A-531, 2A-531:1
2003 amendments, actions
against third parties,
2A-531:3
warranties, disclaimers, third
party beneficiaries,
2A-216:6
Time
formation of lease, 2A-204:2
Limitation of actions, above
Title
cash sales, 2A-304:3
fraud, 2A-304:4
imposture, 2A-304:2
leased goods, 2A-302,
2A-302:1, 2A-302:2
subsequent leases, 2A-304,
2A-304:1
voidable
cash sales, 2A-304:3
fraud, 2A-304:4
imposture, 2A-304:2
purchase transactions,
2A-304:5
subsequent leases, 2A-304:1
worthless checks, 2A-304:3
worthless checks, 2A-304:3
Torts, warranty of merchantability,
relationship with strict
liability, 2A-212:14

Master Index-306
LEASES—Cont’d
Transfers, lease interests, construction, 2A-303:5
Transitional provisions amendment of existing Art 2A, 2A-602
applicability, 2A-603
effective date, 2A-601
savings clause, 2A-604
True, 9-114:1
2003 and 2005 amendments lessee’s remedies, 2A-508:8
rejection of goods, 2A-509:12
remedies of lessor, 2A-523:5
revocation of acceptance of goods, 2A-517:17
waiver of lessee’s objections to goods, 2A-514:6
Types, 9-102:4
Unconscionability commercial leases, 2A-108:6
cCommercial transactions, 2A-108:6
cconsumer leases, 2A-108:6
cconsumer transactions, 2A-108:6
definition, 2A-108:2
disclaimer of warranties, 2A-214:9
limitations on doctrine, 2A-108:5
Magnuson-Moss Warranty Act, 2A-108:4
modification or impairment of remedies, 2A-503:7,
2A-503:8
procedural unfairness, 2A-108:3
purpose of doctrine, 2A-108:1
substantive unfairness, 2A-108:4
warranties, disclaimers, 2A-214:9
LEASES—Cont’d
Uniform Electronic Transaction Act (UETA), legal recognition, 2A-222:2
Uniform laws
Consumer Credit Act
leases, 2A-104:1
unconscionability doctrine, 2A-108:1
Consumer Credit Code
default, 2A-501:4
leases, 2A-104:1
lessor’s right to possession, 2A-525:10
unconscionability doctrine, 2A-108:1
Revised Sales Act, privity limitations, 2A-216:1
Sales Act
affirmations and promises of fact, 2A-210:3
express warranties, 2A-210:7
statute of frauds, 2A-201:5
warranty against infringement, 2A-211:4
warranty against interference, 2A-211:1
warranty as basis of bargain, 2A-210:5
warranty of merchantability, 2A-212:3
Uniform Electronic Transaction Act (UETA), 2A-222:2
Unilateral contracts
formation of lease, 2A-206:3
lease formation, 2A-206:3
Unjust enrichment, estoppel, statute of frauds, 2A-201:9
Usage of trade, parol evidence, 2A-202:3
Value
disposal of goods, release rent, 2A-527:1
revocation of acceptance, substantial impairment, 2A-517:3
LEASES—Cont’d
Variations of Code
acceptance of goods, 2A-515, 2A-516
accessions, 2A-310
actions against third parties, 2A-531
actions for rent, 2A-529
anticipatory repudiation, 2A-402
assurance of performance, 2A-401
cancellation and termination, 2A-505
cover, 2A-518
cure of improper tender or delivery, 2A-513
damages for default, 2A-528
damages in regards to accepted goods, 2A-519
default, 2A-501
disposal of goods, lessor’s rights, 2A-527
enforceability, 2A-301
excused performance, 2A-405, 2A-406
fixtures, 2A-309
fraudulent retention of possession, 2A-308
identification of goods, 2A-524
incidental and consequential damages of lessee, 2A-520
incidental damages, 2A-530
insolvency of lessor, 2A-522
installment lease contracts, 2A-510
irrevocable promises, 2A-407
lessees, rightfully rejected goods, 2A-512
lessee’s remedies, 2A-508
liens, priority, 2A-306, 2A-307
liquidated damages, 2A-504
market value, 2A-507
merchant, rightfully rejected goods, 2A-511

LEASES—Cont’d
Variations of Code—Cont’d
notice after default, 2A-502
possession of goods, 2A-525
rejection of goods, 2A-509
remedies of lessor, 2A-523
replevin, 2A-521
repossession of goods, 2A-525
residual interest, 2A-532
retraction of anticipatory repudiation, 2A-403
revocation of acceptance of goods, 2A-517
rights and remedies, modification, 2A-503
specific performance, 2A-521
statute of limitations, 2A-506
stoppage in transit, 2A-526
subordination, 2A-311
subsequent lease, 2A-304
substituted performance, 2A-404
waiver of lessee’s objections to goods, 2A-514

Voidable title
cash transactions, 2A-304:3
delivery under transaction of purchase, 2A-304:5
fraud, 2A-304:4
imposture, 2A-304:2
larceny, 2A-304:4
worthless checks, 2A-304:3

Vouching
document, 2A-516:12
jurisdictional considerations, 2A-516:12
patent infringement, 2A-516:14
prior judgment, use, 2A-516:13
warranty against infringement, 2A-516:14

Waivers
common law background, 2A-208, 2A-208:1
conditional, 2A-107:4
leases—cont’d
waivers—cont’d
default, rights and duties, 2a-501:9
definition, 2a-107:2
delivery of document, 2a-107:5
delivery of statement, 2a-107:5
formation and construction of lease contract, 2a-208
general provisions, 2a-107:1
lessee’s objections, 2a-514:1
objections to goods, 2a-514:1
partial discharge, 2a-107:3
postdefault, 2a-501:9
protecting the bargain, 2a-208:7
safeguarding the bargain, 2a-208:6
warehousemen, risk of loss, goods held without movement, 2a-219:4
warranties
accepted goods
 damages, 2a-519:4
 repair and replacement, 2a-519:6
affirmation of fact
 express, 2a-210:3
 merchantability, 2a-212:13
agreement of parties, disclaimers, 2a-214:3, 2a-214:4
allergies, merchantability, 2a-212:11
breach
 damages, 2a-519:4, 2a-520:10
express warranties, 2a-210:11
infringement, 2a-211:8
interference, 2a-211:8
personal injuries, 2a-520:10
property damage, 2a-520:10
remedies, 2a-211:8
repair and replacement, 2a-519:6

leases—cont’d
warranties—cont’d
circumstances, disclaimers, 2a-211:6
conduct, merchantability, 2a-212:6
conflicts among provisions, 2a-215, 2a-215:1
creation, express, 2a-210, 2a-210:1
cumulation, 2a-215
curing imperfect lessor interest infringement, 2a-211:7
interference, 2a-211:7
 damages
 accepted goods, 2a-519:4
 breach, 2a-519:4, 2a-520:10
nonwarranty damages compared, 2a-519:5
definition, merchantability, 2a-212:7
descriptions of goods, 2a-210:7
diagonal privity, 2a-216:1
disclaimers
generally, 2a-214:2 et seq.
agreement of parties, 2a-214:3, 2a-214:4
circumstances, 2a-211:6
examination of goods, 2a-214:5
express, 2a-210:9, 2a-214:2
fitness for particular purpose, 2a-213:5
implied
 contractual terms, 2a-211:5
examination by buyers, 2a-214:5
exclusion or modification, 2a-214:3 et seq.
 fitness for particular purpose, 2a-213:5
 merchantability, 2a-212:5
infringement, 2a-211:5, 2a-211:6, 2a-214:6
LEASES—Cont’d
Warranties—Cont’d
disclaimers—Cont’d
interference, 2A-211:5, 2A-211:6, 2A-214:6
Magnuson-Moss Warranty Act, 2A-214:10
merchantability, 2A-212:5
parol evidence rule, 2A-214:7
remedies, limitation, 2A-214:8
third-party beneficiaries, 2A-216:6
unconscionability, 2A-214:9
examination of goods, disclaimers, 2A-214:5
exclusions, 2A-214
Express warranties, above
fit for ordinary purpose, merchantability, 2A-212:10
fitness for particular purpose disclaimers, 2A-213:5
implied warranty, 2A-213:1
particular purpose defined, 2A-213:3
reason to know requirement, 2A-213:2
reliance, 2A-213:4
requirements, 2A-213:1
infringement
generally, 2A-211:4
curing imperfect lessor interest, 2A-211:7
disclaimer by circumstances, 2A-211:6
disclaimer by contract, 2A-211:5
interference
curing imperfect lessor interest, 2A-211:7
description, 2A-211:1
disclaimer by circumstances, 2A-211:6
lessor’s obligation, 2A-211:2
merchantability
affirmations of fact on container or label, 2A-212:13
allergies, 2A-212:11
applicability, 2A-212:2
definition, 2A-212:7
fit for ordinary purpose, 2A-212:10
fungible goods quality, 2A-212:9
labeling, adequacy, 2A-212:12
lease and goods limitations, 2A-212:3
limitations, 2A-212:5
nature, 2A-212:1
packaging, adequacy, 2A-212:12

Master Index-310
LEASES—Cont’d
Warranties—Cont’d
implied—Cont’d
merchantability—Cont’d
pass without objection in the trade, 2A-212:8
reliance of buyers, 2A-212:4
statements on label, conformance, 2A-212:13
strict liability in tort, 2A-212:14
infringement
generally, 2A-211:4
breach, 2A-211:8
curing imperfect lessor interest, 2A-211:7
disclaimer, 2A-211:5, 2A-211:6, 2A-214:6
vouching, 2A-516:14
interference
generally, 2A-211:1
breach, 2A-211:8
curing imperfect lessor interest, 2A-211:7
disclaimers, 2A-211:5, 2A-211:6, 2A-214:6
lesser’s obligation, 2A-211:2
obligation, 2A-211:2
labeling, merchantability, 2A-212:12
lease and goods limitations, merchantability, 2A-212:3
lessee misconduct, express, 2A-210:11
lessee under finance lease, supply contract beneficiary, 2A-209:2
lesser’s obligation, interference, 2A-211:2
limitation of remedies, 2A-210:7, 2A-214:8
limitations, 2A-216:2, 2A-216:6
LEASERS—Cont’d
Warranties—Cont’d
Magnuson-Moss Warranty Act, 2A-214:10
merchantability
generally, 2A-212
affirmation of fact, 2A-212:13
allergies, 2A-212:11
conduct, 2A-212:6
definition, 2A-212:7
disclaimers, 2A-212:5
fit for ordinary purpose, 2A-212:10
fungible goods, quality, 2A-212:9
labeling, 2A-212:12
lease and goods limitations, 2A-212:3
limitations, 2A-212:5
packaging, 2A-212:12
pass without objection in the trade, 2A-212:8
reliance, 2A-212:4
strict tort liability, 2A-212:14
merchant limitations, 2A-212:2
misconduct by lessee, 2A-210:11
modifications, 2A-214
nature of obligation, express, 2A-210:2
necessity of lease, express, 2A-210:10
obligation, interference, 2A-211:2
opinions, 2A-210:3
packaging, merchantability, 2A-212:12
parol evidence, disclaimers, 2A-214:7
particular purpose defined, fitness for particular purpose, 2A-213:3
LEASES—Cont’d
Warranties—Cont’d
pass without objection in the
trade, merchantability,
2A-212:8
personal injuries, breach,
2A-520:10
privity
Alternative A, 2A-216:3
Alternative B, 2A-216:4
Alternative C, 2A-216:5
diagonal, 2A-216:1
express, 2A-210:10
horizontal, 2A-216:1
limitations, 2A-216:2
vertical, 2A-216:1
promises as part of basis of
bargain, 2A-210:5
promises not related to goods,
2A-210:4
promises of fact, 2A-210:3
promises unrelated to goods,
2A-210:4
proof, limitations on recovery,
2A-210:7
property damage, breach,
2A-520:10
reason to know requirement,
fitness for particular
purpose, 2A-213:2
reliance
fitness for particular purpose,
2A-213:4
merchantability, 2A-212:4
remedies
for breach, 2A-211:8
disclaimers, 2A-214:8
repair and replacement
accepted goods, 2A-519:6
breach, 2A-519:6
samples and models as bases,
express, 2A-210:7
strict tort liability, merchant-
ability, 2A-212:14

At will options, acceleration,
2A-109:1
Words and phrases
acceleration clause, 2A-501:3,
2A-501:4
acceptance, 2A-515:1
accession, 2A-310, 2A-310:1
accord and satisfaction,
2A-508:4
adequate assurance, 2A-401:4
adequately contained, packaged
and labeled, 2A-212:12
with all faults, 2A-214:6
anticipatory repudiation,
2A-402:1
C.A.F., 2A-219:3
cancellation, 2A-523:3
C.I.F., 2A-219:3
commercial unit, 2A-515:6
conspicuousness, 2A-214:4
customer leases, 2A-103:2
course of performance,
2A-207:2
cover, 2A-518:1, 2A-518:2
cure of improper tender or
delivery, 2A-513:7
default, 2A-501:2
diagonal privity, 2A-216:1
due performance, 2A-401:2
examination, 2A-214:5
excused performance, 2A-405,
2A-405:1
finance leases, 2A-103:3,
2A-103:4
firm offer, 2A-205:1

Master Index-312
LEASING
Words and phrases—Cont’d
fit for ordinary purpose, 2A-212:10
F.O.B., 2A-219:3
good faith, 2A-103:7
goods, 2A-103:5, 2A-212:3, 2A-217:2
horizontal privity, 2A-216:1
identification, 2A-217:2
imposture, 2A-304:2
insecurity clause, 2A-109:1, 2A-501:4
insolvency, 2A-522:4
installment lease contract, 2A-510:2
as is, 2A-214:6
knowledge, 2A-211:2
lease, 2A-103:1
lessee, 2A-210:10
lessor, 2A-210:10
liquidated damages, 2A-504, 2A-504:1 et seq.
market quotation, 2A-507:3
market rent, 2A-507:1, 2A-519:2
merchant, 2A-211:4, 2A-212:2
merchantability, 2A-212:7
mixed goods transaction, 2A-103:6
model, 2A-215:1
no-modification-unless-in-writing, 2A-208:4
notice, 2A-211:2
organization, 2A-216:5
paid, 2A-522:2
parol evidence, 2A-202:1, 2A-202:4
particular purpose, 2A-213:3
pass through of promises and warranties, 2A-209:2
pass without objection in the trade, 2A-212:8
perfect tender rule, 2A-509:1

LEASING
Words and phrases—Cont’d
performance or enforcement, 2A-208:2
person, 2A-216:5
procedural unconscionability, 2A-108:3
product liability, 2A-212:14
reasonable grounds to believe cure acceptable, 2A-513:4
reasonable time for cure, 2A-513:2, 2A-513:6
reason to know, 2A-213:2
recoupment, 2A-508:4
Regulation M, 2A-102:1, 2A-104:1
release rent, 2A-527:1, 2A-527:5
renunciation of claim or right, 2A-107:2
risk of loss, 2A-219, 2A-219:1
statute of limitations, 2A-506:1
substantive unconscionability, 2A-108:4
substituted performance, 2A-404:1
supplier, 2A-214:10
term, 2A-202:3
termination, 2A-523:3
unconscionability, 2A-108:2
uniqueness, 2A-521:3
vertical privity, 2A-216:1
voidable title, 2A-304:1 et seq.
vouching, 2A-516:12
waiver, 2A-107:2
warrantor, 2A-214:10
writing, 2A-201:4, 2A-205:3
Writing
firm offers, 2A-205:3
modification of lease, 2A-208:4
LEASES—Cont’d
Writing—Cont’d
statute of frauds, memorandum, 2A-201:4, 2A-201:5

LEGAL CUSTOM
Course of performance, course of dealing, and usage of trade, 1-303:4 [Rev]

LEGAL RECOGNITION
Electronic records, signatures, and contracts, UETA 7 et seq.

LEMON LAWS
Revocation of acceptance, special regulatory legislation, 2A-517:9

LESSEES
See also Leases; Lessors
Acceptance of goods
consequences, 2A-516:1
liability for rent, 2A-516:2
Accepted goods
consequential damages, 2A-519:7
incidental damages, 2A-519:7
nonwarranty damages, 2A-519:3, 2A-519:5
repair and replacement, 2A-519:6
warranty damages, 2A-519:4
Burden of proof, rejection of goods, 2A-509:7
Code relief, rejection of goods, 2A-509:5
Consequential damages
generally, 2A-520:3 et seq.
accepted goods, 2A-519:7
economic loss, 2A-520:5 et seq.
limitations, 2A-520:11
mitigation, 2A-520:9
ordinary damages, relationship, 2A-520:4
personal injuries, 2A-520:10
proof of loss, 2A-520:6

LESSEES—Cont’d
Consequential damages—Cont’d
property, 2A-520:10
reason to know, 2A-520:7
rejection of agreement, 2A-520:8
Cover
equivalent of release, 2A-518:1
manner and consequences, 2A-518:2
Creditors’ liens, 2A-307:1
Damages
Consequential damages, above market rent, time and place factors, 2A-519:2
nonaccepted goods, 2A-519:1
Default
remedies and duties, 2A-501:8
repudiation, risk of loss, 2A-220:4
De minimis doctrine, rejection of goods, 2A-509:3
Documentary defects, rejection of goods, 2A-514:3, 2A-514:4
Documents of title, negotiation, 2A-526:8
Duties
merchant, rightfully rejected goods, 2A-511:1
rightfully rejected goods, 2A-512:1
Economic loss, consequential damages, 2A-520:5 et seq.
Equivalent of release, cover, 2A-518:1
Excused performance, 2A-405:6
Finance leases, beneficiary of supply contract, 2A-209
Fitness for particular purpose, effect of misconduct on warranties, 2A-213:5
Good faith
merchant, rightfully rejected goods, 2A-511:2
rejection of goods, 2A-509:4

Master Index-314
LESSEES—Cont’d
Identification of goods, lessor’s insolvency, 2A-522:3
Incidental damages, accepted goods, 2A-519:7
Index of remedies, lessor’s default, 2A-508:1
Insolvency
  lessor’s right to possession, 2A-525:1
  withholding goods, 2A-523:2
Insurable interest, 2A-218:1
Keeping tender good, lessor’s insolvency, 2A-522:5
Lessor’s default
  index of remedies, 2A-508:1
  remedies compared, 2A-508:2
  security interest in goods of lessee, 2A-508:3
Lessor’s insolvency
  identification of goods, 2A-522:3
  keeping tender good, 2A-522:5
  payment of rent and security, 2A-522:2
  reclamation, 2A-522:7
  right to goods, limitations, 2A-522:2
  specific performance, 2A-522:1
  third parties, 2A-522:6
Liability for rent, acceptance, 2A-516:2
Liens
  creditors, 2A-307:1
  ordinary course of business, 2A-307:2
  priority, future advances, 2A-307:4
Limitations, consequential damages, 2A-520:11
Manner and consequences
  cover, 2A-518:2
  rejection of goods, 2A-509:10

LESSEES—Cont’d
Market rent, damages, time and place factors, 2A-519:2
Merchant, rightfully rejected goods
duties, 2A-511:1
  good faith considerations, 2A-511:2
  reimbursement, 2A-511:3
Merchantability warranties, effect of misconduct, 2A-212:5
Misconduct, effect on warranties
  fitness for particular purpose, 2A-213:5
  merchantability, 2A-212:5
Nonaccepted goods, damages, 2A-519:1
Nonwarranty damages, accepted goods, 2A-519:3, 2A-519:5
Options as to rightfully rejected goods, 2A-512:2
Options when goods nonconforming, rejection of goods, 2A-509:8
Ordinary course of business
  liens, 2A-307:2
  right, 9-321:1 [Rev]
Ordinary damages, relationship of consequential damages, 2A-520:4
Payment of rent and security, lessor’s insolvency, 2A-522:2
Perfect tender rule, rejection of goods, 2A-509:1, 2A-509:6
Personal injuries, consequential damages, 2A-520:10
Power to transfer, 2A-305:1
Priority, future advances, liens, 2A-307:4
Property, consequential damages, 2A-520:10
Reclamation, lessor’s insolvency, 2A-522:7
Reimbursement, merchant, rightfully rejected goods, 2A-511:3
LESSEES—Cont’d
Rejection of goods
burden of proof, 2A-509:7
Code relief, 2A-509:5
de minimis doctrine, 2A-509:3
documentary defects, 2A-514:3,
2A-514:4
good faith limitations, 2A-509:4
manner, 2A-509:10
options when goods
nonconforming, 2A-509:8
particularizing defects,
2A-514:1
perfect tender rule, 2A-509:1,
2A-509:6
time, 2A-509:9
unstated defects, 2A-514:2
Remedies compared, lessor’s
default, 2A-508:2
Repair and replacement, accepted
goods, 2A-519:6
Replevin, 2A-521:4
Revocation of acceptance
risk of loss, 2A-220:3
substantial impairment of value,
2A-517:3
Rightfully rejected goods
duties, 2A-512:1
options, 2A-512:2
Right to possession, insolvency,
2A-522:2, 2A-525:1
Risk of loss
default by repudiation,
2A-220:4
revocation of acceptance,
2A-220:3
Security interest in goods of lessee, lessor’s default,
2A-508:3
Specific or ascertained goods,
specific performance,
2A-521:2
Specific performance
lesser’s insolvency, 2A-522:1

LESSEES—Cont’d
Specific performance—Cont’d
specific or ascertained goods,
2A-521:2
uniqueness, 2A-521:3
Third parties, lessor’s insolvency,
2A-522:6
Timing
lessor’s insolvency, 2A-522:4
rejection of goods, 2A-509:9
Uniqueness, specific performance,
2A-521:3
Unstated defects, rejection of
goods, 2A-514:2
Warranty damages, accepted
goods, 2A-519:4
Withholding goods, insolvency,
2A-523:2

LESSORS
See also Leases; Lessees
Actions for rent
due under contract, 2A-529:1
market rent, 2A-528:1 et seq.
Actions for repossession,
2A-525:7
Additional reasonable time, cure
of improper tender or
delivery, 2A-513:6
After time specified for perfor-
mance, cure of improper ten-
der or delivery, 2A-513:3
Alternatives to self-help reposess-
sion, 2A-525:7
Assembly of goods by lessee,
2A-525:8
Bankruptcy statutes, 2A-525:10
Breach of contract, stoppage of
delivery, 2A-526:4
Cash sales, subsequent leases,
2A-304:3
Common law, subsequent leases,
2A-304, 2A-304:1
Consequential damages
distinguished, incidental
damages, 2A-530:1
LESSORS—Cont’d
Consumer protection statutes, right to possession, 2A-525:10
Cure of improper tender or delivery additional reasonable time, 2A-513:6
after time specified for performance, 2A-513:3
cure defined, 2A-513:7
money allowance, 2A-513:5
perfect tender rule limitation, 2A-513:1
reasonable grounds to believe, 2A-513:4
shaken faith limitation, 2A-513:8
within time specified for performance, 2A-513:2
Damages computation, 2A-527:5, 2A-528:4, 2A-528:5
disposal of goods, computation, 2A-527:5
incidental, 2A-530:1, 2A-530:2
market rent, 2A-528:1, 2A-528:2
profit, 2A-528:3, 2A-528:4
Default duties, 2A-501:6
election of remedies, 2A-501:7
rights and remedies, 2A-501:5
right to identify goods, default by lessee, 2A-524:1
Delivery of nonconforming goods, risk of loss, 2A-220:3
Disposal of goods computation of damages, 2A-527:5
right, 2A-527:1 et seq.
unfinished goods, right to identify goods, 2A-524:2
Document of title negotiation, stoppage of delivery, 2A-526:8

LESSORS—Cont’d
Due under contract, 2A-529:1
Duties, default, 2A-501:6
Election of remedies, default, 2A-501:7
Entrustment, subsequent leases, 2A-304:7
Estrav, subsequent leases, 2A-304:6
Failure to deliver, risk of loss, 2A-220:2
Fraud, subsequent leases, 2A-304:4
Goods held by carrier or bailee, stoppage of delivery, 2A-526:3
Identification of goods, 2A-522:3, 2A-524, 2A-524:2
Imposture, subsequent leases, 2A-304:2
Incidental damages consequential damages distinguished, 2A-530:1
illustrations, 2A-530:2
Insolvency
identification of goods, 2A-522:3
keeping tender good, 2A-522:5
lessee’s insolvency, right to possession, 2A-525:1
payment of rent and security, 2A-522:2
reclamation, 2A-522:7
specific performance, 2A-522:1
stoppage of delivery, 2A-526:4
third parties, 2A-522:6
timing, 2A-522:4
Insurable interest, 2A-218:1
Keeping tender good, 2A-522:5
Liens, creditors, 2A-307:1
Manufacture, completion, right to identify goods, 2A-524:2
Market rent actions for rent, 2A-528:1 et seq.
LESSORS—Cont’d
Market rent—Cont’d
damages, 2A-528:1, 2A-528:2
Mechanics, stoppage of delivery, 2A-526:9
Money allowance, cure of improper tender or delivery, 2A-513:5
Noncompliance with release requirements, right to dispose of goods, 2A-527:4
Notice of repossession, 2A-525:3
Payment of rent and security, insolvency, 2A-522:2
Perfect tender rule limitation, 2A-513:1
Possession of goods, 2A-525:1 et seq.
Profit, damages, 2A-528:3, 2A-528:4
Purchase transactions, subsequent leases, 2A-304:5
Reasonable grounds to believe, cure of improper tender or delivery, 2A-513:4
Reclamation, insolvency, 2A-522:7
Release
cover by lessee as equivalent, 2A-518:1
right to dispose of goods, 2A-527:1, 2A-527:2
Remedies, index, 2A-523:1
Repossession, 2A-525:2 et seq.
Repudiation, stoppage of delivery, 2A-526:4
Reshipment, stoppage of delivery, 2A-526:7
Right to dispose of goods damages, computation, 2A-527:5
noncompliance with release requirements, 2A-527:4
release, 2A-527:1, 2A-527:2
substantially similar lease, 2A-527:3

LESSORS—Cont’d
Right to identify goods
default by lessee, 2A-524:1
disposal of unfinished goods, 2A-524:2
manufacture, completion, 2A-524:2
Right to possession
actions for repossession, 2A-525:7
alternatives to self-help repossession, 2A-525:7
assembly of goods by lessee, 2A-525:8
bankruptcy statutes, 2A-525:10
consumer protection statutes, 2A-525:10
lessee’s insolvency, 2A-525:1
notice of repossession, 2A-525:3
repossession, 2A-525:2 et seq.
self-help, 2A-525:4
violence, threats, and protest, 2A-525:5
Right to residual interest, 2A-532:1
Risk of loss
delivery of nonconforming goods, 2A-220:3
failure to deliver, 2A-220:2
Self-help, right to possession, 2A-525:4
Shaken faith limitation, cure of improper tender or delivery, 2A-513:8
Specific performance
action for rent, 2A-529:2
insolvency, 2A-522:2
Stoppage of delivery
generally, 2A-526:1
attornment, 2A-526:6
breach of contract, 2A-526:4
document of title negotiation, 2A-526:8
LESSORS—Cont’d
Stoppage of delivery—Cont’d
goods held by carrier or bailee,
2A-526:3
insolvency, 2A-526:4
mechanics, 2A-526:9
repudiation, 2A-526:4
reshipment, 2A-526:7
termination of right, 2A-526:5
when permitted, 2A-526:2
Subsequent leases
cash sales, 2A-304:3
common law, 2A-304:1
entrustment, 2A-304:7
estoppel, 2A-304:6
fraud, 2A-304:4
imposture, 2A-304:2
purchase transactions, 2A-304:5
voidable title, 2A-304:2
worthless checks, 2A-304:3
Substantially similar lease, right to dispose of goods,
2A-527:3
Termination of right, stoppage of delivery,
2A-526:5
Third parties, insolvency,
2A-522:6
Within time specified for performance, cure of improper tender or delivery,
2A-513:2
Timing, insolvency, 2A-522:4
Voidable title, subsequent leases,
2A-304:2
Warranties, curing imperfect interest,
2A-211:7
Worthless checks, subsequent leases,
2A-304:3

LETTERS OF ADVICE
Definition, 3-701:1, 4-406:1
Failure to send, consequences,
3-701:2
International sights drafts, 3-701:1
failure to send, 3-701:2

LETTERS OF CONFIRMATION
Statute of frauds, 2A-201:6

LETTERS OF CREDIT
Generally, 5-101:1 [Rev]
See also Advice of Credit; Parties to Letter
Acceptance credits, 5-117:1
Accept or acceptance
“accept” or “acceptance”, subsection (b), 5-102:204 [Rev]
causes of action, 5-102:206 [Rev]
drafts drawn on applicant under acceptance credit,
5-102:208 [Rev]
governing law, 5-102:206 [Rev]
reference to “acceptance” or to “accept”, 5-102:205 [Rev]
select bibliography, 5-102:209 [Rev]
what constitutes acceptance,
5-102:207 [Rev]
Accounts
applicant’s, 5-102:140 [Rev]
own account of financial institution,
5-102:141 [Rev]
Advice of credit
accuracy, 5-107:2
advising banks
claims against, 5-107:3
responsibility, 5-107:2
confirming banks
liability, 5-107:3
obligations, extent, 5-107:1
errors, responsibility, 5-107:3
liability, 5-107:2
nonnotation credits, exhaustion,
5-108:2
translation, errors, 5-107:3
Adviser
“adviser” subsection (a)(1),
5-102:4 [Rev]
advising banks and other banks involved in LC process,
5-102:11 [Rev]
agency, 5-102:15 [Rev]
LETTERS OF CREDIT—Cont’d
Adviser—Cont’d
banks
advising banks and other banks involved in the LC process, 5-102:11 [Rev]
comparison with definitions in letters of credit rules, 5-102:6 [Rev]
second advising bank, 5-102:10 [Rev]
branches, 5-102:12 [Rev]
comparison with definitions in letters of credit rules, 5-102:6 [Rev]
confirmers distinguished, 5-102:54 [Rev]
context in letters of credit practice, 5-102:5 [Rev]
definitions
comparison with definitions in letters of credit rules, 5-102:6 [Rev]
variation of definition, 5-102:16 [Rev]
nominated persons, 5-102:11 [Rev]
nomination, 5-102:8 [Rev]
notifies or requests, 5-102:7 [Rev]
obligation of adviser, 5-102:14 [Rev]
routing of communications, 5-102:13 [Rev]
second advising bank, 5-102:10 [Rev]
subject of advices, 5-102:9 [Rev]
variation of definition of “adviser”, 5-102:16 [Rev]
Advising banks
generally, 5-103:6
claims against, 5-107:3
obligations, 5-107:2

LETTERS OF CREDIT—Cont’d
Agency
generally, 5-107:3 [Rev]
adviser, 5-102:15 [Rev]
applicant, 5-102:30 [Rev]
confirmers, 5-102:61 [Rev]
nominated persons, 5-102:168 [Rev]
relationship between nominated banks and the issuer or applicant, 5-108:23 [Rev]
Agreements, 5-114:2
Amendment
interpretation of U.C.C. Rev. Article 5, 5-102:145 [Rev]
nominated person, 5-102:169 [Rev]
non-conforming amendments, 5-101:4 [Rev]
Value, below
Anticipatory repudiation, 5-115:1
Applicant
account party, related term, 5-102:19 [Rev]
agency, 5-102:30 [Rev]
“applicant” subsection (a)(2), 5-102:17 [Rev]
application, related term, 5-102:19 [Rev]
applications or reimbursement agreements, 5-102:28 [Rev]
comparison with definitions in LC rules, 5-102:20 [Rev]
comparison with definitions in UN LC convention, 5-102:21 [Rev]
context in letters of credit practice, 5-102:18 [Rev]
customer, related term, 5-102:19 [Rev]
definitions
comparison with definitions in LC rules, 5-102:20 [Rev]

Master Index-320
LETTERS OF CREDIT—Cont’d
Applicant—Cont’d
definitions—Cont’d
comparison with definitions in UN LC convention, 5-102:21 [Rev]
related terms, 5-102:19 [Rev]
variation of definition, 5-102:2:31 [Rev]
legal effect of being applicant, 5-102:26 [Rev]
location in document of name of applicant, 5-102:27 [Rev]
multiple applicants, 5-102:24 [Rev]
name of applicant, location in document, 5-102:27 [Rev]
obligations of applicant, 5-102:29 [Rev]
principal, related term, 5-102:19 [Rev]
reimbursement agreements, 5-102:19 [Rev], 5-102:28 [Rev]
related terms, 5-102:19 [Rev]
request, at whose request, 5-102:22 [Rev]
request of applicant, 5-102:140 [Rev]
sureties, 5-102:25 [Rev]
value
action for wrongful dishonor or honor, U.C.C. § 5-111(b) [Rev.], 5-111:3 [Rev]
balancing interests of beneficiary and applicant, 5-109:25 [Rev]
material fraud by beneficiary on issuer or applicant, 5-109:4 [Rev]
subrogation, 5-117 [Rev], 5-117:10 [Rev]
variation of definition, 5-102:2:31 [Rev]

LETTERS OF CREDIT—Cont’d
Applicant—Cont’d
where required document under LC is to contain name of applicant, 5-102:27 [Rev]
for whose account, 5-102:23 [Rev]
whose request, 5-102:22 [Rev]
at whose request, 5-102:22 [Rev]
Applicant controlled conditions and value, 5-108:5 [Rev]
Arbitration, 5-103:16 [Rev], 5-116:15 [Rev]
Assignment of right to proceeds, 5-116:2
Assignments generally, 5-116:2
assignment and transfer in letter of credit law and practice, 5-114:1 [Rev]
beneficiary
ability of beneficiary to assign proceeds, 5-114:4 [Rev]
assignee of proceeds, 5-102:43 [Rev]
consent, 5-114:5 [Rev]
drawing rights distinguished from assignment of proceeds, 5-112:2 [Rev]
fraud and forgery, assignees of proceeds, 5-109:10 [Rev]
proceeds, generally, 5-114:2 [Rev]
restrictions, ineffectiveness, 9-409:1 [Rev]
right to proceeds, risks, 5-116:2
risks, 5-116:2
security, 5-116:2
select bibliography, 5-114:11 [Rev]
variation, 5-114:10 [Rev]
Assurance, documentary assurance, 5-101:7 [Rev]
LETTERS OF CREDIT—Cont’d
Authentication of value. Value, below
Authority to purchase or pay,
5-103:1
Automatic transfer, 5-112:8 [Rev]
Back to back, 5-116:3
Bankruptcy
beneficiary, effect on payment obligation under letter of
credit, 5-114:15
customers, 5-114:15
fraud and forgery, 5-109:29 [Rev]
issuers, 5-117:1
relationship with Article 5,
5-117:12 [Rev]
Banks and banking
advising banks, 5-103:6
claims against, 5-107:3
obligations, 5-107:2
confirming banks
engagement, 5-103:7
liability, 5-103:7
nonbank issuers, 5-103:7
obligations, 5-107:1
contract to issue, 5-103:5 [Rev]
custom and usage, evidence,
5-109:2
indemnities, 5-113:1 to 5-113:3
insolvency
issuers, 5-117:1
purchase, 5-117:1
issuance of letters of credit,
5-102:2, 5-109:1
issuing banks, 5-103:4
insolvency, 5-117:1
purchase of insolvent banks,
5-117:1
Beneficiary
accepting the credit, 5-102:39 [Rev]
assignee of proceeds, 5-102:43 [Rev]
Beneficiary—Cont’d
banks that do not act pursuant to
their nomination, 5-102:42 [Rev]
beneficiary subsection (a)(3),
5-102:32 [Rev]
comparison with definitions in
letter of credit rules,
5-102:34 [Rev]
comparison with UN LC
convention, 5-102:35 [Rev]
confirming, 5-102:44 [Rev]
context in letter of credit
practice, 5-102:33 [Rev]
definitions
comparison with definitions
in letter of credit rules,
5-102:34 [Rev]
variation of definition,
5-102:46 [Rev]
entitled to honor, 5-102:36 [Rev]
multiple beneficiaries, 5-102:37 [Rev]
name, use of exact beneficiary
name as it appears in LC,
5-102:45 [Rev]
obligations of beneficiary,
5-102:38 [Rev]
presenter, as or on behalf of
nominated person,
5-102:189 [Rev]
successor beneficiary (transfer
by operation of law),
5-102:41 [Rev]
transferee beneficiary, 5-102:40 [Rev]
use of exact beneficiary name as
it appears in LC, 5-102:45 [Rev]
value
ability of beneficiary to
assign proceeds, 5-114:4 [Rev]
LETTERS OF CREDIT—Cont’d
Beneficiary—Cont’d
value—Cont’d
adequate protection,
5-109:21 [Rev]
application to transferee beneficiary, 5-110:7 [Rev]
balancing interests of beneficiary and applicant,
5-109:25 [Rev]
extraordinary relief, 5-109:21 [Rev], 5-109:25 [Rev]
material fraud by beneficiary on issuer or applicant,
5-109:4 [Rev]
variation of definition of “beneficiary”, 5-102:46 [Rev]

Bibliography
general bibliography, 5-101:24 [Rev]
select bibliography generally, 5-102:152 [Rev]
accept or acceptance, 5-102:209 [Rev]
confirmer, 5-102:69 [Rev]
document, 5-102:93 [Rev]
good faith, 5-102:99 [Rev]
honor, 5-102:108 [Rev]
issuer, 5-102:120 [Rev]
letter of credit, 5-102:152 [Rev]
nominated person, 5-102:171 [Rev]
presentation, 5-102:183 [Rev]
record, 5-102:198 [Rev]
Value, below

Branches
adviser, 5-102:12 [Rev]
confirmer, 5-102:57 [Rev]
issuer, 5-102:117 [Rev]
nominated person, 5-102:157 [Rev]
value, 5-107:2 [Rev], 5-108:24 [Rev], 5-116:8 [Rev]

LETTERS OF CREDIT—Cont’d
Choice of forum, value, 5-116 [Rev], 5-116:1 [Rev], 5-116:12 [Rev]
Choice of law, 5-102:10
Claims against documents, prohibitions, 5-110:2
Classification, typology, and independent undertakings generally, 5-102:122 [Rev]
clean credits, 5-102:124 [Rev]
commercial letters of credit or so-called “documentary credits”, 5-102:123 [Rev]
independent guarantees, 5-102:126 [Rev]
irrevocable undertakings to purchase documents by nominated bank, 5-102:129 [Rev]
pre-advices, 5-102:127 [Rev]
reimbursement undertakings, 5-102:128 [Rev]
standby letters of credit, 5-102:125 [Rev]
value, consequence of transfer, 5-112:9 [Rev]
Clean, 5-102:2
Collecting banks
distinguished from confirmers, 5-102:56 [Rev]
payments, extension of time, 5-112:1
presentment, 5-112:1
Commercial fraud, 5-103:17 [Rev]
Commercial paper provisions, application, 5-114:5
Common law, relationship to, 5-101:10 [Rev]
Conditional payment, 5-114:14
Conditions
non-documentary, 5-102:136 [Rev]
value, applicant controlled conditions, 5-108:5 [Rev]
LETTERS OF CREDIT—Cont’d
Confirmations, 5-104:1, 5-104:2
interpretation of U.C.C.,
Rev. Article 5, 5-102:146 [Rev]
Confirmer
agency, 5-102:61 [Rev]
“available by”, 5-102:63 [Rev]
branches, 5-102:57 [Rev]
comparison with definitions in
LC rules, 5-102:49 [Rev]
comparison with definitions in
the UN LC convention,
5-102:50 [Rev]
confirmation distinguished from
counter guarantee,
5-102:55 [Rev]
confirmer
advisers distinguished,
5-102:54 [Rev]
collecting banks
distinguished, 5-102:56
[Rev]
issuers distinguished,
5-102:52 [Rev]
other nominated banks
distinguished, 5-102:53
[Rev]
“confirmer” subsection (a)(4),
5-102:47 [Rev]
confirming banks and non-bank
confirmer and issuers,
5-102:51 [Rev]
consumer as confirmer,
5-102:65 [Rev]
context in LC practice,
5-102:48 [Rev]
definitions
comparison with definitions
in LC rules, 5-102:49
[Rev]
comparison with definitions
in UN LC convention,
5-102:50 [Rev]
variations of definition,
5-102:68 [Rev]
LETTERS OF CREDIT—Cont’d
Construction
ambiguous language
against drafters, 5-104:3
forms, 5-104:3
viability, 5-104:4
custom and usage, 5-104:2
questions of law and fact,
5-104:2
validity, 5-103:2, 5-104:4
Contract to issue, 5-103:5 [Rev]
Customers’ insolvency, 5-114:15
Damages
consequential, 5-115:1
interest, 5-115:1
liquidated, 5-114:9
mitigation, 5-115:1
money, 5-114:6
Definitions
generally, 5-102 [Rev], 5-102:1 [Rev], 5-103:1
adviser
comparison with definitions
in letters of credit rules;
banks, 5-102:6 [Rev]
variation of definition of
“advisor”, 5-102:16 [Rev]
applicant
comparison with definitions
in LC rules, 5-102:20 [Rev]
comparison with definitions
in UN LC convention,
5-102:21 [Rev]
beneficiary
comparison with definitions
in LC rules, 5-102:34 [Rev]
variation of definition,
5-102:46 [Rev]
comparison with definitions in
UN LC convention,
5-102:50 [Rev]
LETTERS OF CREDIT—Cont’d
Definitions—Cont’d
confirm
comparison with definitions
in LC rules, 5-102:49 [Rev]
comparison with definitions
in UN LC convention,
5-102:50 [Rev]
variations of definition,
5-102:68 [Rev]
dishonor
comparison with definitions
in LC rules, 5-102:72 [Rev]
variations of definition,
5-102:77 [Rev]
document
comparison with definitions
in LC rules, 5-102:80 [Rev]
variation of definition,
5-102:92 [Rev]
good faith
comparison with definition in
Rev. U.C.C. Article 1,
5-102:97 [Rev]
variation of definition,
5-102:98 [Rev]
honor, variation of definition,
5-102:107 [Rev]
issuer
non-variable per § 5-103(c),
5-102:119 [Rev]
variation of definition,
5-102:119 [Rev]
letter of Credit, variation of
definition, 5-102:151 [Rev]
mandatory definitions, 5-102:2 [Rev]
nominated person
comparison with definitions
in LC rules, 5-102:155 [Rev]
LETTERS OF CREDIT—Cont’d
Definitions—Cont’d
nominated person—Cont’d
variation of definition,
5-102:170 [Rev]
presentation
comparison with definitions in LC rules, 5-102:174 [Rev]
variation of definition, 5-102:182 [Rev]
presenter
comparison with definitions in LC rules, 5-102:186 [Rev]
variation of definition, 5-102:190 [Rev]
record, variation of definition, 5-102:197 [Rev]
successor of beneficiary, variation of definition, 5-102:200 [Rev]
value, varying the definition, 5-102:214 [Rev]
variation of definition of “letter of credit”, 5-102:151 [Rev]
Delivery of item of value, 5-102:143 [Rev]
Description, name of undertaking however described, 5-102:130 [Rev]
Designation, 5-102:4
Dishonor
generally, 5-112:2
comparison with definitions in LC rules, 5-102:72 [Rev]
context in letters of credit practice, 5-102:71 [Rev]
definitions
comparison with definitions in LC rules, 5-102:72 [Rev]
variations of definition, 5-102:77 [Rev]

LETTERS OF CREDIT—Cont’d
Dishonor—Cont’d
“dishonor” subsection (a)(5), 5-102:70 [Rev]
failure to honor within time to do so, 5-102:73 [Rev]
failure to take required interim action, 5-102:74 [Rev]
good faith, 5-109:12 [Rev]
imprecise aspects of dishonor and honor, 5-102:76 [Rev]
variations of definition of “dishonor”, 5-102:77 [Rev]
waiver aspects of dishonor and honor, 5-102:76 [Rev]
wrongful dishonor, 5-102:75 [Rev]
wrongful dishonor, value, U.C.C. § 5-111(b) [Rev.], 5-111:3 [Rev]
Document
assurance, 5-101:7 [Rev]
capable of being examined, 5-102:88 [Rev]
comparison with definitions in LC rules, 5-102:80 [Rev]
comparison with UN LC convention, 5-102:81 [Rev]
context in LC practice, 5-102:79 [Rev]
definitions
comparison with definitions in LC rules, 5-102:80 [Rev]
variation of definition, 5-102:92 [Rev]
document of title, 5-102:83 [Rev]
“document” subsection (a)(6), 5-102:78 [Rev]
draft or demand, 5-102:82 [Rev]
electronic documents, 5-102:90 [Rev]
LETTERS OF CREDIT—Cont’d
Document—Cont’d
examination, 5-102:88 [Rev], 5-109:4
facsimile, 5-102:91 [Rev]
fact, representation, 5-102:86 [Rev]
forgeries, 5-114:5
law, representation, 5-102:86 [Rev]
opinion, representation, 5-102:86 [Rev]
other record, 5-102:85 [Rev]
other types of documents, 5-102:84 [Rev]
paper documents, 5-102:89 [Rev]
presented, 5-102:87 [Rev]
rejection, erroneous destination terms, 5-107:3
representation of fact, law, right or opinion, 5-102:86 [Rev]
right, representation, 5-102:86 [Rev]
select bibliography, 5-102:93 [Rev]
specification, 5-109:3
telefax, 5-102:91 [Rev]
variation of definition of “document”, 5-102:92 [Rev]
Documentary credits, 5-102:2
required documents, 5-103:3
Uniform Customs and Practice rules
adherence, 5-102:7
partial draws, 5-110:1
revocation, 5-103:2
Dual status, 5-102:139 [Rev]
Enforcement, 5-104:2
consideration, 5-105:1
modified letters, 5-106:7
Establishment, time, 5-106:1
Estoppel, modification, 5-106:5
Exclusions
guarantees, 5-102:5

LETTERS OF CREDIT—Cont’d
Exclusions—Cont’d
letters of credit provisions, 5-102:5
Expiration date, waiver, 5-106:5
Extensions of time, honor of documentary demands for payments, 5-112:1
Extraordinary relief, additional requirements. Value, below
Financial institution
generally, 5-102:141 [Rev]
Adviser, above
insolvency of bank, 5-101:18 [Rev]
own account, 5-102:141 [Rev]
relationship to bank regulations, 5-101:17 [Rev]
Forgery, Fraud and forgery, below
Formal requirements, 5-102:138 [Rev]
Forum non conveniens, 5-116:13 [Rev]
Fraud and forgery
generally, 5-109 [Rev]
bankruptcy, 5-109 [Rev]
beneficiary’s signature, 5-108:22 [Rev]
beneficiary’s warranty that there is no letter of credit fraud, 5-110:3 [Rev]
commercial fraud, 5-103:17 [Rev]
documents, establishment, 5-114:9
forged letters of credit, 5-107:15 [Rev]
forged or materially fraudulent documents, 5-109:3 [Rev]
fraud exception to independence principle generally, 5-109:1 [Rev]
inducement, 5-114:9
injunctions, standards, 5-114:6, 5-114:9

© 2018 Thomson Reuters, 12/2018

Master Index-327
LETTERS OF CREDIT—Cont’d

Fraud and forgery—Cont’d

intentional, standards, 5-114:9 [Rev]
materiality standard, 5-109:5
negotiation credits, 5-116:4
obligation of issuer to honor
complying presentation, 5-109:2 [Rev]
select bibliography, 5-109:33 [Rev]
underlying transactions
improper performance, 5-114:9
injunctive relief, 5-114:6, 5-114:9

Function, 2-325:1

Good faith
comparison with definition of “good faith” in Rev. U.C.C. Article 1, 5-102:97 [Rev]
definitions
comparison with definition of “good faith” in Rev. U.C.C. Article 1, 5-102:97 [Rev]

variation of definition, 5-102:98 [Rev]
“good faith” subsection (a)(7), 5-102:94 [Rev]
honesty in fact, 5-102:96 [Rev]
scope, 5-102:95 [Rev]
select bibliography, 5-102:99 [Rev]
variation of definition of “good faith”, 5-102:98 [Rev]

Good faith, honor or dishonor, 5-109:12 [Rev]

Governing law
accept or acceptance, 5-102:207 [Rev]
forum non conveniens, 5-116:13 [Rev]
sovereign immunity, 5-116:6 [Rev]

LETTERS OF CREDIT—Cont’d

Governing law—Cont’d
value
forum non conveniens, 5-116:13 [Rev]
no choice of law clause: § 5-116(b), 5-116:7 [Rev]
rules of practice as choice of law, 5-116:10 [Rev]
sovereign immunity, 5-116:6 [Rev]

Government mandated forms, 5-101:22 [Rev]

Guarantee
generally, 5-102:135 [Rev]
classification, typology, and independent undertakings, independent guarantees, 5-102:126 [Rev]
confirmation distinguished from counter guarantee, 5-102:55 [Rev]
other name for issuer, counter guarantor, 5-102:112 [Rev]

Guaranty contracts, 5-102:4, 5-102:6
liability, 5-102:5

Holders in due course
documents, forged or fraudulent, 5-114:5
status, burden of proof, 5-114:5

Honor
cover, 5-102:106 [Rev]
definition, variation, 5-102:107 [Rev]
deliver an item of value, 5-102:104 [Rev]
documentary presentation, 5-102:134 [Rev]
honor, reimbursement, and cover, 5-102:106 [Rev]
“honor” subsection (a)(8), 5-102:100 [Rev]
means of performance, 5-102:102 [Rev]

Master Index-328
Letters of Credit—Cont’d
Honor—Cont’d
negotiation, 5-102:103 [Rev]
performance, 5-102:101 [Rev]
reimbursement, 5-102:106 [Rev]
select bibliography, 5-102:108 [Rev]
value, honors or gives, 5-118:5 [Rev]
variation of definition of “honor”, 5-102:107 [Rev]
who “honors”, 5-102:105 [Rev]
wrongful honor, value, U.C.C. § 5-111(b) [Rev.], 5-111:3 [Rev]
Honor or dishonor in good faith, 5-109:12 [Rev]
Indemnity, 5-113:1 to 5-113:3
Independence
generally, 5-103:14 [Rev]
limitations, 5-103:15 [Rev]
limitations in LC law, 5-117:1 [Rev]
nominated persons rights, 5-114:8 [Rev]
transferee beneficiary rights, 5-114:8 [Rev]
Injunctions, honor of payment demand, 5-114:5 et seq.
Injunctions and other similar relief
generally, 5-109:13 [Rev], 5-109:30 [Rev]
arbitration, 5-109:16 [Rev]
defereence to extraordinary actions of other courts, 5-109:18 [Rev]
likelihood of success, 5-109:15 [Rev]
protected persons, 5-109:15 [Rev]
scope, 5-109:17 [Rev]
standing, 5-109:14 [Rev]

Letters of Credit—Cont’d
Insolvency of bank, 5-101:18 [Rev]
Insolvency of issuer, 5-117:1
Installment payments, 5-110:1
Intent
liability, 5-102:5
notations, 5-102:4
terms of agreements, 5-102:4
International letter of credit law, 5-101:19 [Rev]
Interpretation, value, 5-108:4 [Rev]
Irrevocable, modification, 5-106:2
ISP98 Forms
Model confirmation of standby (Form 8), App I
Model counter standby with annexed form of local bank undertaking (Form 6), App G
Model standby incorporating annexed form of payment demand with statement (Form 1), App B
Model standby providing for extension and incorporating annexed form of payment demand with alternative non-extension statement (Form 2), App C
Model standby providing for reduction and incorporating annexed form of reduction demand (Form 3), App D
Model standby providing for transfer and incorporating annexed form of transfer demand (Form 4), App E
Model standby requiring confirmation (Form 7), App H
Simplified demand only standby (Form 5), App F

© 2018 Thomson Reuters, 12/2018

Master Index-329
LETTERS OF CREDIT—Cont’d
Issuers—Cont’d

guarantor, 5-102:112 [Rev]

obligations

generally, 5-102:118 [Rev],
5-109:1 et seq.
agreement of parties,
5-109:1, 5-109:2
determination, custom and
usage, 5-109:2
discharge, 5-114:2
examination of documents,
5-109:4, 5-114:14
good faith, 5-109:2
modification of credit,
5-106:8
payment demands, 5-114:1
performance of third parties,
5-109:7
underlying contracts,
5-109:6, 5-114:2
to whom obligation is owed,
5-108:16 [Rev]
other names, 5-102:112 [Rev]
other person, 5-102:111 [Rev]
payment demands
dishonor, improper
documentation, 5-114:4
honor, discrepancies, 5-114:3
obligations, 5-114:1
presentation, someone other
than issuer, 5-102:180 [Rev]
provisions applicable to
confirmor in context of

LETTERS OF CREDIT—Cont’d
Issuers
agreements, required docu-
ments, 5-109:3
bank, 5-102:110 [Rev]

banks

清洁信用证，5-102:2

docu-
mentary credits, 5-102:2

foreign jurisdictions, 5-103:7

standbys, 5-102:2

branches, 5-102:117 [Rev]

confirmers, 5-102:114 [Rev]

consumers, 5-102:113 [Rev]

counter guarantor, 5-102:112
[Rev]
defenses, preclusion, 5-114:5
definitions

non-variable per § 5-103(c),
5-102:119 [Rev]

variation of definition,
5-102:119 [Rev]
documentary drafts, honor,
5-112:1
dual roles, 5-102:116 [Rev]

examination of documents

obligations, 5-109:4

prior payments, 5-114:14

good faith, 5-109:2, 5-114:5

guarantor, 5-102:112 [Rev]

indemnification, wrongful
honor, 5-113:1, 5-113:2

insolvency, 5-117:1

“issuer” subsection (a)(9),
5-102:109 [Rev]

liability

incorrectly advised credit,
5-107:3

limitations, 5-109:7

wrongful honor, indemnity,
5-113:1, 5-113:2

modification of terms, 5-106:8

names, 5-102:112 [Rev]
nominated person, issuer’s
obligation to reimburse,
5-102:165 [Rev]
LETTERS OF CREDIT—Cont’d
Issuers—Cont’d
“issuer”, 5-102:64 [Rev]
righs, reimbursement, 5-114:13
select bibliography, 5-102:120
[Rev]
value
extraordinary relief, adequate protection, 5-109:21
[Rev]
finality of honor by, 5-108:20
[Rev]
material fraud by beneficiary on issuer or applicant,
5-109:4 [Rev]
other wrongful conduct,
5-111:6 [Rev]
right of subrogation to rights of beneficiary and applicant,
5-117:8 [Rev]
rights and obligations, generally, 5-108 [Rev], 5-108:1 [Rev]
variation of definition of “issuer”, 5-102:119 [Rev]
wrongful honor indemnity, 5-113:1, 5-113:2
remedies, 5-109:5

Jurisdiction, 5-116:14 [Rev]
Liability, intent, 5-102:5
Liens, prohibitions, 5-110:2
Limitations period. Value, below

Modifications
generally, 5-104:1
agreements of parties, 5-106:4
consent, 5-106:2, 5-106:5
consideration, 5-105:1
correspondence, 5-104:2
credits in transit, 5-106:1
estoppel, 5-106:5
irrevocable letters, 5-106:5
issuers’ obligations, 5-106:8
notices, 5-106:3, 5-106:4, 5-106:7
LETTERS OF CREDIT—Cont’d
Nominated person—Cont’d
comparison with definitions in LC rules, 5-102:155 [Rev]
confirmer
distinguished from other nominated banks, 5-102:53 [Rev]
nominated confirmer that declines to confirm, 5-102:62 [Rev]
nominated person, confirmer as, 5-102:164 [Rev]
context in letters of credit practice, 5-102:154 [Rev]
definitions
comparison with definitions in LC rules, 5-102:155 [Rev]
variation of definition, 5-102:170 [Rev]
designates under LC, 5-102:158 [Rev]
independence of nominated person, 5-102:166 [Rev]
issuer and confirmer’s obligation to reimburse, 5-102:165 [Rev]
“nominated person” subsection (a)(11), 5-102:153 [Rev]
obligations of nominated person, 5-102:167 [Rev]
person, 5-102:156 [Rev]
presentation, delivery to someone other than nominated person, 5-102:180 [Rev]
presentation, someone other than nominated person, 5-102:180 [Rev]
presenter, as or on behalf of nominated person, 5-102:189 [Rev]
select bibliography, 5-102:171 [Rev]
types of nomination generally, 5-102:159 [Rev]

LETTERS OF CREDIT—Cont’d
Nominated person—Cont’d
types of nomination—Cont’d
to accept, 5-102:161 [Rev]
to negotiate, 5-102:162 [Rev]
otherwise give value, 5-102:163 [Rev]
to pay, 5-102:160 [Rev]
value
generally, 5-107 [Rev]
adequate protection for nominated person, 5-109:21 [Rev]
adviseing banks and nominated person, generally, 5-107:1 [Rev]
extraordinary relief, adequate protection, 5-109:21 [Rev]
independence, rights of nominated persons, 5-114:8 [Rev]
perfection of security interest, 5-118:7 [Rev]
protected persons, 5-109:8 [Rev]
remedies, 5-111:5 [Rev]
right to subrogation, 5-117:11 [Rev]
subrogation, 5-117 [Rev]
superiority, nominated persons rights, 5-114:8 [Rev]
variation of definition of “nominated person”, 5-102:170 [Rev]
Non issued letters of credit, 5-102:148 [Rev]
Nonnotation credits, exhaustion, 5-108:2
Notation credits, traveler’s, 5-108:1
Notice injunctions, 5-114:11
Parol evidence rule, 5-104:1
Parties
account parties, 5-103:8
LETTERS OF CREDIT—Cont’d
Parties—Cont’d
agreements
modification, 5-106:4
reimbursement requirements, 5-114:13
release agreements, 5-106:6
beneficiaries, 5-101:2, 5-103:5
assignments, 5-116:2
customers, 5-101:2, 5-103:8
insolvency, 5-114:15
liability, holders in due course, 5-114:5
obligations
provision of funds, 5-117:1
reimbursement, 5-114:13
holders in due course, 5-114:5
issuers, 5-101:2, 5-103:4
middlemen, back-to-back letters of credit, 5-116:3
presenters, collecting banks, 5-112:1
Payment, generally, 5-102:142 [Rev]
Payment demands—Cont’d
terms of credit, compliance, 5-112:1, 5-113:1
wrongful dishonor, 5-115:1
wrongful honor
claims, 5-114:7
injunctions, 5-114:6, 5-114:7
Payments
conditional, 5-114:14
examination of documents
reasonable time, 5-112:1
Uniform Customs and Practice rules, 5-112:1
honor, deferrals
consent, 5-112:1
three-day period, 5-112:1
indemnification
agreements
defects in goods, 5-113:2
expiration time, 5-113:3
liability, 5-113:2
limitation of losses, 5-113:2
terms, 5-113:2
parties, 5-113:2
purposes, 5-113:1
preferences on insolvency, 5-114:15
three-day periods, extensions, 5-112:1
Uniform Customs and Practice rules
payment demands, time for honor, 5-112:1
Perfection
governing law change, effect, 9-316:4 [Rev]
special rules, 9-312:9 [Rev]
Performance, delegation, 5-116:1
Presentation
collection, 5-102:181 [Rev]
comparison with definitions in LC rules, 5-102:174 [Rev]
LETTERS OF CREDIT—Cont’d
Presentation—Cont’d

consequences of presentation, 5-102:178 [Rev]
context in letter of credit practice, 5-102:173 [Rev]
definitions
  comparison with definitions in LC rules, 5-102:174 [Rev]
  variation of definition, 5-102:182 [Rev]
delivery, 5-102:175 [Rev], 5-102:180 [Rev]
docs presented, 5-102:179 [Rev]
electronic presentation, 5-102:177 [Rev]
honor of documentary presentation, 5-102:134 [Rev]
issuer, delivery to someone other than, 5-102:180 [Rev]
nominated person, delivery to someone other than, 5-102:180 [Rev]
place of presentation, 5-102:176 [Rev]
“presentation” subsection (a)(12), 5-102:172 [Rev]
select bibliography, 5-102:183 [Rev]
someone other than issuer or nominated person, 5-102:180 [Rev]
value
disposition of presented documents, 5-108:18 [Rev]
duty to investigate or refuse a presentation, 5-109:11 [Rev]
operative credit, 5-104:15 [Rev]
variation of definition of “presentation”, 5-102:182 [Rev]

LETTERS OF CREDIT—Cont’d
Presentation of original letter of credit, 5-108:6 [Rev]

Presenter
  on behalf of beneficiary or nominated person, 5-102:189 [Rev]
  as beneficiary or nominated person, 5-102:189 [Rev]
  comparison with definitions in LC rules, 5-102:186 [Rev]
context in letters of credit practice, 5-102:185 [Rev]
credit-related processing of documents, role of presenter, 5-102:188 [Rev]
definition, variation, 5-102:190 [Rev]
multiple presenters, 5-102:187 [Rev]
“presenter” subsection (a)(13), 5-102:184 [Rev]
role of presenter in credit-related processing of documents, 5-102:188 [Rev]
variation of definition of “presenter”, 5-102:190 [Rev]

Presentment, warranties, 5-111:1, 5-111:2

Prior U.C.C. Article 5
  non-conforming prior U.C.C. § 5-102(4), 5-101:16 [Rev]
relationship of Rev. U.C.C. Article 5 to prior U.C.C. Article 5 and decisions under it, 5-101:3 [Rev]
revision of prior U.C.C. Article 5 into Rev. U.C.C. Article 5, 5-101:2 [Rev]
subrogation, 5-117:3 [Rev]

Proceeds of drawing, 5-110:12 [Rev]

Qualifications, 5-103:1

Record
  added factor of tape recording, 5-102:196 [Rev]
LETTERS OF CREDIT—Cont’d
Record—Cont’d
context in letter of credit practice, 5-102:193 [Rev]
context of records in Rev. U.C.C. Article 5,
5-102:192 [Rev]
definitions, variation, 5-102:197 [Rev]
information, 5-102:194 [Rev]
inscribed on tangible medium or stored in retrievable form,
5-102:195 [Rev]
“record” subsection (a)(14),
5-102:191 [Rev]
retrievable stored form,
5-102:195 [Rev]
select bibliography, 5-102:198 [Rev]
stored in retrievable form,
5-102:195 [Rev]
tangible medium, 5-102:195 [Rev]
tape recording, 5-102:196 [Rev]
variation of definition of “record”, 5-102:197 [Rev]
Red clause credits, 5-102:2
Reimbursement
applicant, reimbursement agreements, 5-102:19 [Rev],
5-102:28 [Rev]
applicants, applications or reimbursement agree-
ments, 5-102:28 [Rev]
classification, reimbursement undertakings, 5-102:128 [Rev]
confirmers’s obligation to reimburse nominated person,
5-102:165 [Rev]
honor, 5-102:106 [Rev]
issuers’s obligation to reimburse nominated person,
5-102:165 [Rev]
Value, below
Reimbursement rights, 5-114:13

LETTERS OF CREDIT—Cont’d
Release agreements, underlying transactions, 5-106:6
Reimbursement
applicant, reimbursement agreements,
5-102:19 [Rev], 5-102:28 [Rev]
applicant’s request or account,
5-102:140 [Rev]
Requirements
confirmations, 5-104:1
conspicuous statements, 5-103:1
documentary drafts, 5-103:1
language, sufficiency, 5-104:1
primary obligations of issuers, 5-103:1

Remedies
adequacy, 5-114:7
anticipatory repudiation, 5-115:1
attorney’s fees, 5-115:1
forgeries, injunctions, 5-114:8
injunctions
defective performance, 5-114:9
denial, 5-114:10
forgeries, 5-114:8
fraud, 5-114:6, 5-114:9
against honor, 5-114:6
notice, 5-114:11
preliminary, 5-114:5, 5-114:6
requirements, 5-114:5,
5-114:6, 5-114:12
irreparable injuries,
5-114:7
probability of success on merits, 5-114:8
public interest, 5-114:10
relative hardships,
5-114:10
interest
accrual, 5-115:1
recovery, 5-115:1
statutory rate, 5-115:1
litigation expenses, 5-115:1
Request
applicant, 5-102:140 [Rev]
applicant’s request or account,
5-102:140 [Rev]

© 2018 Thomson Reuters, 12/2018

Master Index-335
LETTERS OF CREDIT—Cont’d
Requirements—Cont’d
promises to pay, 5-103:1
signatures, 5-104:1
writing, 5-104:1
Revocable
determination by courts, 5-103:2
modifications, 5-106:3
release agreements, 5-106:6
sales contracts, terms, 5-103:2
silence, 5-103:2
Revocable undertaking, 5-102:147
[Rev]
Role of LC practice in Rev.
U.C.C. Article 5, relationship
to letter of credit practice,
5-101:14 [Rev]
Rules of practice, undertaking
subject to, 5-102:132 [Rev]
Scope, 5-102:1
guarantees, 5-102:5
intent, 5-102:4
Security interest
advances, 5-112:2
elements of Rev. U.C.C. § 5-
118 security interest,
5-118:3 [Rev]
issuer, 5-118 [Rev]
letter-of-credit right under
Revised U.C.C. Article 9,
5-114:9 [Rev]
letters of credit under UCC,
5-118:1 [Rev]
nominated person, 5-118 [Rev]
rev. U.C.C. § 5-118, 5-118:2
[Rev]
Security interests
perfection, 9-309:5 [Rev]
priorities, 9-306:1 [Rev],
9-329:1 [Rev]
Segregation of funds, 5-117:1
Select bibliography, 5-102:152
[Rev]
Setoff, 5-101:21 [Rev]

LETTERS OF CREDIT—Cont’d
Short title, 5-101 [Rev]
Signatures, definitions, 5-104:1
Sovereign immunity, 5-116:6
[Rev]
Standby letters of credit,
5-102:125 [Rev]
Standbys, 5-102:2
conditional engagements,
5-102:6
credit risks, 5-102:6
enforcement, 5-102:6
lending limits, 5-102:6
required documents, 5-103:3
validity, 5-102:6
Statute of limitations
bibliography, 5-115:8 [Rev]
scope, 5-115:2 [Rev]
value, generally, 5-115 [Rev]
variation, 5-115:7 [Rev]
warranties, 5-110:10 [Rev]
Statutes
case law, 5-101:13 [Rev]
other articles of Uniform Com-
mercial Code, 5-101:12
[Rev]
other statutes, 5-101:11 [Rev],
5-101:13 [Rev]
substantive law, relationship of
Revised Article 5, 5-102:3
[Rev]
Straight, 5-116:4
Subsection (a)(10), 5-102:121
[Rev]
Substantive law, relationship of
Revised Article 5 to, 5-102:3
[Rev]
Successor of beneficiary
generally, 5-102:200 [Rev]
change of legal name,
5-102:199 [Rev]
definition, variation, 5-102:203
[Rev]
name change, 5-102:199 [Rev]

Master Index-336
LETTERS OF CREDIT—Cont’d
Successor of beneficiary—Cont’d
operation of law, rights by,
5-102:201 [Rev]
rights by operation of law,
5-102:201 [Rev]
substantially all beneficiary’s
rights by operation of law,
5-102:201 [Rev]
“successor of beneficiary”
subsection (a)(15),
5-102:199 [Rev]
value
application to, 5-110:7 [Rev]
fraud and forgery, 5-109:10
[Rev]
“successor of a beneficiary”,
5-113:3 [Rev]
variation of definition of “successor of a beneficiary”,
5-102:203 [Rev]
Summary disposition, 5-111:7
[Rev]
Terms
compliance, 5-114:3
promises to pay, 5-102:5
Time
establishment, 5-106:1
honor of documentary draft,
5-112:1
indemnity agreements, expiration,
5-113:3
Transfers, 5-116:1
assignments
proceeds, 5-116:2
risks, 5-116:2
security, 5-116:2
credit transferred, 5-102:144
[Rev]
documentary credits, Uniform
Customs and Practice
rules, 5-116:1
limitations, 5-116:1
Value, below
warranties, 5-111:1, 5-111:2

LETTERS OF CREDIT—Cont’d
Translation, errors, 5-107:3
2003 and 2005 amendments,
2-325:2
Ultra vires, 5-101:20 [Rev]
Underlying transactions
fraud, 5-114:5
obligations, 5-109:6, 5-114:2
Undertaking
consumer undertakings,
5-102:149 [Rev]
definite undertaking, 5-102:133
[Rev]
dependent undertakings,
5-102:135 [Rev]
letter of credit distinguished,
5-101:9 [Rev]
name of undertaking however
named or described,
5-102:130 [Rev]
names of letter of credit
undertakings, 5-101:8
[Rev]
revocable undertaking,
5-102:147 [Rev]
rules of practice, 5-102:132
[Rev]
Value, below
Uniform customs and practice
rules
generally, 5-102:7, 5-105:1
Article 5 provisions, relationship,
5-102:7
consideration, 5-105:1
delegation of performance,
5-116:1
documents, time for examination,
5-112:1
modification, 5-106:7
nonbank issuers, 5-102:3
partial draws, 5-110:1
payment demands, time for
honor, 5-112:1
performance, delegation,
5-116:1
LETTERS OF CREDIT—Cont’d
Uniform customs and practice rules—Cont’d
revocability of credits, 5-103:2
revocation, 5-106:7
UN Letter of Credit Convention comparison with definition in UN LC convention applicant, 5-102:21 [Rev]
beneficiary, 5-102:35 [Rev]
confirmor, 5-102:50 [Rev]
document, 5-102:81 [Rev]
value, 5-104:16 [Rev]

Use of letters of credit
generally, 5-101:5 [Rev]
domestic and international sales transactions, 5-101:2
non-sales transactions, 5-101:6 [Rev]

Value
generally, 5-103:1 [Rev]
ability of beneficiary to assign proceeds, 5-114:4 [Rev]
absence of expiration date, 5-106:23 [Rev]
abuse or itabus de droit/it, 5-109:7 [Rev]
accrual of cause of action, 5-115:5 [Rev]
acts and omissions of other, disclaimer of any obligation for underlying transactions, 5-108:15 [Rev]
additional matter, “in addition to” other warranties, 5-110:8 [Rev]
additional requirements for extraordinary relief generally, 5-109:19 [Rev]
accepted drafts, 5-109:20 [Rev]
advice of transfer and mistransferred credits, 5-112:10 [Rev]
advise, 5-107 [Rev], 5-107:14 [Rev]
advising banks and nominated person, generally, 5-107:1 [Rev]
agency, 5-107:3 [Rev]

agents, relationship between nominated banks and the issuer or applicant,
LETTERS OF CREDIT—Cont’d
Value—Cont’d
5-108:23 [Rev]
agreement, 5-116:3 [Rev]
amendment
generally, 5-106 [Rev],
5-106:6 [Rev]
applicant, 5-106:11 [Rev]
automatic amendment,
5-106:18 [Rev]
beneﬁciary, 5-106:12 [Rev]
conﬁrmer, 5-106:10 [Rev],
5-107:12 [Rev]
consent, 5-104:5 [Rev],
5-106:17 [Rev]
consideration, 5-105:3 [Rev]
formal requirements, consent,
5-104:5 [Rev]
issuer, 5-106:8 [Rev],
5-106:9 [Rev]
provisions that are effective
without amendment,
5-106:18 [Rev]
select bibliography, 5-106:28
[Rev]
transferee beneﬁciary,
5-106:13 [Rev]
undertakings that follow
from, 5-104:4 [Rev]
who is affected, 5-106:7
[Rev]
anticipatory repudiation and
wrongful dishonor, U.C.C.
§ 5-111(a) [Rev.], 5-111:2
[Rev]
applicant
action for wrongful dishonor
or honor, U.C.C. § 5-
111(b) [Rev.], 5-111:3
[Rev]
balancing interests of beneﬁ-
ciary and applicant,
5-109:25 [Rev]
control of conditions, 5-108:5
[Rev]
LETTERS OF CREDIT—Cont’d

Value—Cont’d

beneficiary’s warranty that there is no letter of credit fraud,
5-110:3 [Rev]

beneficiary’s warranty that there is no violation of agreement,
5-110:5 [Rev]

branches, 5-107:2 [Rev], 5-108:24 [Rev], 5-116:8 [Rev]

cancellation

generally, 5-106 [Rev], 5-106:16 [Rev]

consideration, 5-105:3 [Rev]

cause of action, 5-115:5 [Rev]

change of name of named beneficiary, transfer by operation of law, 5-113:4 [Rev]

choice of forum, 5-116 [Rev], 5-116:1 [Rev], 5-116:12 [Rev]

choice of law

generally, 5-116 [Rev], 5-116:1 [Rev]

no choice of law clause: § 5-116(b), 5-116:7 [Rev]

rules of practice as choice of law, 5-116:10 [Rev]

choosing a law, 5-116:2 [Rev]

compliance

named beneficiary, 5-113:2 [Rev]

no warranty, 5-110:4 [Rev]

no warranty of compliance, 5-110:6 [Rev]

requests for recognition under standard practice or other reasonable procedure, 5-113:7 [Rev]

role of standard practice of financial institutions in determining compliance, 5-108:7 [Rev]

conditional issuance, 5-106:3 [Rev]

LETTERS OF CREDIT—Cont’d

Value—Cont’d

conditions to effecting transfer, 5-112:7 [Rev]

confers no right, 5-117:5 [Rev]

confirmation, consideration, 5-105:3 [Rev]

confirmer

generally, 5-107 [Rev]

amendments, 5-107:12 [Rev]

finality of honor by, 5-108:20 [Rev]

limitations on confirmation, 5-107:10 [Rev]

obligation and consequences

generally, 5-107:4 [Rev]

independence of confirmer’s obligation, 5-107:9 [Rev]

obligations of issuer,

5-107:5 [Rev]

obligation to beneficiary,

5-107:6 [Rev]

obligation to other-nominated persons,

5-107:7 [Rev]

relation with issuer,

5-107:8 [Rev]

rights of issuer, 5-107:5 [Rev]

other wrongful conduct,

5-111:6 [Rev]

right to subrogation, 5-117:9 [Rev]

to whom must presentation be made, 5-107:11 [Rev]

conflicts with other U.C.C. Articles, 5-116:11 [Rev]

consent

assignment of proceeds, 5-114:5 [Rev]

formal requirements, amendment, 5-104:5 [Rev]

issuance, amendment, cancellation, and duration,
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Letters of credit—Cont’d</td>
<td></td>
</tr>
<tr>
<td>Value—Cont’d</td>
<td></td>
</tr>
<tr>
<td>Consent—Cont’d</td>
<td></td>
</tr>
<tr>
<td>5-106:17 [Rev]</td>
<td></td>
</tr>
<tr>
<td>Consequence of misadvice</td>
<td></td>
</tr>
<tr>
<td>5-107:16 [Rev]</td>
<td></td>
</tr>
<tr>
<td>Consequence of transfer</td>
<td></td>
</tr>
<tr>
<td>5-112:9 [Rev]</td>
<td></td>
</tr>
<tr>
<td>Consequential damages</td>
<td>5-111:9 [Rev]</td>
</tr>
<tr>
<td>Consideration generally</td>
<td>5-105 [Rev]</td>
</tr>
<tr>
<td>Letter of credit law and practice</td>
<td>5-105:1 [Rev]</td>
</tr>
<tr>
<td>Letter of credit promises</td>
<td>5-105:2 [Rev]</td>
</tr>
<tr>
<td>Other letter of credit obligations</td>
<td>5-105:4 [Rev]</td>
</tr>
<tr>
<td>Creation of security interest</td>
<td>5-118:6 [Rev]</td>
</tr>
<tr>
<td>Damages</td>
<td></td>
</tr>
<tr>
<td>Misadvice against an advisor</td>
<td>5-111:4 [Rev]</td>
</tr>
<tr>
<td>Mitigation of damages</td>
<td>5-111:8 [Rev]</td>
</tr>
<tr>
<td>Remedies</td>
<td>5-111:8 [Rev]</td>
</tr>
<tr>
<td>Warranties</td>
<td>5-110:9 [Rev]</td>
</tr>
<tr>
<td>Definition, special considerations</td>
<td>5-102:211 [Rev]</td>
</tr>
<tr>
<td>Delivery of item of value</td>
<td>5-102:143 [Rev]</td>
</tr>
<tr>
<td>Disclaimer of any obligation for underlying transactions</td>
<td>5-108:15 [Rev]</td>
</tr>
<tr>
<td>Disposition of presented documents</td>
<td>5-108:18 [Rev]</td>
</tr>
<tr>
<td>Disposition of presented documents</td>
<td>5-108:18 [Rev]</td>
</tr>
<tr>
<td>Forwarding for reimbursement</td>
<td>5-118:12 [Rev]</td>
</tr>
<tr>
<td>Time for examination</td>
<td>5-108:8 [Rev]</td>
</tr>
<tr>
<td>Duty to investigate or refuse a presentation</td>
<td>5-109:11 [Rev]</td>
</tr>
<tr>
<td>Effective date</td>
<td>5-115:6 [Rev]</td>
</tr>
<tr>
<td>Effect of being legal successor</td>
<td>5-113:8 [Rev]</td>
</tr>
<tr>
<td>ELCS (eUCP, ISP98), 5-104:13 [Rev]</td>
<td></td>
</tr>
<tr>
<td>Elements of Rev. U.C.C. § 5-118 security interest</td>
<td>5-118:3 [Rev]</td>
</tr>
<tr>
<td>Evergreen clauses and similar devices</td>
<td>5-106:21 [Rev]</td>
</tr>
<tr>
<td>Evidence, parol evidence and relationship of letter of credit to underlying transaction</td>
<td>5-104:17 [Rev]</td>
</tr>
<tr>
<td>Evolution of letter of credit law</td>
<td>5-103:6 [Rev]</td>
</tr>
<tr>
<td>Exceptions, fraud exception to the independence principle generally</td>
<td>5-109:1 [Rev]</td>
</tr>
<tr>
<td>Exclusions. Preclusion rule</td>
<td>5-111:11 [Rev]</td>
</tr>
<tr>
<td>Expenses of litigation</td>
<td></td>
</tr>
<tr>
<td>Expiration date</td>
<td>5-106:19 [Rev]</td>
</tr>
<tr>
<td>Expiry date</td>
<td>5-106:20 [Rev]</td>
</tr>
<tr>
<td>Extension</td>
<td>5-106:21 [Rev]</td>
</tr>
<tr>
<td>Fiduciary duty, relationship between nominated banks</td>
<td></td>
</tr>
</tbody>
</table>
LETTERS OF CREDIT—Cont’d
Value—Cont’d
and the issuer or applicant,
5-108:23 [Rev]
finality of honor by issuer,
confirmor, or paying bank
and warranty and subroga-
tion, 5-108:20 [Rev]
financial institutions standard
practice, role in determin-
ing compliance, 5-108:7
[Rev]
forgery. Fraud and forgery,
beneﬁciary’s signature,
5-108:22 [Rev]
beneficiary’s warranty that
there is no letter of
credit fraud, 5-110:3
[Rev]
formal requirements
5-104 [Rev]
formalities and letters of
credit, 5-104:1 [Rev]
forum non conveniens,
5-116:13 [Rev]
forwarding of documents for
reimbursement, 5-118:12
[Rev]
fraud and forgery
bankruptcy, 5-109 [Rev]
5-109 [Rev]
5-109 [Rev]
5-109:2 [Rev]
select bibliography, 5-109:33
[Rev]
governed by law
5-103:13 [Rev]
government sanctions,
LETTERS OF CREDIT—Cont’d

Value—Cont’d

injunctions and other similar relief—Cont’d
deferece to extraordinary actions of other courts, 5-109:18 [Rev]
likelihood of success, 5-109:15 [Rev]
protected persons, 5-109:15 [Rev]
scope, 5-109:17 [Rev]
standing, 5-109:14 [Rev]
instrument, retention of original, 5-106:25 [Rev]
interpretation, 5-108:4 [Rev]
investigation duty, 5-109:11 [Rev]
irrevocable undertakings, 5-106:4 [Rev]
issuance
generally, 5-106 [Rev], 5-106:1 [Rev]
consideration, transfer in issuance, 5-105:3 [Rev]
issue of credit, “sends or otherwise transmits”, 5-106:2 [Rev]
issuer
finality of honor by, 5-108:20 [Rev]
other wrongful conduct, 5-111:6 [Rev]
right of subrogation to rights of beneficiary and applicant, 5-117:8 [Rev]
rights and obligations, generally, 5-108 [Rev], 5-108:1 [Rev]
summary disposition, 5-111:7 [Rev]
jurisdiction, 5-116:14 [Rev]
lack of privity with applicant, 5-107:13 [Rev]
lack of relation to transaction, 5-116:5 [Rev]

LETTERS OF CREDIT—Cont’d

Value—Cont’d

legal succession, transfer by operation of law, 5-113:4 [Rev]
legal successor, effect of being, 5-113:8 [Rev]
letter of credit
generally, 5-104:3 [Rev]
out of material fraud and the materiality standard, 5-109:5 [Rev]
transfer, 5-112:5 [Rev]
warranties, 5-110:1 [Rev]
liability, general excuse of liability, 5-103:13 [Rev]
limitations
general excuse of liability or limitation of remedies, 5-103:13 [Rev]
independence in LC law, 5-117:1 [Rev]
limitations period. Statute of limitations, below liquidated damages, 5-111:13 [Rev]
litigation expenses, 5-111:11 [Rev]
material fraud by beneficiary on issuer or applicant, 5-109:4 [Rev]

misadvice
consequence, 5-107:16 [Rev]
damages, misadvice against advisor, 5-111:4 [Rev]
mistransferred credits, 5-112:10 [Rev]
mitigation of damages, 5-111:8 [Rev]
multiple laws arising out of same credit transaction, 5-116:9 [Rev]
multiple versions of credit, 5-106:14 [Rev]
nature of letters of credit, 5-103:2 [Rev]
LETTERS OF CREDIT—Cont’d
Value—Cont’d
no choice of law clause: § 5-116(b), 5-116:7 [Rev]
nominated person
generally, 5-107 [Rev]
adequate protection for nominated person,
5-109:21 [Rev]
advISING banks and nominated person, generally,
5-107:1 [Rev]
extraordinary relief, adequate protection, 5-109:21 [Rev]
independence, rights of nominated persons,
5-114:8 [Rev]
perfection of security interest, 5-118:7 [Rev]
protected persons, 5-109:8 [Rev]
remedies, 5-111:5 [Rev]
right to subrogation, 5-117:11 [Rev]
subrogation, 5-117 [Rev]
superiority, nominated persons rights, 5-114:8 [Rev]
non-documentary conditions, 5-108:17 [Rev]
non-variability of Rev. U.C.C. § 5-114(d), 5-114:7 [Rev]
notice
default rule, refusal and notice, 5-108:10 [Rev]
drawing, 5-109:6 [Rev]
non-renewal, 5-106:22 [Rev]

obligation and consequences arising out of transactions involving letters of credit, 5-103:3 [Rev]
complying presentation, obligation to honor, 5-108:2 [Rev]
Confirmer, above
LETTERS OF CREDIT—Cont’d
Value—Cont’d
perfection of security interest
—Cont’d
issuer or nominated person,
5-118:7 [Rev]
letter of credit, 5-118:10
[Rev]
perpetual credits, 5-106:19
[Rev]
perpetual letters of credit,
5-106:24 [Rev]
post honor
subrogation, 5-117:6 [Rev]
warranty, remedy, 5-110:2
[Rev]
preclusion rule
generally, 5-108:11 [Rev]
exclusions, generally,
5-108:12 [Rev]
expiration, 5-108:13 [Rev]
fraud, 5-108:14 [Rev]
prejudgment interest, 5-111:10
[Rev]
presentation
disposition of presented
documents, 5-108:18
[Rev]
duty to investigate or refuse a
presentation, 5-109:11
[Rev]
operative credit, 5-104:15
[Rev]
prevailing party, attorney’s fees,
5-111:12 [Rev]
prior U.C.C. Article 5 and
subrogation, 5-117:3 [Rev]
proceeds of drawing, 5-110:12
[Rev]
proceeds of letter of credit,
5-114:3 [Rev]
promise to give value,
5-102:213 [Rev]
protected persons
collecting banks, 5-109:8
[Rev]
LETTERS OF CREDIT—Cont’d
Value—Cont’d
fiduciary duty, 5-108:23 [Rev]
remedies
generally, 5-111 [Rev],
5-111:1 [Rev]
general excuse of limitation
of remedies, 5-103:13 [Rev]
retention of original undertak-
ing or instrument,
5-106:25 [Rev]
revocable undertakings, 5-106:5 [Rev]
right of bank to refuse to recog-
nize succession, 5-113:12 [Rev]
rights arising out of transactions
involving letters of credit,
5-103:3 [Rev]
right to reimbursement,
5-113:10 [Rev]
role of the standard practice of
financial institutions in
determining compliance,
5-108:7 [Rev]
rules of practice as choice of
law, 5-116:10 [Rev]
scope, generally, 5-103 [Rev]
security interest
elements of Rev. U.C.C. § 5-
118 security interest,
5-118:3 [Rev]
issuer, 5-118 [Rev]
letter-of-credit right under
Revised U.C.C. Article
9, 5-114:9 [Rev]
letters of credit under UCC,
5-118:1 [Rev]
nominated person, 5-118 [Rev]
Rev. U.C.C. § 5-118, 5-118:2 [Rev]
select bibliography
generally, 5-102:215 [Rev]
amendment, 5-106:28 [Rev]

LETTERS OF CREDIT—Cont’d
Value—Cont’d
select bibliography—Cont’d
assignment of proceeds,
5-114:11 [Rev]
cancellation, 5-106:28 [Rev]
choice of law and forum,
5-116:16 [Rev]
consideration, 5-105:8 [Rev]
duration, 5-106:28 [Rev]
formal requirements,
5-104:20 [Rev]
fraud and forgery, 5-109:33 [Rev]
issuance, 5-106:28 [Rev]
remedies, 5-111:17 [Rev]
rights and obligations of
issuer, 5-108:26 [Rev]
scope, 5-103:18 [Rev]
security interest, 5-118:14 [Rev]
subrogation, 5-117:14 [Rev]
transfer by operation of law,
5-113:15 [Rev]
transfer of credit, 5-112:14 [Rev]
warranties, 5-110:13 [Rev]
“sends or otherwise transmits”,
5-106:2 [Rev]
separate undertaking, conse-
queness of transfer, 5-112:9 [Rev]
signature
forgery of beneficiary’s
signature, 5-108:22 [Rev]
genuineness, 5-113:9 [Rev]
illegality and government
sanctions, 5-109:31 [Rev]
situations where there is legal
succession; change of the
name of the named benefi-
ciary, 5-113:4 [Rev]
special considerations, defini-
tion, 5-102:211 [Rev]

Master Index-346
LETTERS OF CREDIT—Cont’d
Value—Cont’d
standard practice of financial institutions, role in determining compliance, 5-108:7 [Rev]
statute of limitations
generally, 5-115 [Rev], 5-115:1 [Rev]
beginning point of limitations period, 5-115:3 [Rev]
scope, 5-115:2 [Rev]
variation, 5-115:7 [Rev]
warranties, 5-110:10 [Rev]
strict compliance, 5-108:3 [Rev]
subject of Rev. U.C.C. § 5-118
security interest; documents presented, 5-118:4 [Rev]
subrogation
generally, 5-117:2 [Rev]
applicant, 5-117 [Rev]
finality of honor, 5-108:20 [Rev]
issuer, 5-117 [Rev]
nominated person, 5-117 [Rev]
prior U.C.C. Article 5, 5-117:3 [Rev]
under Rev. U.C.C. § 5-117
generally, 5-117:4 [Rev]
right of applicant, 5-117:10 [Rev]
succession
genuineness, 5-113:9 [Rev]
right of bank to refuse to recognize succession, 5-113:12 [Rev]
successor beneficiary
application to, 5-110:7 [Rev]
fraud and forgery, 5-109:10 [Rev]
“successor of a beneficiary”, 5-113:3 [Rev]

LETTERS OF CREDIT—Cont’d
Value—Cont’d
summary disposition, 5-111:7 [Rev]
superiority
nominated persons rights, 5-114:8 [Rev]
transferee beneficiary rights, 5-114:8 [Rev]
swift, 5-104:12 [Rev]
termination of power to consent, 5-106:15 [Rev]
termination of security interest, 5-118:11 [Rev]
time for examination of documents, 5-108:8 [Rev]
trade usage, disclaimer of any obligation for underlying transactions, 5-108:15 [Rev]
transferee beneficiaries
application to, 5-110:7 [Rev]
fraud and forgery, 5-109:10 [Rev]
transfers
generally, 5-112 [Rev], 5-112:1 [Rev]
assignment and transfer in letter of credit law and practice, 5-114:1 [Rev]
automatic transfer, 5-112:8 [Rev]
consequences, 5-112:9 [Rev]
consideration, transfer in issuance, 5-105:3 [Rev]
defined, 5-112:3 [Rev]
drawing rights distinguished from assignment of proceeds, 5-112:2 [Rev]
drawing rights generally, 5-113:1 [Rev]
independent undertaking, consequence, 5-112:9 [Rev]
letter of credit practice, 5-112:4 [Rev]

© 2018 Thomson Reuters, 12/2018
LETTERS OF CREDIT—Cont’d
Value—Cont’d
transfers—Cont’d
operation of law, 5-113 [Rev]
operation of law and U.C.C.
Article 9 security interests, 5-113:13 [Rev]
operation of law: Rev. § 5-113, 5-112:11 [Rev]
security interests and, 5-112:12 [Rev]
thruthfulness, no warranty, 5-110:4 [Rev]
UCP and “value”, 5-102:212 [Rev]
ultra vires, 5-104:18 [Rev]
undertaking
following from letter of credit: confirmation, advice, transfer, amendment, cancellation, 5-104:4 [Rev]
irrevocable undertakings, 5-106:4 [Rev]
not subject to Article 5 [Rev.], 5-103:4 [Rev]
retention of original, 5-106:25 [Rev]
revocable, 5-106:5 [Rev]
UN Letter of credit convention, 5-104:16 [Rev]
“value” subsection (b), 5-102:210 [Rev]
variation
assignment of proceeds, 5-114:10 [Rev]
confirmer, nominated person, and adviser, 5-107:18 [Rev]
consideration, 5-105:7 [Rev]
fraud and forgery, 5-109:32 [Rev]
issuance, amendment, cancellation, and duration, 5-106:27 [Rev]

LETTERS OF CREDIT—Cont’d
Value—Cont’d
variation—Cont’d
remedies, 5-111:16 [Rev]
Rev. U.C.C. § 5-104, 5-104:19 [Rev]
security interest of issuer or nominated person, 5-118:13 [Rev]
statute of limitations, 5-115:7 [Rev]
subrogation, 5-117:13 [Rev]
transfer by operation of law, 5-113:14 [Rev]
transfer of letter of credit, 5-112:13 [Rev]
warranties, 5-110:11 [Rev]
variation of effects
generally, 5-103:11 [Rev]
issuer’s rights and obligations, 5-108:25 [Rev]
rules of practice, 5-103:12 [Rev]
variations on obligations
generally, 5-103:7 [Rev]
limitations, 5-103:8 [Rev]
mandatory provisions, 5-103:9 [Rev]
qualifications, 5-103:10 [Rev]
varying the definition of “value”, 5-102:214 [Rev]
waiver, 5-104:6 [Rev], 5-106:26 [Rev]
waiver of discrepancies, 5-108:9 [Rev]
waiver
beneficiary’s warranty that there is no letter of credit fraud, 5-110:3 [Rev]
LETTERS OF CREDIT—Cont’d

Value—Cont’d

warranty—Cont’d

beneficiary’s warranty that there is no violation of agreement, 5-110:5 [Rev]

compliance, no warranty, 5-110:4 [Rev], 5-110:6 [Rev]

compliance, no warranty of, 5-110:4 [Rev], 5-110:6 [Rev]

damages, 5-110:9 [Rev]

finality of honor, 5-108:20 [Rev]

“in addition to” other warranties, 5-110:8 [Rev]

mandatory action, 5-111:15 [Rev]

post honor remedy, 5-110:2 [Rev]

proceeds of drawing, 5-110:12 [Rev]

remedies, 5-111:14 [Rev]

select bibliography, 5-110:13 [Rev]

truthfulness, no warranty, 5-110:4 [Rev]

variation, 5-110:11 [Rev]

when letter of credit fraud can justify refusal, 5-109:29 [Rev]

who is affected by amendment generally, 5-106:7 [Rev]

applicant, 5-106:11 [Rev]

beneficiary, 5-106:12 [Rev]

confirmer, 5-106:10 [Rev]

issuer, 5-106:8 [Rev], 5-106:9 [Rev]

obligation of issuer to issue amendment, 5-106:9 [Rev]

transferee beneficiary, 5-106:13 [Rev]

Waivers

additional matter, “in addition to” other warranties, 5-110:8 [Rev]

beneficiaries, presentments or transfers, 5-111:1

beneficiary’s warranty that there is no letter of credit fraud, 5-110:3 [Rev]

beneficiary’s warranty that there is no violation of agreement, 5-110:5 [Rev]

compliance, no warranty, 5-110:4 [Rev], 5-110:6 [Rev]

damages, 5-110:9 [Rev]

finality of honor, 5-108:20 [Rev]

good title, 5-111:1

“in addition to” other warranties, 5-110:8 [Rev]
LETTERS OF CREDIT—Cont’d
Warranties—Cont’d
intermediaries
good faith and authority of
documents, 5-111:2
limitations, 5-111:2
modification, 5-111:1
notation credits, 5-108:1
payment demands, compliance
with credit, 5-111:1
post honor remedy, 5-110:2
[Rev]
proceeds of drawing, 5-110:12
[Rev]
remedies, 5-110:2 [Rev],
5-111:14 [Rev]
select bibliography, 5-110:13
[Rev]
standby letters of credit, 5-111:1
statute of limitations, 5-110:10
[Rev]
transfers, bills of lading,
5-111:1
truthfulness, no warranty,
5-110:4 [Rev]
value, generally, 5-110 [Rev]
variation, 5-110:11 [Rev]
Warranty
remedies
mandatory action, 5-111:15
[Rev]
To whom issuer’s obligation is
owed, 5-108:16 [Rev]
Words and phrases
acceptance credit, 5-117:1
accreditee, 5-103:5
advising banks, 5-103:6
beneficiary, 5-103:5
clean credit, 5-102:2
documentary credit, 5-102:2
fraudulent documents, 5-114:9
guaranty contract, 5-102:6
letter of credit, 5-101:2, 5-103:1
notifying banks, 5-103:6
red clause credit, 5-102:2

LETTERS OF CREDIT—Cont’d
Words and phrases—Cont’d
signed, 5-104:1
standby letter of credit, 5-102:2, 5-102:6
telegram, 5-104:1
traveler’s letter of credit,
5-102:2
waiver, 5-114:4
writing, 5-104:1
Wrongful dishonor
value, U.C.C. § 5-111(a) [Rev.],
5-111:2 [Rev]
value, U.C.C. § 5-111(b) [Rev.],
5-111:3 [Rev]
LEVY
Bulk transfers, 6-111:1
LIABILITY
See also Limitation of Liability
Accountability, 4-302:2, 4-302:6
[Rev]
Altered instruments, 4-401:5
Assignors of deposit accounts,
4-401:4
Avoidance, 7-204:3
Bailees, 7-403:1, 7-404:1
Carriers, 7-302:2, 7-303:2,
7-308:4, 7-309:4
Conflict of laws, 4-102:5 [Rev]
Consequential damages, 4-302:4
Conversion, 4-302:5
Depositary banks, overencoding
amount, 4-401:5
Dishonor, wrongful, 4-301:4,
4-303:3 [Rev], 4-402:1 [Rev]
to 4-402:3 [Rev], 4-402:1 et
seq., 4-402:5 [Rev]
Forgeries, 4-303:7
time frame for reporting,
4-103:2
Fraudulently encoded routing
numbers, 4-302:4
Issuers, 7-301:1, 7-302:1
LIABILITY—Cont’d
Items
failure to return, 4-102:1
improper handling, 4-302:1
wrongful dishonor, 4-402:1 et seq.
Items receipt
demand, retention, 4-301:6
receipt, determination, 4-302:2
Misdescription of goods, 7-203:1
Nonreceipt of goods, 7-203:1
Notices, 4-301:5
Ordinary care, failure to use, 4-302:4, 4-302:4 [Rev]
Payor banks, 4-301:5
Presenting banks, 4-301:4
Receiving banks, 4A-305:1 et seq.
Secured parties
imposition, 9-507:5
losses, 9-501:8
noncompliance with default provisions, 9-507:3
Torts, 4-301:4
Warehousemen, 7-204:1, 7-204:4, 7-210:5, 7-403:5
Wire advice, failure to send, 4-103:4
Wrongful dishonor, 4-301:4,
4-303:3 [Rev], 4-402:1 [Rev]
to 4-402:3 [Rev], 4-402:1 et seq., 4-402:5 [Rev]

LIBEL
Limitation of actions, UCITA 805:5

LIBERAL ADMINISTRATION
Remedies to be Liberally Administered, this index

LIBERAL CONSTRUCTION
Generally, 1-103:11 [Rev]

LICENSES
Damages, this index

LICENSES—Cont’d
Definitions relating to licensing transactions, UCITA 102:18 to 102:26
Disclosures in internet-type transactions, pretransaction, UCITA 114
Electronic Self-Help, this index
Framework and goals of act, UCITA 103:8
Governing law in absence of UCITA, UCITA 103:26
Mass-Marketing Licensing Transactions, this index
Noninfringement warranty, patent licenses excluded from, UCITA 401:3
Ordinary course of business, rights, 9-321:1 [Rev]
Ownership and transfer of interests and rights
bona fide purchaser defense in licensee transfers, absence of, UCITA 506:1
nonexclusive licenses nontransferable, UCITA 503:2
Policy perspectives in UCITA, UCITA 101:8
Posting and implied license, UCITA 307:6
Repossession, this index
Scope of license
affirmative licensee obligations, UCITA 307:5
breach of contract, UCITA 307:4
contract terms and scope, UCITA 307:3
express and implied scope terms, UCITA 307:3
importance of scope, UCITA 307:1
infringement, UCITA 307:4
product, license as, UCITA 307:1
LICENCES—Cont’d
Source code, obligation of licensor to provide, UCITA 307:7
Uniform Computer Information Transactions Act, this index
Use contractual terms regarding use and scope, UCITA 102:44, UCITA 801:2
licensor’s obligations to enable, UCITA 602:1
Warranties, this index

LIENS CREDITORS
Definition, 9-301:4
Internal Revenue Service, 9-301:4
Method of becoming, 9-301:4
Priorities, 9-301:4, 9-301:5
between future advances, 9-301:8
Qualifications, 9-301:4
Subordination of unperfected security interests, 9-301:4
exceptions, 9-301:5
Trustees in bankruptcy, 9-301:6

LIENS
See also Bailees; Carrier’s Liens; Issuer’s Liens; Warehouseman’s Liens
Attachment, priorities, 2A-307:1
Bailee’s lien, satisfaction, 7-403:5
Banks, 9-104:10
Bills of lading, 7-307:1 [Rev]

enforcement, 7-308:1 [Rev]
Creditor’s, 2A-307:1
Documents of Title, this index
Enforcement carriers, 7-308:1 [Rev]
warehouseman, 7-210 [Rev]
Excluded transactions, 9-104:3
Execution, relation back provisions, 9-501:11

LIENS—Cont’d
Floating, 9-108:1
Future advances and lease, 2A-307:4
Goods under document of title, 7-602:1 [Rev]
Innkeeper’s, 9-109:7 [Rev]
Investment securities, 8-317:12
Landlord’s, 9-104:3, 9-109:7 [Rev]
Levy, 2A-307:1 et seq.
Operation of law, 2A-306:2
Priorities, 9-310:2
generally, 2A-307:1
future advances and lease, 2A-307:4
materialman’s, 9-313:4
mechanic’s, 9-313:4
operation of law, 2A-306:2
Protection of lessee, 2A-307:2
Statutory, 9-109:8 [Rev]
Strict foreclosures, 9-505:10
Supplier’s, 9-109:8 [Rev]
Wage assignments, 9-109:9 [Rev]

LIMITATION OF ACTIONS
Generally, UCITA 805:1 to 805:5, 2A-506:1, 2-725:1
Accrual of causes of action, 2A-506:2, 4-406:8
Bills of lading, 7-301:2, 7-309:8, 7-309:8 [Rev]
note provisions, 7-309:6
Breach, special types of, UCITA 805:5
Break of warranty, 4-207:9, 4-207:19, 7-507:1
Bulk sales
concealment, 6-110:2 [Rev]
extension, 6-110:1 [Rev]
insiders, 6-110:1 [Rev] to 6-110:3 [Rev]
Bulk transfers, 6-111:1, 6-111:2

Master Index-352
LIMITATION OF ACTIONS
—Cont’d
Causes of action
accrual, 2-725:2
characterization, 2-725:3
Characterization of action,
2A-506:3
Concealment, 6-110:2 [Rev]
bulk sales, 6-110:2 [Rev]
Contracts for sale, 2-725
Contract terms, limitation on,
UCITA 805:2
Convention on International Sale of Goods, 2-725:1
Conversion, 3-419:10, 4-302:7
Discovery rule, UCITA 805:1,
UCITA 805:3, 4-406:8
Estoppel, 2-725:4, 7-309:8
Funds transfers, 4A-505:1 to
4A-505:3, 4A-505:4
Indorsements, unauthorized,
4-406:7 [Rev], 4-406:8
Infringement, UCITA 805:5
Levy, 6-111:1
Libel and slander, UCITA 805:5
Misappropriation, UCITA 805:5
Negotiable instruments
accepted drafts, 3-118:5 [Rev]
certificates of deposit, 3-118:4
[Rev]
conversion, 3-419:10
demand instruments, 3-108:1
[Rev]
drafts, 3-118:3 [Rev], 3-118:5
[Rev]
notes, 3-118:1 [Rev], 3-118:2
[Rev], 3-118:3 [Rev]
Notice-bar rule, 4-406:8
Periods of repose, 4-406:8
Preclusion periods, 4-406:7 [Rev],
4-406:8
Presentment warranties, 4-207:9,
4-208:13 [Rev]
Provisions, 7-309:5

LIMITATION OF ACTIONS
—Cont’d
Regulation CC, violation,
4-215:17 [Rev], 4-301:8
[Rev]
Retroactivity, 2A-506:4
Savings clause, 2A-506:5
Scope and applicability of statute,
UCITA 805:1
Secured transactions, 9-507:3
Tariffs
claims, 7-204:5
provisions, 7-309:5
Time when action accrues,
UCITA 805:3 to 805:5
Tolling, 2A-506:4, 2-725:4
Transfer warranties, 4-207:9
[Rev], 4-207:19
2003 and 2005 amendments,
2-725:5
Uniform Computer Information Transactions Act, this index
Warehouse receipt claims, 7-204:5
Warranties, UCITA 805:4,
2-725:2, 4-207:9, 4-207:19

LIMITATION OF LIABILITY
Agreements, 7-204:3
Assent, 7-204:3
Bailee’s conduct, 7-403:7
Bills of lading
generally, 7-309:8
effectiveness, 7-301:3
omission of clauses, 7-301:2
Carriers
contract clauses, 7-309:9
effectiveness, 7-309:11
higher values, opportunity to declare,
7-309:10
notice requirements, 7-309:10
Contractual, 7-309:9 et seq.
Conversion, 7-204:4
Effectiveness, 7-309:9
Enforcement, 7-204:3
Increasing, 7-204:3, 7-309:11

© 2018 Thomson Reuters, 12/2018
LIMITATION OF LIABILITY—Cont’d
Maximum amounts, 7-204:3
Unexplained losses, 7-204:4
Warehousemen, 7-204:3
Warehouse receipts, unexplained loss situations, 7-204:4

LIMITATIONS AND RESTRICTIONS
Course of performance, course of dealing, and usage of trade, 1-303:3 [Rev]
Express warranties, recovery, 2-313:6
Good faith, 1-304:1 [Rev]
Implied warranties, disclaimers, 2-316:4
Model Tribal Secured Transactions Act, this index
Option to accelerate at will, 1-309:1 [Rev]
Private placement, 8-204:3
Reasonable time and seasonableness, 1-205:1 [Rev]
Remedies to be liberally administered, 1-305:3 [Rev], 1-305:5 [Rev]
Sales, scope, 2-102:4, 2-102:5
Territorial applicability and general rules, 1-301:1 [Rev], 1-302:1 [Rev]
Transfer of shares
generally, 8-204:1
enforcement, 8-204:2
imposition by issuers, 8-204:2
knowledge, 8-204:5
1977 amendments, 8-204:6
notations on securities, 8-204:3, 8-204:4
restrictive stock options, 8-204:3
Transfers
conspicuous notation on securities, 8-204:1 [Rev]
effectiveness, 8-204:2 [Rev]

LIMITATIONS AND RESTRICTIONS—Cont’d
Transfers—Cont’d
indirect holding systems, 8-204:3 [Rev]
notice to registered owner, 8-204:2 [Rev]

LIMITED LIABILITY COMPANIES
Investment securities, 8-103:4 [Rev]

LIMITED LIABILITY INTERESTS
Investment securities, 8-103:4 [Rev]

LIQUIDATED DAMAGES
Generally, 2A-504, 2A-504:1 et seq.
Invalidation, consequences, 2A-504:4
Proof of loss, 2A-504:3
Reasonableness, 2A-504:1, 2A-504:2
Remedies, 2A-504:3
Restitution of payments, 2A-504:5
Unconscionability, 2A-503:8

LOANS
Extension of maturity, 9-403:2
Renewal, future advances limitations, 9-204:5
Truth in Lending Simplification Act disclosures, 9-204:3

LOCATION
CISG, delivery, ICC 10:39
Place or Location, this index

LOST, DAMAGED OR DESTROYED GOODS
Generally, 7-601:1 [Rev]
Burden of proof, 7-204:2
Damages, 7-204:6
Excuses, 7-204:2
Explanations, lack, 7-204:4

Master Index-354
LOST, DAMAGED OR DESTROYED GOODS — Cont’d
Prima facie cases, 7-204:2
Title and rights, 7-502:1 [Rev]
Warehousemen, liabilities, 7-403:4 [Rev]

LOST, DESTROYED OR STOLEN CERTIFICATES AND OTHER DOCUMENTS
Carbon copies, 7-601:1
Duplicates, issuance, 7-601:1
Registered owners, duties, 8-406:1 [Rev], 8-406:2 [Rev]
Substituted documents, issuance, 7-601:1

LOST, DESTROYED OR STOLEN SECURITIES
Bona fide purchasers intervention, 8-405:4
rights, 8-301:2
1977 amendments, 8-405:5
Notices, 8-405:2
Owners’ options, 8-405:1
Parties, limitation of rights, 8-301:3
Replacements, 8-405:2, 8-405:3

LOST PROFITS
CISG, ICC 10:77

LUXEMBOURG PROTOCOL
Generally, ICC 9:2
Background, ICC 9:3
International commercial conventions, generally, ICC 9:2
International Registry, ICC 9:55
Mid 2010, ICC 9:3
Status, ICC 9:3

MAGNUSON-MOSS WARRANTY ACT — Cont’d
Unconscionability doctrine, 2A-108:4

MAIL
Warehousemen lien, enforcement, 7-210:3 [Rev]

MANIFESTLY
Definition, 1-205:1 [Rev]

MANUFACTURER
Cape Town Convention, ICC 9:34
International commercial conventions, Cape Town Convention, ICC 9:34

MARKET RENT
Computation, nonaccepted goods, 2A-519:1
Leases, time and place of measuring, 2A-528:2
Lessor’s damages, computation, 2A-528:1
Nonaccepted goods computation, 2A-519:1
time and place for measuring, 2A-519:2
Time and place of measuring, 2A-528:2

MARKET VALUE
Constructing, 2A-507:2
Conversion on International Sale of Goods, 2-723:1, 2-724:1
Conversion, 7-308:4
Damaged goods, 7-204:6
Damages, 7-309:12
Determination, 7-204:6
Lost goods, 7-204:6
Place, 2A-507:1, 2-708:1, 2-723:1
to 2-723:3
Quotations, use, 2A-507:3,
2-724:1
Repudiation, 2-708:1
Time, 2A-507, 2A-507:1, 2-708:1,
2-723:1 to 2-723:3
MARKET VALUE—Cont’d
2003 and 2005 amendments, 2-723:3, 2-724:2

MASS-MARKET LICENSING TRANSACTIONS
Definitions relating to, UCITA 102:29 to 102:33
Exclusions, UCITA 102:32
General public, information directed to, UCITA 102:31
Retail environments and transactions, UCITA 102:30
Terms of records, UCITA 209
Uniform Computer Information Transactions Act, this index

MATERIAL BREACH
Breach of Contract, this index

MATERIAL VARIANCE STANDARD
Acceptance of contract, UCITA 204:1

MAXIMUM LIABILITY
ECCHO Electronic Check Presentation, this index

MENTAL DISTRESS
Conversion, 7-210:5, 7-308:4

MERCHANTABILITY, WARRANTY OF—Cont’d
Pass without objection in the trade, 2A-212:8
Reliance, 2A-212:4
Strict tort liability, 2A-212:14

MERCHANTS
Duties as to rightfully rejected goods, 2A-511:1
Firm offers, 2A-205:6
Good faith considerations, 2A-103:7, 2A-511:2
Lessees
  duties as to rightfully rejected goods, 2A-511:1
  good faith considerations, 2A-103:7, 2A-511:2
  reimbursement, 2A-511:3
  Reimbursement, 2A-511:3
  Risk of loss, time of passage, 2A-219:5
  Warranty of merchantability, 2A-212:2

MERGER CLAUSES
Generally, UCITA 301:4

MIDNIGHT DEADLINES
Abrogation agreement, 4-103:2
Clearinghouse rules, 4-103:4
Accountability of banks, 4-103:2
Branch banking practices, 4-106:2
Charge backs
  collecting banks, 4-212:3,
  4-214:4 [Rev], 4-214:5 [Rev]
  depositary banks, 4-212:6
Definition, 4-104:1, 4-104:4 [Rev]
Dishonor, notice, 4-301:4 [Rev]
Documentary draft presentment, treatment, 4-501:1
  Double midnight rule, 4-302:2
  Extensions generally, 4-302:4

Master Index-356
MIDNIGHT DEADLINES
—Cont’d
Extensions—Cont’d
force majeure rule, 4-108:4 et seq.
one day rule, 4-108:1, 4-301:4 [Rev], 4-302:7 [Rev]
Final payments, reservation of revocation rights, 4-213:3
First midnight rule, 4-302:2
Item return, warranty, 4-301:6 [Rev], 4-301:9 [Rev]
Nonpayment, 4-301:4 [Rev]
Off-premises processing, 4-106:2
Payment, 4-215:4 [Rev]
Posting process, completion, 4-109:10, 4-109:11, 4-213:4
Presentment at off-premises processing center, 4-301:6
Remittance instrument, timely action, 4-211:3
Seasonable actions, 4-202:7, 4-211:4
Separate offices of banks, 4-106:2
Settlements, seasonable actions, 4-211:4
Start of period, 4-301:6
Time of receipt of items, 4-107:1, 4-301:6
Variances by agreements or circumstances, 4-103:7

MILITARY ALLOTMENTS
Enforcement, NONUCCPY 7:77 to 7:79

MINERALS
Perfection of security interests, 9-103:11
Treatment, 9-203:1

MINIMUM CONTACT
SUFFICIENT TO MEET CONSTITUTIONAL REQUIREMENTS
Territorial applicability and general rules, 1-301:3 [Rev]

MISAPPROPRIATION
Limitation of actions, UCITA 805:5
Noninfringement warranty, UCITA 401:4
Uniform Computer Information Transactions Act, this index

MISREPRESENTATION
Damages for negligent, UCITA 807:5
Fraud, this index
Remedies, generally, UCITA 806
Uniform Computer Information Transactions Act, this index

MISSING TERMS
Course of performance, course of dealing, and usage of trade, 1-303:2 [Rev]
Formation of contract, 2A-204:3

MISTAKE
Acceptance
protected party, 3-418:5 [Rev], 3-418:6 [Rev]
revocation, 3-418 [Rev], 3-418:1 [Rev] to 3-418:5 [Rev]
Funds transfers
cancellation or amendment of payment order, 4A-211:4
erroneous execution of payment order, 4A-303:3
misdescription of beneficiary, 4A-207:5
Funds transfers, payment orders, 4A-205:4
Negotiable instruments, 3-202:5 [Rev]
Payment
protected party, 3-418:5 [Rev], 3-418:6 [Rev]
recovery, 3-418:1 [Rev], 3-418:2 [Rev], 3-418:3
MOBILE PAYMENTS
Contractual charges and fees,
NONUCCPY 6:56 to 6:58
Enforcement
generally, NONUCCPY 7:59 to 7:61
federal law enforcement,
NONUCCPY 7:59
state law enforcement,
NONUCCPY 7:60
statutes and rules,
NONUCCPY 7:59, 7:60
Error prevention and resolution
generally, NONUCCPY 5:37
federal law, error resolution under, NONUCCPY 5:35
other providers of mobile payments,
NONUCCPY 5:38
PayPal mobile payments,
NONUCCPY 5:39
state law, error resolution under,
NONUCCPY 5:36
statutes and rules, error resolution,
NONUCCPY 5:35, 5:36
Other providers of mobile payments,
NONUCCPY 5:38
PayPal mobile payments,
NONUCCPY 5:39
Regulation and licensure
mobile payment providers,
NONUCCPY 6:58
non-depository mobile payment providers,
NONUCCPY 6:58
Regulation of agreements
generally, NONUCCPY 6:73 to 6:75
federal law and mobile payments,
NONUCCPY 6:73
state law and mobile payments,
NONUCCPY 6:74
statutes and rules,
NONUCCPY 6:73, 6:74
MOBILE PAYMENTS—Cont’d
Regulation of fees and charges
Apple Pay, NONUCCPY 6:57
contractual charges and fees,
NONUCCPY 6:56 to 6:58
federal law and mobile payments,
NONUCCPY 6:54
PayPal mobile payments,
NONUCCPY 6:57
state law and mobile payments,
NONUCCPY 6:55
statutes and regulations,
NONUCCPY 6:54, 6:55
stored-value device issuers,
NONUCCPY 6:58
Regulation of practices
generally, NONUCCPY 6:89
to 6:91
federal law and mobile payments,
NONUCCPY 6:89
state law and mobile payments,
NONUCCPY 6:90
statutes and rules,
NONUCCPY 6:89, 6:90
Statutes and rules
enforcement, NONUCCPY
7:59, 7:60
error prevention and resolution,
NONUCCPY 5:35, 5:36
regulation of agreements,
NONUCCPY 6:73, 6:74
regulation of fees and charges,
NONUCCPY 6:54, 6:55
regulation of practices,
NONUCCPY 6:89, 6:90
MODEL DESIGNATION OF
OBJECT
Cape Town Convention, ICC 9:34
MODELS
Warranties, 2A-210:7, 2A-215:1
MODEL TRIBAL SECURED
TRANSACTIONS ACT
—Cont’d
Acceptance—Cont’d
RMTSTA 9-620:1
filing, RMTSTA 9-501:1
Account or chattel paper, retained
power of seller, effectiveness
of security agreement,
RMTSTA 9-206
Actions, deficiency or surplus in
issue, noncompliance with
Act, RMTSTA 9-626:1
Additional duties, certain secured
parties, RMTSTA 9-205:1
Administration
Act, generally, RMTSTA 9-112
filing, RMTSTA 9-501:1
Adoption of MTA
generally, RMTSTA 9-101:2
nations adopting MTA,
RMTSTA 9-101:2
tribes adopting MTA,
RMTSTA 9-101:2
national tribal filing system,
RMTSTA 9-101:2.5
Advances, effectiveness of security
agreement, RMTSTA
9-203:1
After-acquired advances,
effectiveness, attachment and
rights of parties, RMTSTA
9-203:1
Agreement on standards
breach of peace, standards
governing, RMTSTA
9-609:5
rights and duties, standards
concerning, RMTSTA
9-603:1
Alienability
comparison with Revised UCC
Article 9, RMTSTA 9-104
debtor’s rights, RMTSTA
9-401:1

© 2018 Thomson Reuters, 12/2018
MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Application of proceeds, liability for deficiency and right to surplus, default and enforcement of security interests, RMTSTA 9-608:1, RMTSTA 9-615:1
Assignment and rights of third parties
assignee’s right to payment, RMTSTA 9-403:2
notification of assignment, RMTSTA 9-403:4
post-assignment modification, RMTSTA 9-403:5
restrictions, RMTSTA 9-404:1
rights of assignee, RMTSTA 9-403:1
waiver of defenses clause, RMTSTA 9-403:2
Attachment
comparison of MTA with Revised UCC Article 9, RMTSTA 9-101:7
effectiveness of security agreement, RMTSTA 9-202
Attorney’s fees, certain transactions, RMTSTA 9-629:1
Authorization
filing, RMTSTA 9-502:1
promulgation of regulations, RMTSTA 9-112:1
Buyer of accounts, default and enforcement of security interests, RMTSTA 9-601:1
Calculation
deficiency, RMTSTA 9-616:1
surplus, RMTSTA 9-616:1
Certificate of title
enacting tribe certificate-of-title law, RMTSTA 9-311:2
law governing, goods covered by certificate of title, RMTSTA 9-303:1

MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Certificate of title—Cont’d
priority of security interest in goods covered by, RMTSTA 9-322:1
Change or modification
comparison with Revised UCC Article 9, modified article 9 definitions, RMTSTA 9-106:5
third parties rights, post-assignment, RMTSTA 9-403:5
Chattel paper
default and enforcement of security interests, RMTSTA 9-601:1
perfection, RMTSTA 9-312:1
retained power of seller, effectiveness of security agreement, RMTSTA 9-206
Choice of law. Law governing, below
Collateral descriptions,
comparison of MTA with Revised UCC Article 9, RMTSTA 9-116:2
Collateral in secured party’s possession or control, attachment and rights of parties, RMTSTA 9-204:1
Collection or enforcement. Default and enforcement of security interests, below
Commentary on implementation, RMTSTA 9-101:1
Commercial reasonableness of conduct, noncompliance with Act, RMTSTA 9-627:1
Comparison with Revised UCC Article 9 generally, RMTSTA 9-101:3 et seq.
administration of Act, RMTSTA 9-112
Comparison with Revised UCC Article 9—Cont’d

definitions

key differences., RMTSTA 9-106:1

key similarities, RMTSTA 9-101:4

modified Article 9 definitions, RMTSTA 9-106:5

new definitions, RMTSTA 9-106:4
description sufficiency, RMTSTA 9-116:1

enforceability, RMTSTA 9-101:7

excluded transactions, RMTSTA 9-111:1

federal restrictions, RMTSTA 9-104:1

foreclosure, RMTSTA 9-101:12

general scope, RMTSTA 9-110
generic collateral descriptions, RMTSTA 9-116:2
Comparison with Revised UCC Article 9—Cont’d
d
key differences.—Cont’d

liberal construction,
RMTSTA 9-106:6
modiﬁed Article 9 deﬁnitions,
RMTSTA 9-106:5
new deﬁnitions, RMTSTA
9-106:4
no application to property not
alienable, RMTSTA
9-104
notice, RMTSTA 9-107:1
no waiver of sovereign
immunity, RMTSTA
9-102
obligation of good faith,
RMTSTA 9-113:1
omitted Revised Article 9
terms, RMTSTA
9-106:2
parties’ power to choose
applicable law,
RMTSTA 9-117
purchase-money security
interest, RMTSTA
9-115:1
purpose, RMTSTA 9-103:1
reﬂection of tribal policy,
RMTSTA 9-101:14
requirements for effective
waiver, RMTSTA
9-102:2
rules different from Revised
UCC Article 9 to reﬂect
tribal policy, RMTSTA
9-101:14
scope, RMTSTA 9-110:1
security interest distinguished
from lease, RMTSTA
9-109:1
sovereign immunity, waiver,
RMTSTA 9-102:1,

RMTSTA 9-106:2
special rules not reﬂected in
Revised UCC Article 9,
RMTSTA 9-101:13
sufﬁciency of description,
RMTSTA 9-116:1
supergeneric collateral
descriptions, RMTSTA
9-116:2
terms imported from other
articles, RMTSTA
9-106:3
trade usage, RMTSTA
9-114:1
usage of trade, RMTSTA
9-114:1
value, RMTSTA 9-108:1
waiver, RMTSTA 9-102:2
waiver of sovereign
immunity, RMTSTA
9-117:1
key similarities
attachment and enforce-
ability, RMTSTA
9-101:7
foreclosure, RMTSTA
9-101:12
perfection, RMTSTA
9-101:8
priorities, RMTSTA 9-101:9
rights of third parties, gener-
al, RMTSTA 9-101:10
rules governing perfection by
ﬁling, RMTSTA
9-101:11
scope, RMTSTA 9-101:5
subordination to other laws
protecting consumers
and obligors, RMTSTA
9-101:6

UNIFORM COMMERCIAL SERIES

Master Index-362
Comparison with Revised UCC Article 9—Cont’d

key similarities—Cont’d
terminology, RMTSTA 9-101:4
knowledge, RMTSTA 9-107
law governing, RMTSTA 9-117:1, RMTSTA 9-117:2
lease distinguished from security interest, RMTSTA 9-109:1
liberal construction, RMTSTA 9-106:6
modified Article 9 definitions, RMTSTA 9-106:5
no application to property not alienable, RMTSTA 9-104
notice, RMTSTA 9-107:1
obligation of good faith, RMTSTA 9-113:1
omitted Revised Article 9 terms, RMTSTA 9-106:2
parties’ power to choose applicable law, RMTSTA 9-117
perfection, RMTSTA 9-101:8
priorities, RMTSTA 9-101:9
promulgation of regulations, RMTSTA 9-112:1
purchase-money security interest, RMTSTA 9-115:1
purpose, RMTSTA 9-103:1
reflection of tribal policy, RMTSTA 9-101:14
requirements for effective waiver, RMTSTA 9-102:2
rights of third parties, generally, RMTSTA 9-101:10
rules different from Revised UCC Article 9 to reflect tribal policy, RMTSTA 9-101:14

MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d

Comparison with Revised UCC Article 9—Cont’d

rules governing perfection by filing, RMTSTA 9-101:11
scope
key differences, RMTSTA 9-110:1
key similarities, RMTSTA 9-101:5
security interest distinguished from lease, RMTSTA 9-109:1
selection of applicable law, parties’ power, RMTSTA 9-117
sovereign immunity, waiver, RMTSTA 9-102:1, RMTSTA 9-102:2, RMTSTA 9-117:1
special rules not reflected in Revised UCC Article 9, RMTSTA 9-101:13
subordination to other laws protecting consumers and obligors, RMTSTA 9-101:6
sufficiency of description, RMTSTA 9-116:1
supergeneric collateral descriptions, RMTSTA 9-116:2
terminology
key similarities, RMTSTA 9-101:4
terms imported from other articles, RMTSTA 9-106:3
trade usage, RMTSTA 9-114:1
usage of trade, RMTSTA 9-114:1
value, RMTSTA 9-108:1
waiver of sovereign immunity, RMTSTA 9-102:1, RMTSTA 9-102:2,
Comparison with Revised UCC Article 9—Cont’d

RMTSTA 9-117:1
Compulsory disposition of consumer goods, default and enforcement of security interests, RMTSTA 9-620:1
Conflict of laws. Law governing, below
Consent, self-help repossession, debtor’s consent, RMTSTA 9-609:2
Consignor or buyer of accounts, default and enforcement of security interests, RMTSTA 9-601:1
Construction and interpretation, comparison of MTA with Revised UCC Article 9, RMTSTA 9-106:6
Consumer account debtors, Federal Trade Commission policy protecting, RMTSTA 9-403:3
Content of records, filing, RMTSTA 9-502:1
Contents of notification, disposition of collateral after default, RMTSTA 9-613:1, RMTSTA 9-613:2
Continuation filing, RMTSTA 9-502:1
Contracts, third parties rights, secured party not obligated on contract of debtor, RMTSTA 9-402:1
Control of collateral by secured party, rights and duties, RMTSTA 9-204:1
Course of dealing, comparison with Revised UCC Article 9, RMTSTA 9-114
Course of performance, comparison with Revised

Debtors
alienability of debtor’s rights, RMTSTA 9-401:1
Federal Trade Commission policy protecting consumer account debtors, RMTSTA 9-403:3
Default and enforcement of security interests generally, RMTSTA 9-601 et seq.
acceptance of collateral in full or partial satisfaction of obligation, RMTSTA 9-620:1
action in which deficiency or surplus is in issue, noncompliance with Act, RMTSTA 9-626:1
agreement on standards breach of peace, standards governing, RMTSTA 9-609:5
rights and duties, standards concerning, RMTSTA 9-603:1
application of proceeds, liability for deficiency and right to surplus, RMTSTA 9-608:1, RMTSTA 9-615:1
attorney’s fees in certain transactions, RMTSTA 9-629:1
breach of peace, agreement on standards governing, RMTSTA 9-609:5
calculation deficiency, RMTSTA 9-616:1
surplus, RMTSTA 9-616:1
MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Default and enforcement of security interests—Cont’d
chattel paper, RMTSTA 9-601:1
collection or enforcement
application of proceeds,
RMTSTA 9-608:1, RMTSTA 9-615:1
secured party, collection by,
RMTSTA 9-607:1
commercial reasonableness of conduct, noncompliance with Act, RMTSTA 9-627:1
compulsory disposition of consumer goods, RMTSTA 9-620:1
consignor or buyer of accounts, RMTSTA 9-601:1
contents of notification, disposition of collateral after default, RMTSTA 9-613:1, RMTSTA 9-613:2
deficiency calculation, RMTSTA 9-616:1
liability, RMTSTA 9-608:1, RMTSTA 9-615:1
noncompliance with Act, RMTSTA 9-626:1
determination of whether conduct was commercially reasonable, RMTSTA 9-627:1
disposition of collateral after default generally, RMTSTA 9-610:1
contents of notification, RMTSTA 9-613:1,
liability, RMTSTA 9-608:1, RMTSTA 9-615:1
secondary obligor, noncompliance with
MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Default and enforcement of security interests—Cont’d
liability—Cont’d
Act, RMTSTA 9-628:1
secured party, noncompliance with Act, RMTSTA 9-628:1
limitation of liability of secured party, noncompliance with Act, RMTSTA 9-628:1
limited right of secured party to take possession after default, RMTSTA 9-609 et seq.
noncompliance with Act
action in which deficiency or surplus is in issue, RMTSTA 9-626:1
attorney’s fees in certain transactions, RMTSTA 9-629:1
commercial reasonableness of conduct, RMTSTA 9-627:1
deficiency in issue in action, RMTSTA 9-626:1
determination of whether conduct was commercially reasonable, RMTSTA 9-627:1
liability of secondary obligor, RMTSTA 9-628:1
limitation of liability of secured party, RMTSTA 9-628:1
nonliability of secured party, RMTSTA 9-628:1
reasonableness of conduct, RMTSTA 9-627:1
remedies, RMTSTA 9-625:1
secondary obligor, liability, RMTSTA 9-628:1
surplus in issue in action, RMTSTA 9-626:1

MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Default and enforcement of security interests—Cont’d
notification before disposition of collateral, RMTSTA 9-611:1, RMTSTA 9-612:1, RMTSTA 9-613:1
notification of proposal, RMTSTA 9-620:1
partial satisfaction of obligation, acceptance of collateral in, RMTSTA 9-620:1
payment intangibles, RMTSTA 9-601:1
possession after default, limited right of secured party to take, RMTSTA 9-609 et seq.
powers to be exercised by the secured party, RMTSTA 9-609:3, RMTSTA 9-609:4
prior notification, disposition of collateral after default, RMTSTA 9-611:1, RMTSTA 9-612:1, RMTSTA 9-613:1
procedure, security agreement covering real property or fixtures, RMTSTA 9-604:1
proceeds of collection or enforcement, application, RMTSTA 9-608:1
promissory notes, RMTSTA 9-601:1
real property, security agreement covering, procedure, RMTSTA 9-604:1
reasonableness of conduct, noncompliance with Act, RMTSTA 9-627:1
record, transfer, RMTSTA 9-619:1
MODEL TRIBAL SECURED TRANSACTIONS ACT—Cont'd

Effectiveness of security agreement—Cont’d
future advances, RMTSTA 9-203:1
general effectiveness of security agreement, RMTSTA 9-201:1
list of collateral or statement of account, request for accounting, RMTSTA 9-207:1
no interest retained in right to payment that is sold, RMTSTA 9-206
possession of collateral by secured party, rights and duties, RMTSTA 9-204:1
proceeds, RMTSTA 9-202
request for accounting, RMTSTA 9-207:1
retained power of seller of account or chattel paper, RMTSTA 9-206
rights and duties when collateral is in secured party’s possession or control, RMTSTA 9-204:1
statement of account, request for accounting, RMTSTA 9-207:1
Enforceability
comparison with Revised UCC Article 9, RMTSTA 9-101:7
effectiveness of security agreement, RMTSTA 9-202
Excluded transactions, comparison with Revised UCC Article 9, RMTSTA 9-111:1
Explanation of calculation
deficiency, RMTSTA 9-616:1
surplus, RMTSTA 9-616:1
Federal restrictions, comparison with Revised UCC Article 9,
MODEL TRIBAL SECURED TRANSACTIONS ACT — Cont’d
RMTSTA 9-104:1
Federal trade commission policy, protection of consumer account debtors, RMTSTA 9-403:3

Filing
generally, RMTSTA 9-501 et seq.
acceptance, RMTSTA 9-501:1
administration, RMTSTA 9-501:1
authorization, RMTSTA 9-502:1
content of records, RMTSTA 9-502:1
continuation, RMTSTA 9-502:1
financing statements effectiveness, RMTSTA 9-501:1
inaccurate or wrongfully filed record, claim concerning, RMTSTA 9-503
lapse, RMTSTA 9-502:1
perfection and priority of security interests, below refusal, RMTSTA 9-501:1
termination, RMTSTA 9-502:1
transfer, default and enforcement of security interests, RMTSTA 9-619
wrongfully filed or inaccurate record, claim concerning, RMTSTA 9-503

Financing statements, effectiveness, RMTSTA 9-501:1
Fixtures, security agreement covering, procedure, RMTSTA 9-604:1
Foreclosure, comparison with Revised UCC Article 9, RMTSTA 9-101:12

Full satisfaction of obligation, acceptance of collateral in, RMTSTA 9-620:1
Future advances, effectiveness of security agreement, RMTSTA 9-203:1
General provisions of MTA, RMTSTA 9-101:1 et seq.

General scope of MTA
comparison with Revised UCC Article 9, RMTSTA 9-110
effectiveness of security agreement, RMTSTA 9-201:1

Generic collateral descriptions, comparison with Revised UCC Article 9, RMTSTA 9-116:2

Good faith, comparison with Revised UCC Article 9, RMTSTA 9-113:1

Governing law. Law governing, below

Guide to implementation, RMTSTA 9-101:1
Implementation guide, RMTSTA 9-101:1

Inaccurate or wrongfully filed record, claim concerning, RMTSTA 9-503

Judicial enforcement, RMTSTA 9-601:1

Lapse in filing, RMTSTA 9-502:1

Law governing circumstances in which parties may not choose governing law, RMTSTA 9-117:2
comparison with Revised UCC Article 9, RMTSTA 9-117:1, RMTSTA 9-117:2

parties’ power to choose applicable law, RMTSTA 9-117
MODEL TRIBAL SECURED TRANSACTIONS ACT
——Cont’d
Law governing——Cont’d
perfection and priority of security interests, below waiver of sovereign immunity,
RMTSTA 9-117:1
Leases distinguished from security interest, comparison with Revised UCC Article 9,
RMTSTA 9-109:1
Legal title, transfer, RMTSTA 9-619
Liberal construction, comparison with Revised UCC Article 9,
RMTSTA 9-106:6
Limitations
assignment and rights of third parties, restrictions,
RMTSTA 9-404:1
comparison with Revised UCC Article 9, federal restrictions, RMTSTA 9-104:1
noncompliance with Act, liability of secured party,
RMTSTA 9-628
taking possession after default, right of secured party,
RMTSTA 9-609 et seq.
third parties rights, restrictions on assignment, RMTSTA 9-404:1
List of collateral, request for accounting, effectiveness of security agreement,
RMTSTA 9-207:1
Modified Article 9 definitions, comparison with Revised UCC Article 9,
RMTSTA 9-106:5
National tribal filing system tribes adopting MTA,
RMTSTA 9-101:2.5
Noncompliance with Act, limitation of liability, RMTSTA 9-628

MODEL TRIBAL SECURED TRANSACTIONS ACT
——Cont’d
Nonliability of secured party, noncompliance with Act,
RMTSTA 9-628:1
Notice and knowledge comparison with Revised UCC Article 9,
RMTSTA 9-107:1
default and enforcement of security interests disposition of collateral, notification before,
RMTSTA 9-611:1
third parties rights, notice of assignment, RMTSTA 9-403:4
Partial satisfaction, default and enforcement of security interests, acceptance of collateral,
RMTSTA 9-620:1
Payment
default and enforcement of security interests, payment intangibles,
RMTSTA 9-601:1
third parties rights, right of assignee to payment,
RMTSTA 9-403:2
Perfection and priority of security interests generally, RMTSTA 9-301 et seq.
accessions, priority, RMTSTA 9-320:1
attachment, perfection upon, RMTSTA 9-309:1
certificate of title enacting tribe certificate-of-title law, RMTSTA 9-311:2
law governing, goods covered by certificate of title, RMTSTA 9-303:1
Perfection and priority of security interests—Cont’d
certificate of title—Cont’d
commingled goods, priority, generally, RMTSTA 9-321:1
comparison with Revised UCC Article 9, RMTSTA 9-101:8, RMTSTA 9-101:9
compliance with enacting tribe’s certificate-of-title law, RMTSTA 9-311:2
continued perfection of security interest following change in governing law, RMTSTA 9-316:1
continuity of perfection, RMTSTA 9-308:1
control, perfection by, RMTSTA 9-314:1
crops, priority of security interests in, RMTSTA 9-319:1
disposition of collateral, rights of secured party, RMTSTA 9-315:1
documents, perfection, RMTSTA 9-312:1
exceptions to MTA’s general rule
law governing, RMTSTA 9-301:3
filing
permissive filing, perfection, generally, RMTSTA 9-312:1
required to perfect security
MODEl TRIBAL SECURED TRANSACTIONS ACT — Cont’d
Perfection and priority of security interests—Cont’d
class governing—Cont’d
RMTSTA 9-301:2
money, perfection, generally,
RMTSTA 9-312:1
particular priority rules,
RMTSTA 9-318:1
permissive filing, perfection,
generally, RMTSTA
9-312:1
possession by secured party
perfecting security interest
without filing, RMTSTA
9-313:1
priority, generally, RMTSTA
9-317 et seq., RMTSTA
9-320
proceeds from disposition of
collateral, rights of secured
party, perfection,
RMTSTA 9-315:1
property subject to certain
statutes, regulations, and
treaties, perfection,
RMTSTA 9-311:1
Revised UCC Article 9 rules
regarding law governing
perfection and priority,
RMTSTA 9-301:1
rights of secured party in dispo-
sition of collateral and in
proceeds, perfection,
RMTSTA 9-315
rules
revised UCC Article 9 rules
regarding law governing
perfection and priority,
RMTSTA 9-301:1
rules governing perfection
and priority, generally,
RMTSTA 9-301:2
security interests to which filing
provisions do not apply,
RMTSTA 9-312:1
Possession by secured party
default and enforcement,
limited right of secured
party to take possession
after default, RMTSTA
9-609 et seq.,
effectiveness of security agree-
ment, rights and duties,
RMTSTA 9-204:1
Post-assignment modification,
third parties rights,
RMTSTA 9-403:5
Powers to be exercised by secured
party in event of default,
RMTSTA 9-609:3,
RMTSTA 9-609:4
Prefatory material, RMTSTA
9-101:1
Priority. Perfection and priority of
security interests, above
Prior notification
default and enforcement of
security interests
disposition of collateral after
default, RMTSTA
9-612:1, RMTSTA
9-613:1
disposition of collateral after
default, form of prior

UNIFORM COMMERCIAL SERIES

Master Index-372
MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Prior notification—Cont’d notification, RMTSTA 9-613:1
Proceeds, effectiveness of security agreement, RMTSTA 9-202
Promissory notes, default and enforcement of security interests, RMTSTA 9-601:1
Purchase-money security interest, comparison with Revised UCC Article 9, RMTSTA 9-115:1
Purpose of Act, comparison with Revised UCC Article 9, RMTSTA 9-103:1
Real property, default and enforcement of security interests, security agreement covering real property, RMTSTA 9-604:1
Reasonableness of conduct, default and enforcement of security interests, noncompliance with Act, RMTSTA 9-627:1
Record filing, above
Redemption of collateral, default and enforcement of security interests, RMTSTA 9-623:1
Reflection of Tribal policy, comparison with Revised UCC Article 9, RMTSTA 9-101:14
Refusal, filing, RMTSTA 9-501:1
Regulations promulgation, comparison with Revised UCC Article 9, RMTSTA 9-112:1
Remedies, default and enforcement of security interests, noncompliance with Act, RMTSTA 9-625:1

MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Repossession powers to be exercised by the secured party, RMTSTA 9-609:4
self-help repossession, RMTSTA 9-609:2
Request for accounting, effectiveness of security agreement, RMTSTA 9-207:1
Restrictions. Limitations, above
Retained power of seller of account or chattel paper, effectiveness of security agreement, RMTSTA 9-206
Rights and duties comparison with Revised UCC Article 9, third parties rights, generally, RMTSTA 9-101:10
default and enforcement of security interests standards, RMTSTA 9-603
variance of rights and duties, waiver of rights and duties, RMTSTA 9-602:1
effectiveness of security agreement, rights and duties when collateral is in secured party’s possession or control, RMTSTA 9-204:1
third parties rights comparison with Revised UCC Article 9, RMTSTA 9-101:10
rights of assignee, RMTSTA 9-403:1
Rules differing from Revised UCC Article 9, reflection of Tribal policy, RMTSTA 9-101:14
Rules governing perfection by filing, comparison with

© 2018 Thomson Reuters, 12/2018
MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Revised UCC Article 9, RMTSTA 9-101:11
Safe-harbor period for consumer transactions, default and enforcement of security interests, RMTSTA 9-612:2
Satisfaction
acceptance of collateral in full satisfaction of obligation, RMTSTA 9-620:1
default and enforcement of security interests, acceptance of collateral in partial satisfaction of obligation, RMTSTA 9-620:1
Savings provisions, default and enforcement of security interests, RMTSTA 9-613:2
Scope, comparison with Revised UCC Article 9, RMTSTA 9-101:5, RMTSTA 9-110:1
Secondary obligor. Default and enforcement of security interests, above
Self-help repossession, default and enforcement of security interests, RMTSTA 9-609:2
Severability, RMTSTA 9-701
Short title, RMTSTA 9-101
Sovereign immunity, waiver, comparison with Revised UCC Article 9, RMTSTA 9-102:1, RMTSTA 9-117:1
Special rules, comparison with Revised UCC Article 9, RMTSTA 9-101:13
Standards
breach of peace, default and enforcement of security interests, RMTSTA 9-609:5
rights and duties, default and enforcement of security

MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Standards—Cont’d
interests, RMTSTA 9-603:1
Statement of account, effectiveness of security agreement, request for accounting, RMTSTA 9-207:1
Subordination to other laws protecting consumers and obligors, comparison with Revised UCC Article 9, RMTSTA 9-101:6
 Sufficiency of description, comparison with Revised UCC Article 9, RMTSTA 9-116:1
Supergeneric collateral descriptions, comparison with Revised UCC Article 9, RMTSTA 9-116:2
Surplus in issue in action calculation, RMTSTA 9-616:1
noncompliance with Act, RMTSTA 9-626:1
right to surplus in proceeds, RMTSTA 9-608:1, RMTSTA 9-615:1
Termination, filing, RMTSTA 9-502:1
Terminology
comparison with Revised UCC Article 9
key similarities, RMTSTA 9-101:4
omitted Revised Article 9 terms, RMTSTA 9-106:2
terms imported from other articles, RMTSTA 9-106:3
Third parties rights
generally, RMTSTA 9-401 et seq.
alienability of debtor’s rights, RMTSTA 9-401:1

Master Index-374
MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Third parties rights—Cont’d
assignment
assignee’s right to payment, RMTSTA 9-403:2
notification of assignment, RMTSTA 9-403:4
post-assignment modification, RMTSTA 9-403:5
restrictions, RMTSTA 9-404:1
rights of assignee, RMTSTA 9-403:1
change or modification, post-assignment, RMTSTA 9-403:5
consumer account debtors, FTC policy protecting, RMTSTA 9-403:3
contract of debtor, secured party not obligated on, RMTSTA 9-402:1
debtors
alienability of debtor’s rights, RMTSTA 9-401
FTC policy protecting consumer account debtors, RMTSTA 9-403:3
Federal Trade Commission policy protecting consumer account debtors, RMTSTA 9-403:3
notification of assignment, RMTSTA 9-403:4
payment, right of assignee to, RMTSTA 9-403:2
post-assignment modification, RMTSTA 9-403:5
restrictions on assignment, RMTSTA 9-404:1
rights of assignee, RMTSTA 9-403:1
secured party not obligated on contract of debtor or in

MODEL TRIBAL SECURED TRANSACTIONS ACT
—Cont’d
Third parties rights—Cont’d
tort, RMTSTA 9-402:1
tort, secured party not obligated in, RMTSTA 9-402:1
waiver-of-defenses clause, RMTSTA 9-403:2
Timeliness of notification, default and enforcement of security interests, RMTSTA 9-612:1
Time of default from agricultural lien, RMTSTA 9-606
Tort, third parties rights, secured party not obligated in tort, RMTSTA 9-402:1
Trade usage, comparison with Revised UCC Article 9, RMTSTA 9-114:1
Transfers
default and enforcement of security interests, RMTSTA 9-617:1, RMTSTA 9-619
legal title, RMTSTA 9-619
record, RMTSTA 9-619
rights of transferee of collateral, RMTSTA 9-617:1
Unknown debtor, default and enforcement of security interests, RMTSTA 9-605:1
Usage of trade, comparison with Revised UCC Article 9, RMTSTA 9-114:1
Value, comparison with Revised UCC Article 9, RMTSTA 9-108:1
Variance of rights and duties, default and enforcement of security interests, RMTSTA 9-602:1
Waiver
comparison with Revised UCC Article 9, requirements for effective waiver,
MODEL TRIBAL SECURED TRANSACTIONS ACT—Cont’d
Waiver—Cont’d
RMTSTA 9-102:2
default and enforcement of security interests
  generally, RMTSTA 9-624:1
  rights and duties, RMTSTA 9-602:1
sovereign immunity,
  comparison with Revised UCC Article 9, RMTSTA 9-102:1, RMTSTA 9-117:1
third parties rights, waiver-of-defenses clause, RMTSTA 9-403:2
Wrongfully filed or inaccurate record, claim concerning, RMTSTA 9-503
MODIFICATION, GENERALLY
Change or Modification, this index
MODIFICATION OR IMPAIRMENT—Cont’d
Default, modification or impairment of rights and remedies—Cont’d
replacement, 2A-503:4, 2A-503:5
unconceonability, 2A-503:7, 2A-503:8
unwilling or unable to repair or replace, 2A-503:5
Discharge, secondary obligors, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:14 [Rev]
Model Tribal Secured Transactions Act, this index
No consideration, validity, 2A-208:2
Operation of rule, 2A-208:3, 2A-208:5
Option to accelerate at will, 1-309 [Rev]
Uniform Computer Information Transactions Act, this index
Uniform Electronic Transactions Act, this index
Validation, no consideration, 2A-208:2
Warranties, 2-312:4
Writing requirement, 2A-208:4
MONEY
Article 3, application, 3-102:4 [Rev]
Definition, 1-201 [Rev], 3-102:4 [Rev], 3-107:2, 9-304:4
Exclusion from Article 3, 3-103:1, 3-103:4
Foreign currency, 3-107:3
Method of payment, requirement, 3-104:11, 3-104:12, 3-107:1 et seq.
MONEY—Cont’d
Non-UCC payment methods, historical background, NONUCCPY 1:2
Perfection
security interests, 9-304:4
special rules, 9-312:5 [Rev]
Transfers, rights of transferees, 9-332:1 [Rev]

MONTREAL CONVENTION
Documents of title, scope of Article, 7-103:1

MORTGAGES
Construction
definition, 9-313:4
priorities, 9-313:4, 9-313:6
Definition, 9-105:11

MOTION PICTURES
Framework and goals of act as to mixed transactions, UCITA 103:15

MULTIPLE STATE TRANSACTIONS
Priorities, 9-103:12
30-day rule, 9-103:4

MUTUAL FUNDS
Investment securities, 8-103:3 [Rev]

NAMES—Cont’d
Secured parties, 9-402:8
changes after filing, 9-402:10
changing after filing, 9-402:10
multiple, 9-402:9

NATIONAL COMMERCE
Electronic Signatures in Global and National Commerce Act, 1-108 [Rev]

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS (NCCUSL)
Construction and interpretation, 1-103:3 [Rev]
Electronic Signatures in Global and National Commerce Act, relation of UCITA to, UCITA 905:1
History of code, 1-101:1 [Rev]

NATIONAL REGISTRY
Cape Town Convention, ICC 9:62, ICC 9:137

NEGATIVE IMPLICATION
Construction against, 7-105:1

NEGATIVE INFERENCES
Construction of Act, UCITA 106

NEGLIGENCE
Allocation of loss, 3-406:1
Altered instrument, 3-406 [Rev], 3-406:1, 3-406:1 [Rev]
Blank checks, careless handling, 3-406:13
Burden of proof, 7-403:4 [Rev]
Comparative, negotiable instruments, 3-404:3 [Rev], 3-405:2 [Rev], 3-406:2 [Rev], 3-406:5 [Rev]
Concepts, 9-207:2
Contributory conversion, 3-420:6 [Rev]
NEGligence—Cont’d
Contributory—Cont’d
proximate cause test, 3-406:7 [Rev]
substantial cause, 3-406:4 [Rev], 3-406:5 [Rev],
3-406:7 [Rev] et seq.
Conversion, 7-204:4
Defined, 3-406:6
Employer’s, 3-406:12 [Rev]
Failure to deliver goods, 7-403:4
Failure to report alteration or forgery, 3-406:14
Federal government instruments, 3-406:15, 3-406:15 [Rev]
Forgeries, 3-406:1 [Rev] et seq.
Hiring of employees, 3-406:12
Inadequate business practices, 3-406:11
Indorsee’s, 3-406:4 [Rev]
Mailing instrument to wrong person, 3-406:9
Negotiable instruments, employer’s responsibility, 3-405:2 [Rev], 3-406 [Rev],
3-406:1 [Rev] et seq.
Ordinary care, cause in fact, 3-406 [Rev], 3-406:3 [Rev] et seq.
Preclusion, 3-406:3 [Rev] et seq.
Prima facie cases, 7-204:2
Proximate cause, 3-406:7
Reasonable care, 3-406:8
Substantially contributes to alteration or unauthorized signing, 3-406:7
Supervision of employees, 3-406:12
Third-party deliveries, 3-406:10
Unauthorized signatures, 3-406:1
Warehousemen, 7-204:2
Warehouse receipts, 7-204:1 [Rev]
Warranty of merchantability, relationship, 2A-212:14

Negotiable instruments
See also Acceptance; Checks; Commercial Paper; Drafts; Holders in Due Course; Incomplete Instruments; Items
Acceleration clauses, 3-108:6 [Rev], 3-109:4
Acceptance
cashiers’ checks, accepted draft, 3-410:2
certification, 3-411:1
drawer’s request, 3-411:3
holder’s request, 3-411:2
refusal to certify, 3-411:4
collateral, 3-401:6
date, 3-503:5
drafts, dishonored, 3-410:4
drawees, 3-410:1
finality, 3-418:1, 3-418:5
incomplete instruments, 3-410:3, 3-413:3
requirements, 3-410:2
time
additional, 3-506:2
allowed, 3-506:2
calculation, 3-506:1
limitations, 3-506:1, 3-506:3
variances, 3-412:1 et seq.
virtual, 3-401:6, 3-409:1 [Rev] to 3-409:4 [Rev]
Accommodation
discharge, 3-606:3
notice of dishonor, 3-419:1 [Rev] et seq., 3-501:3
Accord and satisfaction, 3-311:1 [Rev] et seq.
Additional terms, 3-104:14
Allonge, 3-202:5, 3-204:3 [Rev], 3-401:5, 4-401:5
Alterations
comakers, 3-407:4
consent to alteration, 3-407:2
discharge
parties eligible, 3-407:5

Master Index-378
NEGOTIABLE INSTRUMENTS — Cont’d
Alterations — Cont’d
discharge — Cont’d
requirements, 3-407:3
discharge of party, 3-407:2
enforcement of instrument to
original tenor, 3-407:2
estoppel, 3-407:1
fraudulent, intent, 3-407:7
holders, 3-407:2, 3-407:4
incomplete instruments
holders in due course,
enforcement, 3-407:8
nonessential terms, completion,
3-115:6
unauthorized completion,
3-407:8
manner, 3-407:6
materiality, 3-407:6
incomplete instruments,
3-407:8
negligence, 3-406:1, 3-406:8
[Rev], 3-407:1
presentment warranties, 3-417:9
[Rev]
prevention, reasonable care,
3-406:8, 3-406:8 [Rev]
ratification, 3-407:1
transferees, 3-407:2
unauthorized completion,
3-115:5, 3-407:1 [Rev] to
3-407:4 [Rev], 3-417:12
[Rev]
Anomalous indorsements, 3-205:1
[Rev]
Another writing, 3-106:2 [Rev]
Antedated, notice of claims or
defenses, 3-304:11
Article 3, nonexclusivity, 3-104:2
[Rev]
Article 4, conflicts, 3-102:5 [Rev],
3-103:1 [Rev] et seq.
Article 9, conflicts, 3-102:6 [Rev]
Assignment, 3-104:3 [Rev]

NEGOTIABLE INSTRUMENTS — Cont’d
Background, 3-101:1 [Rev]
Bearer, 3-104:10 [Rev], 3-111:1
intervening holders, liability,
3-401:7
order instruments distinguished, 3-110:5, 3-111:2
unspecified payee, 3-111:3
Bearer instruments, 3-104:13
order distinguished, 3-109
[Rev], 3-109:1 [Rev] to
3-109:3 [Rev]
Blank indorsements, 3-205:1
[Rev], 3-205:3 [Rev]
Cancellation, 3-604 [Rev],
3-604:1 [Rev] et seq.,
3-605:1 et seq.
Causes of action
accrual, 3-118:6 [Rev], 3-308:1
[Rev] to 3-308:6 [Rev]
ambiguous instruments,
3-118:3
antedated instruments,
3-122:3
cashier’s checks, 3-122:3
certificates of deposit,
3-122:4
certified checks, 3-122:3
demand instruments, 3-122:3
installment instruments,
3-122:2
interest, 3-122:6
postdated instruments,
3-122:3
secondary parties, 3-122:5
time instruments, 3-122:2
transfer warranties, breach,
3-416:9 [Rev]
bruin of proof, 3-307:3,
3-308:3 [Rev]
conversion, 3-420:1 [Rev] et
seq.
defenses
burden of proof, 3-308:5
[Rev]
NEGOTIABLE INSTRUMENTS
—Cont’d
Causes of action—Cont’d
defenses—Cont’d
response to defendant,
3-308:6 [Rev]
lost, destroyed or stolen instruments,
3-804:1 et seq.
notice to third parties, 3-119 [Rev], 3-119:1 [Rev], 3-803:1, 3-803:2
pleading requirements, 3-307:2, 3-308:2 [Rev]
presentment warranties, breach,
3-417:13 [Rev]
prima facie cases, 3-307:2, 3-307:3, 3-308:2 [Rev]
production of instruments,
3-307:3
signatures
authenticity, 3-308:4 [Rev]
presumption of genuineness,
3-307:4
statutes of limitations, state law,
3-122:1
transfer warranties, breach,
3-416:9 [Rev]
Certificated security, compared,
3-102:2 [Rev]
Certificates of deposit, 3-102:10, 3-104:15
accrual of cause of action,
3-122:4
Certification, 3-411:1
drawer’s request, 3-411:3
holder’s request, 3-411:2
refusal to certify, 3-411:4
Checks, 3-102:7 [Rev]
Claims of ownership
equitable, 3-306:1 [Rev], 3-307:3 [Rev]
legal, 3-306:1 [Rev]
represented person, 3-305:9 [Rev], 3-307:3 [Rev]
NEGOTIABLE INSTRUMENTS
—Cont’d
Classifications, 3-104:13 [Rev], 3-104:15
Collateral
cross-collateralization provisions, 3-104:12 [Rev], 3-112:5
impairment, 3-606:1 et seq.
right to dispose, 3-112:5
Collateral notes, 3-104:2, 3-104:5
Collection guarantee, 3-419:14 [Rev]
Commercial objectives, 3-104:1
Comparative negligence, 3-404:3 [Rev]
Compliance, 3-104:4
Conditional sales contracts,
3-104:2, 3-104:5, 3-112:1
Conditions
constructive, 3-106:4 [Rev]
express, 3-105:3, 3-106:3 [Rev]
implied, 3-105:4, 3-106:3 [Rev], 3-106:4 [Rev]
parol, 3-106:2 [Rev], 3-106:4 [Rev]
Confession of judgment clauses,
3-112:6
Conflicts
bank deposit provisions,
3-103:1, 3-103:6
secured transactions provisions,
3-103:1, 3-103:7
Consideration, 3-408
antecedent debts, 3-303:1 [Rev] et seq., 3-408:4
Construction of instruments
ambiguity
extrinsic evidence, 3-119:4, 3-119:5
terms, 3-118:1, 3-118:9
type of instrument, 3-118:3
conflicts, handwritten, typewritten and printed terms,
NEGOTIABLE INSTRUMENTS
—Cont’d
Construction of instruments
—Cont’d
3-114 [Rev], 3-114:1 [Rev]
drafts drawn on drawer, 3-118:4
extensions of time, 3-118:9
handwritten, typed and printed
terms, 3-118:5
interest rate, 3-118:7
persons signing in same capacity, liability, 3-118:8
words and numbers, 3-114:2 [Rev], 3-118:6
Construction of law, 1-103:3 [Rev]
Consumer account, 3-103:7 [Rev],
3-103:12 [Rev]
Consumer transaction, 3-103:8 [Rev]
Contract of parties
acceptors, 3-413:1, 3-413:3, 3-413:5
accommodation parties, 3-415:1 et seq.
drawers, 3-413:1, 3-413:4, 3-413:5
guarantors, 3-416
indorsers, 3-414:1, 3-414:2
makers, 3-413:1, 3-413:2, 3-413:5
Contribution, 3-415:13
Conversion, 3-419:1 et seq., 3-420 [Rev], 3-420:1 [Rev] et seq.
Damages
conversion, 3-420:7 [Rev]
presentment warranties, breach, 3-417:8 [Rev]
remotely created checks, 3-416:11 [Rev]
transfer warranties, 3-416:11 [Rev]
NEGOTIABLE INSTRUMENTS
—Cont’d
Damages—Cont’d
transfer warranties, breach, 3-416:10 [Rev]
2002 Official Amendments, 3-416:11 [Rev]
Dates, 3-114:1 et seq.
antedating, 3-113:2 [Rev], 3-114:2, 3-114:4
due, extension, 3-118:9
knowledge of antedating or postdating, 3-114:5
omission, 3-113 [Rev], 3-113:1 [Rev]
overdue instruments, 3-114:5
postdating, 3-113:2 [Rev], 3-114:2, 3-114:3
presumptions, 3-114:6
Defenses
accommodation parties,
3-304:8, 3-415:6 et seq.
burden of proof, 3-307:5
claims of other parties, 3-306:3
consideration
antecedent debts, payment, 3-408:4
failure, 3-113:1, 3-306:6, 3-408:2
lack, 3-306:6, 3-408:3
contract defenses, 3-306:5
delivery, nonperformance of condition precedent,
3-306:7
discharge, 3-602:1
duress, 3-305:3 [Rev]
fraud, 3-201:4
fraud in the factum, 3-305:4 [Rev]
fraud in the inducement, compare, 3-305:4 [Rev]
holders, 3-306:4
holders in due course, 3-302:2
illegality, 3-305:3 [Rev]
icapacity, 3-305:3 [Rev]
NEGOTIABLE INSTRUMENTS
—Cont’d
Defenses—Cont’d
infancy, 3-305:2 [Rev]
insolvency proceedings, 3-305:5 [Rev]
notice, 3-201:5
  actual knowledge, 3-304:3
  completion of incomplete instruments, 3-304:10, 3-304:11
denial of holder in due course status, 3-304:1, 3-304:2
discharge, 3-304:9
dishonor, 3-304:12
duty to inquire, 3-304:5
executory promises, 3-304:7
forth instruments, 3-304:11
forgotten notice doctrine, 3-304:15
inferable knowledge test, 3-304:5
irregular instruments, 3-304:11
organization, 3-304:14
overdue instruments, 3-304:12
receipt of notification, 3-304:4
separate agreements, 3-304:7
time of notice, 3-304:13
parol evidence, 3-119:6
presentment warranties, 3-417:7 [Rev]
real, 3-305:4 to 3-305:7
refuting, 3-307:6
restrictive indorsements, payments in violation, 3-306:8
setoffs, 3-306:5
theft, 3-306:8
Definite time
acceleration clauses, 3-109:4

NEGOTIABLE INSTRUMENTS
—Cont’d
Definite time—Cont’d
after date, 3-109:3
after sight, 3-109:3
determination, 3-109
extensions, 3-109:5
Definitions, 3-102:1, 3-102:12, 3-103 [Rev], 3-103:1 [Rev] et seq., 4-104:3
Delivery
actual, 3-102:3, 3-105:2 [Rev]
beyond control, 3-105:2 [Rev]
conditional, 3-306:7
defense, 3-102:4
constructive, 3-102:3, 3-105:2 [Rev]
defenses, 3-105:3 [Rev]
failure as defense, 3-102:4
intent, 3-105:2 [Rev]
mail, 3-102:6, 3-105:2 [Rev]
nondelivery as defense, 3-102:4
remitters, 3-102:5
special purposes, 3-306:7
Demand instruments
causes of action, accrual, 3-108:3
payments, 3-108
postdated instruments, 3-108:2
time not stated, 3-108:3
Destroyed, 3-804:1 et seq.
Discharge
generally, 3-502:3 to 3-502:6, 3-601:1 et seq., 3-602:1
accommodation parties, 3-605:1 [Rev] et seq.
altered instruments, 3-407:2 et seq.
cancellation, 3-604:1 [Rev] et seq., 3-605:1 et seq.
impairment of recourse or collateral, 3-606:1 et seq.
indorsers, 3-605:1 [Rev] et seq.
notice to purchasers, 3-304:9
NEGOTIABLE INSTRUMENTS—Cont’d

Discharge—Cont’d

payment, 3-602 [Rev], 3-602:1 [Rev] to 3-602:4 [Rev],
3-603:1 et seq.
renunciation, 3-604:1 [Rev] et seq., 3-605:1 et seq.
satisfaction, 3-603:1 et seq.
tender of payment, 3-603 [Rev],
3-603:1 [Rev] to 3-603:4 [Rev], 3-604:1 to 3-604:4
2002 Official Amendments,
3-605:9 [Rev]
underlying obligations, 3-601:1 [Rev]
to 3-601:3 [Rev], 3-802:6
Discount rates, 3-104 [Rev],
3-104:1, 3-104:1 [Rev]

Dishonor

generally, 3-304:1 [Rev],
3-507:1 et seq., 3-508:1 et seq.
action on underlying obligation,
3-802:5
checks, 3-502:3 [Rev]
conditions precedent, 3-502 [Rev], 3-502:1 [Rev]
delay, 3-502:2 [Rev]
evidence, 3-510:1 et seq.
excused, 3-511:1 et seq.
otice, 3-503:1 [Rev] to 3-503:4 [Rev]
proof, 3-505:1 [Rev] to 3-505:4 [Rev]
waiver, 3-511:1 et seq.
Documents of title, 3-103:3

Double forgery, 3-404:5 [Rev]

Drafts

generally, 3-103:3 [Rev]
international sight drafts
consequences, 3-701:2
letters of advice, 3-701:1
negotiable order of withdrawal (NOW), 3-104:21

NEGOTIABLE INSTRUMENTS—Cont’d

Drafts—Cont’d

personal money orders, 3-409:2
post office money orders,
3-104:21
presentment, 3-501:5
set of parts
formal requirements, 3-801:2
liability, 3-801:3
negotiation, 3-801:1
payments, 3-801:1
priorities, 3-801:1, 3-801:3
title, 3-801:3
trade acceptances, 3-104:21

Drawers

discharge, 3-502:4
incomplete instruments,
3-413:4
ordinary care, 3-406:5 [Rev]
Duress, 3-202:5 [Rev], 3-305:5
Electronic transfers, 4-104:2
Enforcement, 3-301 [Rev],
3-301:1 [Rev]

Estoppel, signatures, 3-403:3 [Rev]

Evidence

extrinsic, 3-117 [Rev], 3-117:1 [Rev], 3-117:3 [Rev] to 3-117:5 [Rev], 3-119:4
parol, 3-117:3 [Rev], 3-117:5 [Rev], 3-119:6
Exclusions, 3-102:2 [Rev]
Extensions, 3-108:7 [Rev]
Failure, 3-408:2 to 3-408:4
Federal common law, 3-102:3 [Rev]

Federal government

instruments, negligence,
3-406:15 [Rev]
obligations, 3-103:5
Federal preemption, 3-102:7 [Rev]

Fictitious payees, 3-404:1 [Rev], 3-404:2 [Rev]
NEGOTIABLE INSTRUMENTS
—Cont’d

Fiduciary breach of duty, 3-307:1 [Rev] to 3-307:5 [Rev]
Fixed amount, 3-104:7 [Rev]
sum certain, 3-104:10, 3-106:1 et seq.
Foreign currency, 3-107:1 [Rev]

Formal requirements

generally, 3-104:1 et seq.
additional terms, 3-104:14, 3-112:1
clear equivalent language, 3-104:6
fixed amount, 3-104:7 [Rev]
orders to pay, 3-102:7, 3-103:3 [Rev], 3-104:6 [Rev], 3-104:9
payable
definite time, 3-104:9 [Rev], 3-104:12, 3-108:1 [Rev]
on demand, 3-104:12, 3-108:1 to 3-108:3
money, 3-104:8 [Rev], 3-104:11
order or bearer, 3-104:10 [Rev], 3-104:13
words of description, 3-117:1 to 3-117:5
payments limited to a particular fund, 3-105:5
promises to pay
generally, 3-102:10, 3-104:9, 3-104:14
constructive conditions, 3-105:4
express conditions, 3-105:3
implied conditions, 3-105:4
payment limited to a particular fund, 3-105:5
references to other agreements, 3-105:2
unconditional, 3-103:3 [Rev], 3-103:4 [Rev], 3-104:1 [Rev], 3-104:6 [Rev],

NEGOTIABLE INSTRUMENTS
—Cont’d

Formal requirements—Cont’d
promises to pay—Cont’d 3-105:1 et seq.
signatures, 3-104:5 et seq.
sum certain
generally, 3-104:10, 3-106:1
attorneys’ fees, 3-106:6
collection costs, 3-106:6
determination from instrument, 3-106:2
discounts, 3-106:4
exchanges, 3-106:5
fixed amount, 3-104:7 [Rev]
illegal terms, 3-106:7
interest, 3-106:2, 3-106:3
terms
generally, 3-104:6
additional, 3-112:1
collateral, 3-112:5
confession of judgment clauses, 3-112:6
full satisfaction clauses, 3-112:8
illegal, 3-112:2
omissions, 3-112:4
unauthorized, 3-112:3
waiver of protective statutes, 3-112:7
writing
generally, 3-104:7
electronic fund transfers, 3-104:3 [Rev], 3-104:4 [Rev], 3-104:7
Four corners, 3-104:3 [Rev]
Good faith, objective standard, 3-103:5 [Rev]
Guarantees, 3-416:2
Holder in Due Course Rule, 3-302:8 [Rev]
Holders
generally, 3-301:2 [Rev]

Master Index-384
NEGOTIABLE INSTRUMENTS
—Cont’d
Holders—Cont’d
claims to instruments
generally, 3-306:2
claims of other parties,
3-306:3
contract defenses, 3-306:5
defenses, 3-306:4
delivery, nonperformance of
condition precedent,
3-306:7
failure or lack of
consideration, 3-306:6
restrictive indorsements,
3-306:8
setoffs, 3-306:5
theft, 3-306:8
presentment, 3-504:4
rights, 3-301:1 et seq., 3-306:1
et seq.
Holders in due course
cancellation of instruments,
3-605:2
discharge, 3-602:1
Holder in Due Course Rule,
3-302:8 [Rev]
renunciation, 3-605:2
rights, 3-305:1 et seq.
taking for value, 3-303:1 et seq.
Illegal terms, 3-106:7, 3-112:2
Impairment of recourse or collateral,
3-606:1 et seq.
Impostors, federal common law,
3-404:4 [Rev], 3-404:6 [Rev]
Imposture by mail, 3-404:1 [Rev],
3-404:4 [Rev], 3-405:4
Incomplete, 3-115 [Rev], 3-115:1
[Rev] to 3-115:3 [Rev]
Incomplete instruments
acceptor’s liability, 3-413:3
alterations, 3-407:4 [Rev],
3-407:8
completion
authorized, 3-115:1, 3-115:2
[Rev], 3-115:4

NEGOTIABLE INSTRUMENTS
—Cont’d
Incomplete instruments—Cont’d
completion—Cont’d
unauthorized, 3-115:1,
3-115:3 [Rev], 3-115:5,
3-407:4 [Rev]
defined, 3-115:2
drawer’s liability, 3-413:4
enforcement, 3-115:2
intent, proof, 3-115:3
maker’s liability, 3-413:2
terms, 3-115:2, 3-115:6
traveler’s checks, 3-115:1
[Rev], 3-115:2

Indorsements
anomalous, 3-419:4 [Rev]
authenticity, 3-201:4 [Rev]
blank, 3-204:3, 3-204:4
employer’s liability, 3-405
[Rev], 3-405:1 [Rev] to
3-405:4 [Rev]
format, 3-201:4 [Rev]
parol evidence, 3-415:3 [Rev]
restrictive, 3-205:1 et seq.,
3-206:1 et seq.
special, 3-204:1, 3-204:2,
3-204:4
sufficiency, 3-201:4 [Rev]
unauthorized, 3-204:1 [Rev] et
seq., 3-403:1 [Rev]

Instruments payable at bank,
3-121:1 et seq.
Instruments payable through
banks, 3-120:1 et seq.
Interest, 3-112 [Rev], 3-112:1
[Rev]
Investment securities, 3-103:2,
3-104:3
Issue
generally, 3-102:2
federal government, 3-404:6
[Rev]
time, 3-102:6, 3-105:1 [Rev],
3-105:4 [Rev]

© 2018 Thomson Reuters, 12/2018
Master Index-385
NEGOTIABLE INSTRUMENTS
—Cont’d
Issuers
cashier’s check, 3-412:2 [Rev]
note, 3-412:1 [Rev]
Joint and several liability, 3-116:2 [Rev]
Joint payees, 3-116:1 et seq., Legislative history, 3-101:1
Liability
acceptors, 3-116:1 [Rev]
contribution, 3-116:2 [Rev]
discharge, 3-116:2 [Rev]
drawers, 3-116:1 [Rev]
indorsers, 3-116:1 [Rev]
joint, 3-116:2 [Rev]
makers, 3-116:1 [Rev], 3-116:2 [Rev]
several, 3-116:2 [Rev]
Lost, destroyed or stolen
adequate protection, 3-309:6 [Rev]
bank checks, 3-312:1 [Rev]
burden of proof, 3-309:2 [Rev], 3-804:2
claims, 3-312:3 [Rev] to 3-312:5 [Rev]
conversion, 3-419:2
discharge, 3-603:7
facts preventing production, 3-309:4 [Rev], 3-804:4
indorsee, 3-312:2 [Rev]
liability, 3-312:1 [Rev], 3-804:7
ownership, proof, 3-804:3
posting of security, 3-804:6
proof
burden, 3-804:2
facts preventing production of instruments, 3-804:4
ownership, 3-804:3
terms of instruments, 3-804:5
refund, 3-312:1 [Rev]
right to enforce, 3-309:3 [Rev]
right to recover, 3-312:2 [Rev], 3-804:1

NEGOTIABLE INSTRUMENTS
—Cont’d
Lost, destroyed or stolen—Cont’d
terms, 3-309:1 [Rev], 3-309:5 [Rev], 3-804:5
Makers
discharge, 3-502:5
incomplete instruments, 3-413:2
notice of dishonor, 3-501:3
Misnomers, 3-203:1 et seq.
Misspelled names, 3-203:1 et seq.
Money, foreign currency, 3-102:4 [Rev], 3-107:3
Multiple payees, 3-116:1 et seq.
Naked promise, 3-104:11 [Rev]
Names
misspelled, 3-203:1 et seq.
wrong, 3-203:1 et seq.
Negligence
generally, 3-406:6
alterations, 3-406 [Rev], 3-406:1 [Rev], 3-407:1
blank checks, 3-406:13
business practices
improper, 3-406:11 [Rev]
inadequate, 3-406:11
comparative, 3-404:3 [Rev], 3-406:2 [Rev]
employees, hiring or supervision, 3-406:12
failure to report alteration or forgery, 3-406:14
federal government instruments, 3-406:15
forged signature, 3-406:1 [Rev]
improper business practices, 3-406:11 [Rev]
inadequate business practices, 3-406:11
mailing to wrong person, 3-406:9
open spaces, 3-406:8
proximate cause, 3-406:7
reasonable care, 3-406:8

Master Index-386
NEGOTIABLE INSTRUMENTS
—Cont’d
Negligence—Cont’d
substantial contribution, 3-406:7
third-party deliveries, 3-406:10
Negotiability
additional terms, 3-112:1
collateral provisions, inclusion, 3-112:5
collection of judgment clauses, inclusion, 3-112:6
determinations, 3-104:6
drafts drawn in set of parts, 3-112:9
full satisfaction clauses, 3-112:8
illegal terms, 3-112:2
omissions of terms, 3-112:4
unauthorized terms, 3-112:3
waiver of protection statutes, inclusion, 3-112:7
words of negotiability, payable to order, 3-110
Negotiations
generally, 3-202:1
bearer instruments, delivery, 3-202:2
holders, 3-301:3
indorsements
additional language, 3-202:7
allonge, 3-202:5
placement, 3-202:5
sufficiency, 3-202:4
order instruments
delivery, 3-202:2
indorsements, 3-202:2
partial assignments, 3-202:6, 3-203:9 [Rev]
presentment, distinguished, 3-202:3
reacquisition, 3-208:1 et seq.
requirement of delivery, 3-202:2
NEGOTIABLE INSTRUMENTS
—Cont’d
Negotiations—Cont’d
rescission
effect, 3-207:1
grounds, 3-207:2 et seq.
holders in due course, 3-207:9
persons not holders in due course, 3-207:10
transferees, status as holders, 3-201:1
Nonexclusivity of Article 3, 3-104:2, 3-104:4
Nonnegotiable instruments, treatment, 3-805:1, 3-805:2
Notes
generally, 3-103:3 [Rev]
dishonor, 3-502:2 [Rev]
statute of limitations, 3-118:2 [Rev]
Notice of dishonor
generally, 3-501:1 et seq., 3-508:1 et seq.
delay, 3-502:1, 3-502:2
evidence, 3-510:1 et seq.
excused, 3-504 [Rev], 3-504:1 [Rev] et seq., 3-511:1 et seq.
waiver, 3-503 [Rev], 3-503:1 [Rev] to 3-503:4 [Rev], 3-511:1 et seq.
Omissions of terms, 3-112:4
Order instruments
generally, 3-104:13, 3-110:1
bearer distinguished, 3-109:1 [Rev], 3-109:2 [Rev], 3-110:5, 3-111:2
payees
described with reasonable certainty, 3-110:3
fictitious, 3-110:4

© 2018 Thomson Reuters, 12/2018

Master Index-387
NEGOTIABLE INSTRUMENTS
—Cont’d
Order instruments—Cont’d
payees—Cont’d
nonexistent, 3-111:3
permissible, 3-110:4
requirements, 3-104:10 [Rev], 3-109:3 [Rev], 3-110:2
Orders to pay
generally, 3-102:7
address, 3-103:3 [Rev]
alternate drawees, 3-102:9
drawee identification, 3-102:8, 3-102:9, 3-103:3 [Rev]
joint drawees, 3-102:9
Ordinary care, 3-103:6 [Rev]
Overdue
accelerated, 3-304:2 [Rev]
check, 3-304:2 [Rev]
demand, 3-304:2 [Rev]
installment, 3-304:2 [Rev]
interest payments, 3-302:11 [Rev], 3-304 [Rev], 3-304:1 [Rev], 3-304:2 [Rev]
Parol evidence
genearly, 3-117:1 [Rev], 3-117:5 [Rev]
accommodation parties
party accommodated, 3-415:12
status, 3-415:4, 3-419:12 [Rev]
additional or other terms, 3-117:3 [Rev]
ambiguous terms, 3-117:4 [Rev]
consideration, 3-408:2, 3-408:3
indorsements, order of signing, 3-414:2, 3-415:3 [Rev]
payees, 3-117:1 [Rev], 3-117:5 [Rev]
rule, 3-119:6
signatures, 3-104:5 [Rev], 3-401:4 [Rev], 3-402:1 [Rev]
Payee identification
agent, 3-110:7 [Rev]
descriptive words, 3-110:5 [Rev]
particular account, 3-110:6 [Rev]
trust, 3-110 [Rev], 3-110:1 [Rev] et seq., 3-110:8 [Rev]
Payees
multiple, 3-116:1 et seq.
no interest, 3-404:5 [Rev]
special capacity, words of description, 3-117:1 et seq.
words of description used, 3-117:1 et seq.
Payments
generally, 3-107:1 et seq., 3-603:1 et seq.
exceptions, 3-311:3 [Rev] to 3-311:5 [Rev]
finality, 3-418:1 et seq.
full, 3-311:2 [Rev]
place, 3-108:1 [Rev] et seq., 3-111:1 [Rev]
Perfection, special rules, 9-312:1 [Rev], 9-312:3 [Rev]
Personal money orders, 3-104:17 [Rev], 3-104:20, 3-401:3 [Rev], 3-401:8, 3-409:2
Pleadings, complaints, 3-104:1
NEGOTIABLE INSTRUMENTS
—Cont’d
Possession, 3-301:6
Postdated, notice of claims or defenses, 3-304:11
Prepayment clauses, 3-108:6 [Rev]
Presentment generally, 3-501:1 et seq.
delay, 3-502:1, 3-502:2
dishonor, 3-507:1 et seq.
excused, 3-504 [Rev], 3-504:1 [Rev] et seq., 3-511:1 et seq.
procedures, 3-504:1 et seq.
rights of party to whom made, 3-505:1 et seq.
time, 3-503:1 et seq.
waiver, 3-511:1 et seq.
Prima facie case, 3-308:2 [Rev], 3-417:12 [Rev]
Principal obligor, 3-103:9 [Rev]
Priorities of possessors, 9-309:1
Problems with Article 3, 3-101:1
Promises to pay generally, 3-102:10
acknowledgment, compare, 3-103:4 [Rev]
constructive conditions, 3-105:4
express conditions, 3-105:3
implied conditions, 3-105:4
payment limited to a particular fund, 3-105:5
references to other agreements, 3-105:2
required statement, effect, 3-106 [Rev], 3-106:1 [Rev]
unconditional, 3-103:3 [Rev], 3-104:1 [Rev], 3-104:11 [Rev], 3-105:1 et seq., 3-108:2 [Rev], 3-417:12 [Rev]
Promises to pay—Cont’d
Protection of purchasers, 9-309:1, 9-331:1 [Rev]
Protests, 3-509:1 et seq.
Reacquisition, 3-207 [Rev], 3-207:1 [Rev] to 3-207:3 [Rev], 3-208 discharge, 3-601:5
Record, 3-103:10 [Rev]
Recourse, impairment, 3-606:1 et seq.
Remitters, 3-103:2 [Rev]
Remotely created checks
damages, 3-416:11 [Rev]
presentment warranties, 3-417:14 [Rev]
consumer item, 3-103:11 [Rev]
Renunciation, 3-604:1 [Rev] et seq., 3-605:1 et seq.
Representments, 3-507:6
Restrictive indorsements generally, 3-205:1 et seq.
conversion, 3-419:8
effect, 3-206:1 [Rev] et seq., 3-206:1 et seq.
Scope generally, 3-101:1, 3-103:1
documents of title, 3-103:3
development securities, 3-103:2
money, 3-101:1 [Rev], 3-102:1 [Rev], 3-103:4
Sealed instruments, 3-113:1
Secondary obligors, 2002 Official Amendments, 3-605:10 [Rev]

 © 2018 Thomson Reuters, 12/2018  Master Index-389
NEGOTIABLE INSTRUMENTS
—Cont’d
Secondary parties, 3-102:11
Secured transactions, 3-102:6 [Rev]
Separate agreements
  generally, 3-117:1 [Rev]
  effect, 3-119:1, 3-119:2
  extrinsic evidence, 3-119:1
  holders in due course, 3-119:3
  same transaction tests, 3-119:2
  writing requirements, 3-119:2
Short title, 3-101 [Rev]
Signatures
  generally, 3-401:1
  acceptors, 3-401:6
  agents, liability, 3-403:2 et seq.
  allonge, 3-204:3 [Rev], 3-401:5
  assumption agreements, 3-401:2 [Rev], 3-401:4
  authority, 3-401:2, 3-402:1 [Rev]
  authorized representatives, 3-403:1
  capacity, 3-401:4 [Rev], 3-401:9
  guaranty, 3-401:2 [Rev], 3-401:4
  impostors, 3-405:1 et seq.
  intervening holders of bearer instruments, liability, 3-401:7
  liability of agents, 3-402:2 [Rev]
  location, 3-401:9
  personal money orders, 3-401:8
  pleading requirements, 3-308:2 [Rev]
  presentments, 3-417:11 [Rev]
  proof, 3-308:1 [Rev], 3-401:9
  unauthorized
    generally, 3-401:2
    estoppel, 3-404:3

NEGOTIABLE INSTRUMENTS
—Cont’d
Signatures—Cont’d
unauthorized—Cont’d
  liability, 3-403:4 [Rev], 3-404:1, 3-404:4
  preclusion, 3-404:3
  ratification, 3-403:1 [Rev] to 3-403:4 [Rev], 3-404:2
  unnamed principal, 3-401:1 [Rev], 3-401:3
Special indorsements, 3-205 [Rev], 3-205:1 [Rev], 3-205:2 [Rev]
Statute of limitations
  accepted drafts, 3-118:5 [Rev]
  certificates of deposit, 3-118:4 [Rev]
  drafts, 3-118:3 [Rev], 3-118:5 [Rev]
  notes, 3-118 [Rev], 3-118:1 [Rev], 3-118:2 [Rev], 3-118:3 [Rev]
Stolen, 3-804:1 et seq.
Sum certain, foreign currency, 3-107:3
Taking for value, 3-303:1 [Rev] et seq.
Tender of payment, 3-604
Terms
  ambiguous, 3-118:1 et seq.
  collateral, 3-104:12 [Rev]
  effect on negotiability, 3-112:1
  full satisfaction clauses, 3-112:8
  illegal, 3-104:11 [Rev]
  missing, 3-104:3 [Rev], 3-104:6
  omissions, 3-104:11 [Rev]
  unauthorized, 3-104:6, 3-104:11 [Rev]
  waiver of protective statutes, 3-104:11 [Rev], 3-112:7
Third party claim, 3-305:9 [Rev]
Trade acceptances, 3-501:5

Master Index-390
NEGOTIABLE INSTRUMENTS
—Cont’d
Transfers
generally, 3-201:1 [Rev] et seq.
transferees rights, 3-203 [Rev],
3-203:1 [Rev] et seq.
waarranties, 3-416 [Rev],
3-416:1 [Rev] et seq.
2002 Official Amendments
burden of persuasion, 3-605:9
[Rev]
burden of proof, 3-605:15
[Rev]
consent, 3-605:9 [Rev]
defenses, 3-605:10 [Rev]
discharge of secondary obligors,
3-605:9 [Rev]
estoppel, 3-605:16 [Rev]
extensions of time, 3-605:9
[Rev], 3-605:11 [Rev],
3-605:13 [Rev]
impairment of collateral,
3-605:9 [Rev], 3-605:11
[Rev], 3-605:18 [Rev]
modifications, 3-605:9 [Rev],
3-605:11 [Rev], 3-605:14
[Rev]
official text, 3-605:10 [Rev]
presentment warranties,
3-417:14 [Rev]
releases, 3-605:9 [Rev],
3-605:11 [Rev], 3-605:12
[Rev]
reservation of rights, 3-605:17
[Rev]
secondary obligors, 3-605:9
[Rev] et seq
transfer warranties, 3-416:11
[Rev]
waiver, 3-605:16 [Rev]

UNDERLYING OBLIGATIONS—Cont’d

United States
liability, federal common law,
3-406:15
negligence, 3-406:15

Unnamed principal, liability,
3-401:3
Value, 3-408:1

Warranties
article 4, relationship, 4-207:2
presentment, 3-417 [Rev],
3-417:1 [Rev] et seq.,
3-417:1 to 3-417:10
transfers, 3-416 [Rev], 3-416:1
[Rev] et seq., 3-417:11 et seq.

Writing, 3-104:4 [Rev]
Wrong names, 3-203:1 et seq.

NEGOTIABLE SECURITIES

Holders’ rights, 8-105:5
Negotiability, 8-105:1
Signatures, 8-105:5

NEGOTIATION
See also Transfers

© 2018 Thomson Reuters, 12/2018
NEGOTIATION—Cont’d

Absence, rights of transferees, 7-504:1

Bearer instruments
delivery, 3-202:2
indorsements, 3-205:1 [Rev]

Bills of lading
indorsement and delivery, 7-501:1 [Rev]
requirements, 7-501:1

Checks, 3-104:1 [Rev]

Delivery requirements, 3-202:2

Foreign currency, 3-107 [Rev], 3-107:1 [Rev]

Holders, 3-301:3
status, 3-201:1 [Rev], 3-202:1, 3-301:2 [Rev]

Indorsements
additional language, 3-202:7
allonge, 3-202:5, 3-204:3 [Rev], 3-401:5
alternative payees, 3-110:2 [Rev], 3-110:3 [Rev]
anomalous, 3-205:1 [Rev]
authenticity, 3-201:4 [Rev]
blank, 3-205:1 [Rev] to 3-205:4 [Rev]
conditional, 3-206:3 [Rev]
conversion from blank to special, 3-205:4 [Rev]
custom, 3-204:2 [Rev]
fictitious payee, 3-404:1 [Rev]
format, 3-201:4 [Rev]
impostor, 3-404:1 [Rev], 3-404:4 [Rev]
joint payees, 3-110:2 [Rev], 3-110:3 [Rev], 3-110:4 [Rev]
location, 3-204:2 [Rev]
names
improper designation, 3-204:4 [Rev]
similarity, 3-404:2 [Rev]
necessity, 3-203:7 [Rev], 3-203:8 [Rev]

Indorsements—Cont’d

partial assignment, 3-203:9 [Rev]

payee identification, 3-110:1 [Rev]

placement, 3-202:5

prohibit further negotiation, 3-206:4 [Rev]

restrictive, 3-205:3 [Rev], 3-206 [Rev], 3-206:1 [Rev], 3-206:2 [Rev], 3-206:4 [Rev] to 3-206:8 [Rev]
special, 3-205:1 [Rev], 3-205:2 [Rev], 3-206:4 [Rev]
sufficiency, 3-201:4 [Rev], 3-202:4
trade usage, 3-204:2 [Rev]

Interest, 3-112 [Rev], 3-112:1 [Rev]

Order instruments
delivery, 3-202:2
indorsements, 3-202:2, 3-205:1 [Rev]

Partial assignments, 3-202:6

Presentment, distinguished, 3-201:3 [Rev], 3-202:3
Reacquisition, 3-207:1 [Rev] to 3-207:3 [Rev], 3-208:1
Requirements, 3-103:3 [Rev]

Recission, 3-207:1 grounds

agent exceeding authority, 3-202:4 [Rev]
breach of duty, 3-202:8 [Rev], 3-207:8
capacity, lack, 3-202:3 [Rev]
corporation exceeding powers, 3-202:4 [Rev], 3-207:4
duress, 3-202:5 [Rev], 3-207:5
fraud, 3-202:6 [Rev], 3-207:6

Master Index-392
NEGOTIATION—Cont’d
Recission, 3-207:1—Cont’d
grounds—Cont’d
illegal contract, 3-202:7
[Rev], 3-207:7
infancy, 3-202:2 [Rev],
3-207:2
lack of capacity, 3-207:3
mistake, 3-202:5 [Rev],
3-207:5
ultra vires, 3-202:1 [Rev],
3-207:4
holders in due course, 3-202:1
[Rev], 3-202:9 [Rev],
3-202:10 [Rev], 3-207:9
persons not holders in due
course, 3-207:10
possession, instrument,
3-202:10 [Rev]
Rights acquired, 7-502:1
Title to document, exceptions,
7-502:1
Transfer
delivery, 3-203:2 [Rev]
intent, 3-201:1 [Rev], 3-201:2
[Rev], 3-203:2 [Rev]
Transferee
rights, 3-203:1 [Rev], 3-203:3
[Rev] to 3-203:6 [Rev]
shelter provision, 3-203:4
[Rev], 3-203:5 [Rev]
status, 3-203:1 [Rev], 3-203:3
[Rev]
Transferees’ status, 3-201:1
Warehouse receipts
delivery, 7-501:1 [Rev]
requirements, 7-501:1
Warranties, 7-507:1
NEW PAYMENTS CODE
Damages rules, 4-103:8
Drafting history
generally, 4-101:25
proposed changes in rules for
consumers, 4-101:26,
4-101:27
NEW PAYMENTS CODE—Cont’d
Unauthorized signatures, 4-406:10
Wrongful dishonor provisions,
4-402:2
1977 AMENDMENTS
Actions for price, 8-107:5
Adverse claims, notices, 8-403:6
Agents
liabilities, 8-318:5
warranties, 8-208:5
Alteration of instruments, 8-206:3
Assurances, effectiveness of
endorsements, 8-402:7
Attachments, 8-317:7 et seq.
Authenticating trustees
duties, 8-406:5
warranties, 8-208:5
Bailee’s liability, 8-318:5
Bona fide purchasers, 8-302:7
Book entry transfers, 8-320:7
Brokers, 8-303:4
Certificated securities, 8-101:4,
8-105:7
Completion of instruments,
8-206:3
Conflict of law rules, 8-106:4
Definitions, 8-102:8
Delivery, 8-313:7, 8-314:4
Destroyed securities, 8-405:5
Effect, 8-101:3
Exchange of securities
generally, 8-407:1
certificated for uncertificated,
8-407:3
class, 8-407:2
uncertificated for certificated,
8-407:4
Indorsements
generally, 8-307:3, 8-308:10
bearer form, 8-310:2
unauthorized, 8-311:4
without delivery, 8-309:3
1977 AMENDMENTS—Cont’d
Issuers
generally, 8-201:8
defenses, staleness, 8-203:5
liens, 8-103:1, 8-103:2
treatment of registered owners
of securities, 8-207:1
Levies, 8-317:7 et seq.
Lost securities, 8-405:5
Notice of adverse claims
generally, 8-304:5
staleness, 8-305:3
Overissued securities, 8-104:5
Pledges, 8-320:7
Purchasers’ rights on delivery,
8-301:7
Registrars
duties, 8-406:5
warranties, 8-208:5
Registration
liability, 8-404:5
transfers, 8-401:5
Requisites for transfers, 8-316:3
Restrictions on transfers, 8-204:6
Signatures, unauthorized, 8-205:5
Statute of frauds, 8-319:10
Stolen securities, 8-405:5
Terms, 8-202:8
Transfer agents
duties, 8-406:5
warranties, 8-208:5
Transfers
registration, 8-401:5
requisites, 8-316:3
restrictions, 8-204:6
wrongful, 8-315:5
Uncertificated securities
generally, 8-101:4, 8-105:7
definition, 8-102:10
exchanges, 8-407:3, 8-407:4
notices, 8-408:1
statements, 8-408:2
Warranties, 8-208:5, 8-306:7,
8-312:8

1952 CODE
History, 1-101:1 [Rev]
Territorial applicability and gen-
eral rules, 1-302:1 [Rev]

1962 CODE
History, 1-101:1 [Rev]

1972 CODE
Construction and interpretation,
1-103:10 [Rev]
History, 1-101:1 [Rev]

1994 REVISION
Bona fide purchasers, definition,
8-303:9 [Rev]
Completion or alteration of
uncertificated securities,
8-206:2 [Rev]
Good faith, definition, 8-303:10
Issuer’s liens, uncertificated secu-
rities, 8-209:2 [Rev]
Protected purchasers, 8-303:9
[Rev]
Purchasers rights, 8-302:3 [Rev]
Signature effectiveness,
uncertificated securities,
8-208:2 [Rev]
Unauthorized signatures, uncerti-
fied securities, 8-205:2 [Rev]

NOMINAL CONSIDERATIONS
Construction and interpretation,
1-103:3 [Rev]

NOMINAL DEFINITIONS
Construction and interpretation,
1-103:4 [Rev]

NON-CODE LAW
Securities intermediaries, other
statute or regulation, 8-509
[Rev]

NONCOMPETITION
AGREEMENTS
Generally, UCITA 105:11
NONCONFORMING GOODS
  Acceptance, notice, 2-607:3
  Access, 2-515:1
  Resale rights, 2-515:1
  Revocation of acceptance generally, 2-608:1
    buyer’s obligation for goods after revocation, 2-608:3
  conditions, 2-608:1
  continued use by buyer after revocation, 2-608:3
  Convention on International Sale of Goods, 2-608:1
    time limits, 2-608:2
  Rightful rejection, 2-602
  Sanctions, 2-515:1
  Testing rights, 2-515:1
  Third party inspections or surveys, 2-515:2
  2003 and 2005 amendments, 2-515:3

NON-CONSENSUAL RIGHTS AND INTERESTS
  Cape Town Convention, this index

NONDEBTOR OWNERS
  Losses, right to recover, 9-112:3
  Notice rights, 9-112:3
  Redemption rights, 9-112:5, 9-506:2
    Secured parties’ noncompliance, right to proceed against, 9-112:6
  Strict foreclosure rights, 9-112:4
  Surplus rights, 9-112:2

NON-GIFT, NON-PAYROLL PREPAID DEBIT CARDS
  Enforcement
    generally, NONUCCPY 7:62 to 7:64
    federal law, NONUCCPY 7:62
    state law, NONUCCPY 7:63
    statutes and rules, NONUCCPY 7:62, 7:63

NONINFRINGEMENT WARRANTY
  Warranties, this index
NONINTERFERENCE
Warranty of, UCITA 401:6

NON-UCC PAYMENT
METHODS
Generally, NONUCCPY 1:1
ACH Transfers, this index
Agreements. Regulation of charges, agreements and practices, below
Amount in controversy. ECCHO Electronic Check Presentment, this index
Bitcoin, virtual currencies, NONUCCPY 1:27
Breaches of warranty. Error prevention and resolution, below
Challenges to the appointment of CFPB’s director, NONUCCPY 1:26
Charge cards. Credit Card Transfers, this index
Charges and fees. Regulation of charges, agreements and practices, below
Checks, this index
Commencement or initiation. ECCHO Electronic Check Presentment, this index
Consumer, defined, NONUCCPY 2:17
Counterfeit check disputes
ECCHO Electronic Check Presentment, this index
ECCHO error resolution rules, NONUCCPY 5:21
Credit, defined, NONUCCPY 2:15
Credit Card Transfers, this index
Creditor, defined, NONUCCPY 2:16
Criminal liability credit card transfers, willful and knowing violation [15 U.S.C.A. § 1611],

NON-UCC PAYMENT
METHODS—Cont’d
Criminal liability—Cont’d
NONUCCPY 7:10
debit card and payroll card transfers [15 U.S.C.A. § 1693n], NONUCCPY 7:4
Debit Card Transfers, this index
Disclaimers. ECCHO Electronic Check Presentment, this index
Disclosure and evidence of transfers generally, NONUCCPY 3:1 et seq.
ACH Transfers, this index
annual percentage rate in oral disclosures, NONUCCPY 3:23
basic open end credit disclosures, NONUCCPY 3:25
Credit Card Transfers, this index
Debit Card Transfers, this index
documentation of debit card transfers, NONUCCPY 3:4 to 3:6
ECCHO Check Presentment, this index
exceptions to use of annual percentage rate in oral disclosures, NONUCCPY 3:23
exemption, credit card transfers, NONUCCPY 3:24
15 U.S.C.A. § 1693c,
NONUCCPY 3:2
15 U.S.C.A. § 1693d,
NONUCCPY 3:4
gift cards, NONUCCPY 3:39
guidelines for disclosure, NONUCCPY 3:17
open end consumer credit plans, NONUCCPY 3:21, 3:22

Master Index-396
Disclosure and evidence of transfers—Cont’d
PayPal, NONUCCPY 3:40
preemption, credit card transfers, NONUCCPY 3:24
principal dwelling of consumer as security, disclosure requirements for open end consumer credit plans, NONUCCPY 3:22
rescission right as to certain transactions, NONUCCPY 3:20
statutes and rules
ACH transfers, NONUCCPY 3:32
credit card transfers, NONUCCPY 3:17 to 3:23
debit card transfers, NONUCCPY 3:1 et seq.
ECCHO check presentment, NONUCCPY 3:37
stored value, NONUCCPY 3:37
Stored Value and Other Methods, this index
terms and conditions of debit card transfers, NONUCCPY 3:2, 3:3
12 C.F.R. §§ 1005.4 et seq., NONUCCPY 3:3
virtual currency markets, NONUCCPY 3:41
Dodd Frank Restoring American Financial Stability Act, NONUCCPY 1:25
Drafts, historical background, NONUCCPY 1:3
ECCHO Electronic Check Presentment, this index
ECCHO Transfers, this index

Electronic fund transfers, generally
definitions, NONUCCPY 2:2 to 2:5
historical background, NONUCCPY 1:6 et seq.
Enforcement generally, NONUCCPY 7:1 to 7:84
ACH Transfers, this index
administrative enforcement credit card transfers [15 U.S.C.A. § 1607], NONUCCPY 7:9
debit card and payroll card transfers [15 U.S.C.A. § 1693o], NONUCCPY 7:5
civil liability credit card transfers [15 U.S.C.A. § 1640], NONUCCPY 7:12
debit card and payroll card transfers [15 U.S.C.A. § 1693m], NONUCCPY 7:3
Credit Card Transfers, this index
Criminal liability, above
Debit Card and Payroll Card Transfers, this index
ECCHO Electronic Check Presentment, this index
error resolution in debit card and payroll card transfers, NONUCCPY 7:1
15 U.S.C.A. § 1607, NONUCCPY 7:9
15 U.S.C.A. § 1611, NONUCCPY 7:10
NON-UCC PAYMENT
METHODS—Cont’d
Enforcement—Cont’d
15 U.S.C.A. § 1644,
NONUCCPY 7:13
15 U.S.C.A. § 1649,
NONUCCPY 7:14
15 U.S.C.A. § 1666a,
NONUCCPY 7:15
15 U.S.C.A. § 1693f,
NONUCCPY 7:1
15 U.S.C.A. § 1693h,
NONUCCPY 7:2
15 U.S.C.A. § 1693m,
NONUCCPY 7:3
15 U.S.C.A. § 1693n,
NONUCCPY 7:4
15 U.S.C.A. § 1693o,
NONUCCPY 7:5
fraudulent use of credit cards,
NONUCCPY 7:13
Gift Cards, this index
Home Banking, this index
liability of financial institutions,
debit card and payroll card
transfers, NONUCCPY 7:2
Mobile Payments, this index
1974 Uniform Consumer Credit
Code and other state laws
generally, NONUCCPY 7:16
to 7:18
Oklahoma statutes annotated,
NONUCCPY 7:17
Vermont statutes annotated,
NONUCCPY 7:18
Non-Gift, Non-Payroll Prepaid
Cards, this index
online interstate lending,
NONUCCPY 1:28
PayPal, this index
penalties for fraudulent use of
credit cards [15 U.S.C.A.
§ 1644], NONUCCPY 7:13

NON-UCC PAYMENT
METHODS—Cont’d
Enforcement—Cont’d
regulation of credit reports [15
U.S.C.A. § 1666a],
NONUCCPY 7:15
right of rescission as to certain
credit card transactions [15
U.S.C.A. § 1635],
NONUCCPY 7:11
Section XIV. ECCHO
Electronic Check Present-
ment, this index
Section XIX(N). ECCHO
Electronic Check Present-
ment, this index
Section XIX(O). ECCHO
Electronic Check Present-
ment, this index
Section XIX(P). ECCHO
Electronic Check Present-
ment, this index
statutes and rules, below
Stored Value and Other
Methods and Systems, this
index
Error prevention and resolution
generally, NONUCCPY 5:1 to
5:44
ACH Transfers, this index
breaches of warranty
forged and counterfeit check
warranties, ECCHO
rules for error resolu-
tion, NONUCCPY 5:14, 5:21
remotely created checks,
ECCHO rules for error
resolution,
NONUCCPY 5:13
contractual dispute resolution
through PayPal’s dispute
resolution center,
NONUCCPY 5:30
correction of billing errors in
credit card transfers [15
UNIFORM COMMERCIAL SERIES
Master Index-398
Credit Card Transfers, this index
Debit Card and Payroll Card Transfers, this index
documentation of debit and payroll card transfers [15 U.S.C.A. § 1693d],
NONUCCPY 5:2
ECCHO rules for error resolution
generally, NONUCCPY 5:17
federal law, relation of ECCHO Rules to,
NONUCCPY 5:15
operating rules and commentary
dispute resolution for breaches of warranty for remotely created checks, NONUCCPY 5:13
error resolution procedures for claims for breach of forged and counterfeit check warranties, 5:14
general dispute resolution under ECCHO rules,
NONUCCPY 5:12
Operating Rule XIV,
NONUCCPY 5:12
Operating Rule XIX(N),
NONUCCPY 5:13
Operating Rule XIX(O),
NONUCCPY 5:14
preemption of Alteration Rule XI(P),
NONUCCPY 5:18
Section XIV, general dispute resolution,
NONUCCPY 5:19
Section XIX(N), remotely created check resolution,
NONUCCPY 5:20
specific ECCHO error resolution rules
breach of forged and counterfeit check warranties, NONUCCPY 5:21
forged and counterfeit check dispute resolution, NONUCCPY 5:21
Regulation C, Section XIX(N) remotely created check resolution,
NONUCCPY 5:20
"remotely created checks" subject to Regulation CC, NONUCCPY 5:20
Section XIV general dispute resolution, NONUCCPY 5:19
Section XIX(N) remotely created check resolution, NONUCCPY 5:20
state law, relation of ECCHO Rules to, NONUCCPY 5:16
forged and counterfeit check dispute resolution, specific ECCHO error resolution rules, NONUCCPY 5:21
Gift Cards, this index
Home Banking, this index
Mobile Payments, this index
non-EFTA error resolution procedures, PayPal,
NON-UCC PAYMENT
METHODS—Cont’d
Error prevention and resolution
—Cont’d
NONUCCPY 5:30
other providers of mobile payments, NONUCCPY 5:38
PayPal, this index
Prepaid Debit Cards Not Payroll-Related, this index
Regulation C, ECCHO Operating Rules Section XIX(N)
remotely created check error resolution,
NONUCCPY 5:20
"remotely created checks" subject to Regulation CC,
ECCHO rules for error resolution, NONUCCPY 5:20
Section XIX(N), remotely created check error resolution,
NONUCCPY 5:20
statutes and rules
ACH transfers,
NONUCCPY 5:8
BitLicense regulations,
NONUCCPY 5:43
credit card transfers,
NONUCCPY 5:5 to 5:7
debit and payroll card transfers, NONUCCPY 5:1 to 5:4
ECCHO rules for error resolution, NONUCCPY 5:12 to 5:22
error resolution under
ECCHO rules,
NONUCCPY 5:12 to 5:16
gift cards, NONUCCPY 5:23, 5:24
home banking, NONUCCPY 5:32, 5:33
mobile payments, error resolution, NONUCCPY 5:35, 5:36
NON-UCC PAYMENT
METHODS—Cont’d
Error prevention and resolution
—Cont’d
statutes and rules—Cont’d
PayPal error resolution,
NONUCCPY 5:26, 5:27, 5:29
prepaid debit cards not payroll-related,
NONUCCPY 5:40, 5:41
Uniform Law Commission’s Regulation of Virtual Currency Business Act,
NONUCCPY 5:44
Stored Value Methods and Systems, this index
Uniform Law Commission’s Regulation of Virtual Currency Business Act,
NONUCCPY 5:44
user agreement, PayPal,
NONUCCPY 5:28, 5:29
Evidence of transfers. Disclosure and evidence of transfers, above
Exceptions, ECCHO electronic check presentment, application of ECCHO Operating Rules Section XIX(O),
NONUCCPY 7:42
Expedited recredits, ECCHO electronic check presentment,
NONUCCPY 7:47
Fees and charges. Regulation of charges, agreements and practices, this index
Forged check disputes
ECCHO Electronic Check Presentment, this index
ECCHO error resolution rules, NONUCCPY 5:21
Fraudulent use, credit card transfers, NONUCCPY 4:9
Gift Cards, this index
NON-UCC PAYMENT
METHODS—Cont’d
Historical background
generally, NONUCCPY 1:2 et seq.
California registered warrants, NONUCCPY 1:22
charge cards, NONUCCPY 1:4, 1:5
checks, NONUCCPY 1:3
credit cards, NONUCCPY 1:4, 1:5
Dodd-Frank Restoring American Financial Stability Act, NONUCCPY 1:25
drafts, NONUCCPY 1:3
ECCHO and electronic check presentment, NONUCCPY 1:23
electronic fund transfers, NONUCCPY 1:6 et seq.
gift cards, NONUCCPY 1:17
home banking, NONUCCPY 1:16
mobile financial services, NONUCCPY 1:19 to 1:21
money, NONUCCPY 1:2
other payment methods and systems, NONUCCPY 1:16 et seq.
stored value, NONUCCPY 1:17
surcharges by merchants, NONUCCPY 1:5
Home Banking, this index
Home of consumer, disclosure requirements for open end consumer credit plans secured by principal dwelling of consumer, NONUCCPY 3:22
Maximum liability. ECCHO Electronic Check Presentation, this index
Mobile Financial Services, this index
NON-UCC PAYMENT
METHODS—Cont’d
Mobile Payments, this index
Money, historical background, NONUCCPY 1:2
Non-EFTA error resolution, PayPal procedures, NONUCCPY 5:30
Non-Gift, Non-Payroll Prepaid Cards, this index
Online interstate lending, enforcement, NONUCCPY 1:28
Open end credit basic disclosures, NONUCCPY 3:25
credit card transfers, NONUCCPY 2:14
definitions, NONUCCPY 2:14
disclosure and evidence of transfers, NONUCCPY 3:21, 3:22
Other current developments, NONUCCPY 1:28
Other providers of mobile payments, error prevention and resolution, NONUCCPY 5:38
PayPal, this index
Payroll Card Transfers, this index
Practices regulation. Regulation of charges, agreements and practices, below
Prepaid Debit Cards Not Payroll-Related, this index
Regulation C. ECCHO Operating Rules Section XIX(N) remotely created check error resolution, NONUCCPY 5:20
Regulation of charges, agreements and practices
ACH Transfers, this index
Credit Card Transfers, this index
Debit Card and Payroll Card Transfers, this index
### NON-UCC PAYMENT

**METHODS—Cont’d**

Regulation of charges, agreements and practices—Cont’d

ECCHO Electronic Check Presentments, this index

- 15 U.S.C.A. § 1647(b), (c), (d), (e), **NONUCCPY 6:7**
- 15 U.S.C.A. § 1666c, **NONUCCPY 6:9**
- 15 U.S.C.A. § 1693c(b), **NONUCCPY 6:2**
- 15 U.S.C.A. § 1666d, **NONUCCPY 6:10**
- 15 U.S.C.A. § 1666e, **NONUCCPY 6:11**
- 15 U.S.C.A. § 1666f, **NONUCCPY 6:12**
- 15 U.S.C.A. § 1666g, **NONUCCPY 6:13**
- 15 U.S.C.A. § 1666h, **NONUCCPY 6:8, 6:14**
- 15 U.S.C.A. § 1666i, **NONUCCPY 6:15**
- 15 U.S.C.A. § 1693k, **NONUCCPY 6:3**

Gift Cards, this index

Home Banking, this index

Mobile Payments, this index

Non-Gift, Non-Payroll Prepaid Debit Cards, this index

PayPal, this index

### Statutes and rules

- see also specific statutes in this topic

  - ACH transfers, **NONUCCPY 7:26**
  - credit card transfers, **NONUCCPY 7:9 to 7:25**
  - debit card and payroll card transfers, **NONUCCPY 7:1 to 7:8**
  - disclosure and evidence of transfers, above
  - ECCHO electronic check presentment, **NONUCCPY 7:28, 7:29**
  - gift cards, **NONUCCPY 7:49, 7:50**
  - home banking, **NONUCCPY 7:56, 7:57**
  - mobile payments, **NONUCCPY 7:59, 7:60**
  - non-gift, non-payroll prepaid cards, **NONUCCPY 7:62, 7:63**

---

**Master Index-402**
NON-UCC PAYMENT
METHODS—Cont’d
Statutes and rules—Cont’d
PayPal, NONUCCPY 7:52 to 7:55
Stored Value and Other Methods and Systems, this index
Surcharges by merchants, NONUCCPY 1:5
Timing considerations
credit card transfers, delivery or mailing of statement not timely, NONUCCPY 6:8
ECCHO Electronic Check Presentation, this index
Unauthorized transfers generally, NONUCCPY 4:1 to 4:21
ACH transfers, this index
allocation of loss, ACH transfers, NONUCCPY 4:17
business credit cards, NONUCCPY 4:10
consumer liability for debit card transfers, NONUCCPY 4:3
Credit Card Transfers, this index
Debit Card Transfers, this index
ECCHO Transfers, this index
employee’s liability, business credit cards, NONUCCPY 4:10
federal laws limiting consumer loss, NONUCCPY 4:6
federal laws limiting liability, NONUCCPY 4:12
15 U.S.C.A. § 1602(o), NONUCCPY 4:8
15 U.S.C.A. § 1643, NONUCCPY 4:8
NON-UCC PAYMENT
METHODS—Cont’d
Unauthorized transfers—Cont’d
15 U.S.C.A. § 1693a, NONUCCPY 4:3
15 U.S.C.A. § 1693e, NONUCCPY 4:2
15 U.S.C.A. § 1693g, NONUCCPY 4:3
15 U.S.C.A. § 1693i, NONUCCPY 4:1
fraudulent use of credit card, NONUCCPY 4:9
gift cards, NONUCCPY 4:20
Home Banking, this index
issuance of credit cards, NONUCCPY 4:7
issuance of debit cards or other means of access, NONUCCPY 4:1
limitations on consumer loss, NONUCCPY 4:5, 4:6
limitations on liability, NONUCCPY 4:10, 4:12, 4:13
Mobile Financial Services, this index
PayPal, this index
penalties for fraudulent use of credit card, NONUCCPY 4:9
preauthorized debit card transfers, NONUCCPY 4:2
state laws limiting consumer loss, NONUCCPY 4:5
state laws limiting liability, NONUCCPY 4:13
statutes and rules
ACH transfers, NONUCCPY 4:14
credit card transfers, NONUCCPY 4:7 to 4:11
NON-UCC PAYMENT
METHODS—Cont’d
Unauthorized transfers—Cont’d
statutes and rules—Cont’d
debit card transfers,
NONUCCPY 4:1 to 4:4
ECCHO transfers,
NONUCCPY 4:18
home banking, NONUCCPY 4:18
mobile financial services,
NONUCCPY 4:18
PayPal, NONUCCPY 4:18
stored value, NONUCCPY 4:18
Stored Value and Other
Methods and Systems, this index
Uniform Consumer Credit Code, credit card transfers,
NONUCCPY 6:39
Uniform Law Commission’s
Regulation of Virtual Currency Business Act, error prevention and resolution,
NONUCCPY 5:44
Vermont statutes and rules. Credit Card Transfers, this index
Virtual Currency Transactions, this index
Words and phrases
consumer, NONUCCPY 2:17
credit, NONUCCPY 2:15
creditor, NONUCCPY 2:16

NOTARIZATION
Generally, UETA 11, UETA 11:1

NOTICE AND NOTICES
Generally, 1-202 [Rev], 1-202:1 [Rev]
See also Defenses; Notice of Dishonor
Acceleration of debts, 9-501:4
Actual knowledge, 1-202 [Rev]
Actual knowledge distinguished, 8-204:5

NOTICE AND NOTICES—Cont’d
Adverse claims, 8-304:1, 8-304:2
default in payments, 8-305:1
existence of fiduciary relationships, 8-304:3
factors, 8-403:2
forms, 8-403:2
nonexclusiveness, 8-403:3
issuers liability, 8-404:6 [Rev]
maturity of security, 8-305:1
New York rule, 8-304:4
1977 amendments, 8-304:5
security entitlements, 8-502:3 [Rev], 8-502:4 [Rev]
staleness, 8-305:1, 8-305:2
1977 amendments, 8-305:3
subsequent to delivery, 8-313:6
writing, 8-403:2
Agents, 8-406:4
Alterations, 4-406:5
Assignments
generally, 9-318:2, 9-318:3, 9-404:1 [Rev]
aeacy, 9-406:2 [Rev]
identification and proof of assignment, 9-406:1 [Rev]
Breach of contract
buyer’s accepting, 2-607:3, 2-714:1
failure of presupposed conditions, 2-616:1
infringement of intellectual property rights of another, 2-607:4
installment contracts, cancellation, 2-612:3
nonconforming goods, 2-607:3
revocation distinguished, 2-608:4
sellers receiving contents, 2-607:3
Convention on International Sales of Goods, 2-607:2, 2-607:3

Master Index-404
NOTICE AND NOTICES
—Cont’d
Breach of contract—Cont’d
sellers receiving—Cont’d
proper party to give, 2-607:3
timeliness, 2-607:3
Breach of warranty, 4-207:9,
4-207:19
Bulk sales
auctions, 6-108:2 [Rev]
claimants, 6-103:12 [Rev]
creditors
contents, 6-105:4 [Rev]
by filing, 6-105:3 [Rev]
format, 6-105:2 [Rev]
means of delivery, 6-105:2
[Rev]
proper time, 6-105:1 [Rev],
6-105:5 [Rev]
manner, 6-103:12 [Rev]
Bulk transfers, creditors
generally, 6-104:10, 6-105:1
10-day rule, 6-105:3
knowledge of creditor, effect,
6-105:2
long form, 6-107:1, 6-107:3
means of delivery, 6-107:4
proper means, 6-105:2
proper time, 6-105:2
short form, 6-107:1, 6-107:2
time periods, 6-105:3
Cancellation of contract, UCITA
802:7
Cape Town Convention, this index
Carrier’s liens
generally, 7-307:2
enforcement, 7-308:1
Change in Code, 1-202 [Rev]
CISG, ICC 10:46 to 10:48
Claims
generally, 7-204:5, 9-206:3,
9-206:4
bills of lading provisions,
7-309:5
requirements, 7-309:6
NOTICE AND NOTICES
—Cont’d
Collateral
disposition, 9-504:7 to
9-504:10
repossession, 9-503:2
Conflicting security interests,
9-312:4
Consumer credit contracts,
9-206:4
Contents, 2A-516:9
Deduction of damages, 2A-508:5
Default
generally, 2A-502, 2A-502:1
contents, 2A-516:9
manner, 2A-516:9
person required to give,
2A-516:7, 2A-516:8
social policies underlying
requirement, 2A-516:6
timeliness, 2A-516:5, 2A-516:6
who must provide, 2A-516:7,
2A-516:8
Defects
investment securities, 8-203:2
revoked calls, 8-203:4
Defenses
generally, 8-203:2, 9-206:3,
9-206:4
revoked calls, 8-203:4
Definition, 4-406:5, 8-406:4
Destroyed securities, 8-405:2
Direct sale, 6-103:4 [Rev]
Discover, 1-202 [Rev]
Dishonor, 4-210:2
Disposal of collateral
private sales, 9-504:10
public sales, 9-504:10
state retail installment sales act
requirements, 9-504:9
Enforcement of carrier’s liens,
7-308:1
Filing system, 6-109:1 [Rev]
Forgeries, unauthorized
signatures, 4-406:5

© 2018 Thomson Reuters, 12/2018 Master Index-405
NOTICE AND NOTICES
—Cont’d
Funds transfers
beneficiary of acceptance of payment order, 4A-404:4
erroneous execution of payment order, 4A-304:2
unauthorized payment orders, 4A-204:5
Guarantor, status of debtor, 9-504:9
Higher values, declarations, 7-309:10
Holderns in due course
actual knowledge, 3-302:12 [Rev]
authenticity of instrument, 3-302:20 [Rev]
claims, 3-302:18 [Rev]
defenses, 3-302:18 [Rev]
discharge, 3-302:19 [Rev]
due diligence test, 3-302:16 [Rev]
forgotten notice doctrine, 3-302:17 [Rev]
incomplete instrument, 3-302:20 [Rev]
irregular instrument, 3-302:20 [Rev]
reason to know, 3-302:14 [Rev]
receipt of notification, 3-302:1 [Rev], 3-302:11 [Rev], 3-302:13 [Rev]
Installment lease contracts, cancellation, 2A-510:6
Intellectual property notices, UCITA 105:10
International commercial conventions, Cape Town Convention, this index
Issuers’ defenses, 8-203:2
Learn, 1-202 [Rev]
Leases, default, 2A-502:1
Limitation of liability clauses, 7-309:10

NOTICE AND NOTICES
—Cont’d
Liquidation sale, 6-103:4 [Rev], 6-108:2 [Rev]
Lost securities, 8-405:2
Manner, default, 2A-516:9
Model Tribal Secured Transactions Act, this index
Negotiable instruments
actions over, 3-119:1 [Rev], 3-803:1
dishonored instruments, 3-304:1 [Rev]
overdue instruments, 3-304:1 [Rev]
Nonconforming goods, rightful rejection, 2-602:1
Nondonor owners’ rights, 9-112:3
Nonpaymen, 4-210:2, 4-501:3
Notification defined, 1-202 [Rev]
Notifies defined, 1-202 [Rev]
Objections to strict foreclosures, 9-505:7
Official Code text and comments, 1-202 [Rev]
Option to accelerate at will, 1-309:1 [Rev]
Payments to secured parties, 9-502:2
Performance
copies, notice of breach of contract, UCITA 610
termination of contract generally, UCITA 617
form of notice, UCITA 617:1
ordinary licenses, notice requirement, UCITA 617:3
standards for termination, UCITA 617:2
Person required to give, default, 2A-516:7, 2A-516:8
Presentment, 4-210:1
Purchasers of negotiable documents, 7-501:1
NOTICE AND NOTICES
—Cont’d
Repossession, 2A-525:3, 9-503:2
Revocation of acceptance, time limits, 2-608:2
Sales
  enforcement of warehouseman’s liens, 7-210:3
  hazardous goods, 7-206:2
Secured parties giving disposal of collateral, 9-504:8
  contents, 9-504:9
  exceptions, 9-504:7
  reasonableness, 9-504:9
  strict foreclosures, 9-505:5, 9-505:6
Shipment of goods, requirements, 2-504:1
Social policies underlying, default, 2A-516:6
Standards, 9-206:3
Stolen securities, 8-405:2
Strict foreclosures
  objections, 9-505:7
  other parties receiving, 9-505:5
  proposals, 9-505:5
  other secured parties receiving, 9-505:6
Tariff claims, 7-204:5
Tender of delivery of goods, seller to cure improper, 2-508:2
Termination, storage, 7-206:1, 7-206:1 [Rev]
Termination of contracts, 2-309:3
Terms on securities, 8-202:2
Timeliness, default, 2A-516:5, 2A-516:6
Transfers, 7-504:2
Uncertificated securities, 1977 amendments, 8-408:1
Uniform Computer Information Transactions Act, this index
Warehouseman’s liens, enforcement, 7-210:3, 7-210:3 [Rev]

NOTICE AND NOTICES
—Cont’d
Warehouse receipt claims, 7-204:5
Who must provide, default, 2A-516:7, 2A-516:8

NOTICE OF DISHONOR
See also Presentment
Accommodation makers, 3-501:3
Bank collection rules, 3-508:5
Burden of proof, 3-510:1, 3-510:2
Checks, 3-502:3 [Rev]
Conflict with Article 4, 3-503:4 [Rev]
Construction of provisions, 4-102:1
Contents, 4-301:5
Delays, 3-502:1 et seq., 3-507:1, 4-103:9
Documentary drafts, notice excused, 3-511:11
Duty to send, 4-202:3, 4-202:4
Evidence, 3-505:1 [Rev], 3-510:4, 3-510:5
Excused
  generally, 3-501:2, 3-511:1, 3-511:2, 3-511:9
  circumstances beyond party’s control, 3-504:2 [Rev], 3-511:4
deceased party, 3-511:11
dishonored instruments, 3-511:7
futility, 3-511:8
improper grounds for refusal, 3-511:12
insolvency, 3-511:11
knowledge, 3-511:8
lack of knowledge, 3-511:3
nonacceptance of draft, 3-511:13
payments countermanded, 3-511:6
reasonable diligence, 3-504:1 [Rev], 3-504:2 [Rev], 3-511:5
Function, 4-103:4, 4-302:3
NOTICE OF DISHONOR
—Cont’d
Holders in due course, effect on status, 3-304:12
Identification of instruments, 3-508:4
Indorsements after maturity, 3-501:7
Mail, 3-503:3 [Rev], 3-508:4
Manner of giving, 3-503:3 [Rev], 3-508:4
Necessity, 3-503:1 [Rev], 3-507:5, 3-508:1
Presumptions, 3-510:2, 3-510:5
Proof, methods, 3-510:1
Protests generally, 3-501:8, 3-509:1 et seq.
excused, lack of knowledge, 3-511:3
Purpose, 3-503:1 [Rev], 3-508:2
Requirements, 3-501:4
Sources, 3-508:2
Timeliness generally, 3-507:5, 3-508:2
4-301:8, 4-301:9
banks, 3-503:2 [Rev], 3-508:3
Undomiciled instruments, 3-501:3
Waiver generally, 3-507:6
express, 3-511:9
implied, 3-504:5 [Rev], 3-511:10
Wire of nonpayments, 4-301:5
Writing requirements, 3-503:4 [Rev], 4-301:5

NOTIFICATION
Definition, 1-202 [Rev]

NOTIFIES
Definition, 1-202 [Rev]

NUMBERS AND NUMBERING
Bills of lading, sets, 7-304:1 [Rev]

NUMBERS AND NUMBERING
—Cont’d
Warehouse receipts, 7-202:1 [Rev]

OBJECTIVE RULE
CISG, interpretation of action of parties, ICC 10:26

OBJECTS
Cape Town Convention, this index

OFFER AND ACCEPTANCE
Generally, 2A-206:1 et seq.
Lease formation, 2A-206:1
Revocation of acceptance, 2A-517:1
Unilateral contract trick, 2A-206:3

OFFERS
CISG, ICC 10:28 to 10:31

OFFICE OF PRIVATE INTERNATIONAL LAW
(U/PIL)
U.S. treaty ratification process, ICC 8:9

OFFICIAL CODE TEXT AND COMMENTS
Generally, 1-101 [Rev]
Acknowledgment, UETA 11
Article 1, 1-103 [Rev]
Attribution and effect of electronic record and signature, UETA 9
Automated transactions, UETA 14
Captions of sections, 1-107 [Rev]
Change or error, effect of, UETA 10
Construction and interpretation, UETA 6, 1-103 [Rev], 1-104 [Rev]
Course of performance, course of dealing, and usage of trade, 1-303 [Rev]
Definitions, UETA 2, 1-106 [Rev]

Master Index-408
OFFICIAL CODE TEXT AND
COMMENTS—Cont’d
Electronic Signatures in Global
and National Commerce Act,
1-108 [Rev]
Evidence, admissibility, UETA 13
Gender, 1-106 [Rev]
Good faith, 1-304 [Rev]
Interoperability, UETA 19
Lease distinguished from security
interest, 1-203 [Rev]
Legal recognition of electronic
records, signatures, and
contracts, UETA 7
Notarization, UETA 11
Notice and knowledge, 1-202
[Rev]
Option to accelerate at will, 1-309
[Rev]
Originals, UETA 12
Presentation of records, UETA 8
Presumptions, 1-206 [Rev]
Prospective application, UETA 4
Reasonable time and seasonable-
ness, 1-205 [Rev]
Receipt, UETA 15
Remedies to be liberally
administered, 1-305 [Rev]
Reservation of rights, 1-308 [Rev]
Retention of electronic records,
UETA 12
Scope of act, UETA 3
Singular and plural, use of, 1-106
[Rev]
Subordinated obligations,
1-310[Rev]
Territorial applicability and gen-
eral rules, 1-301 [Rev], 1-302
[Rev]
Third parties, prima facie evi-
dence, 1-307 [Rev]
Time of place of sending, UETA
15
Transferable records, UETA 16

OFFICIAL CODE TEXT AND
COMMENTS—Cont’d
Uniform Electronic Transactions
Act, this index
Use of electronic records and
signatures, UETA 5
Value, 1-204 [Rev]
Variation by agreement, UETA 5
Waiver or renunciation, 1-306
[Rev]
Written information, provision of,
UETA 8

OFFICIAL WEIGHER’S OR
INSPECTOR’S
CERTIFICATE
Third parties, prima facie evi-
dence, 1-307 [Rev]

ON-LINE CONTRACTS
Access and On-Line Contracts, this index

ONLINE INTERSTATE
TRANSACTIONS
Consumer credit products,
electronic payments, regula-
tion of practices, NONUCCPY 6:98 to 6:101
Enforcement
generally, NONUCCPY 1:29,
2:32, 7:68 et seq.
consumer credit products
generally, NONUCCPY 7:68
to 7:70
federal law and payments,
NONUCCPY 7:68
state law and payments,
NONUCCPY 7:69
depository institutions whose
customers are online inter-
state lenders or payments
processors
generally, NONUCCPY 7:74
to 7:76
federal enforcement actions,
NONUCCPY 7:74

© 2018 Thomson Reuters, 12/2018  Master Index-409
ONLINE INTERSTATE TRANSACTIONS—Cont’d
Enforcement—Cont’d
depository institutions whose customers are online inter-state lenders or payments processors—Cont’d
state enforcement actions,
NONUCCPY 7:75
non-ucc payment methods,
NONUCCPY 1:28
payments processors,
NONUCCPY 7:73

OPEN END CREDIT
Non-UCC Payment Methods, this index

OPEN SOURCE SOFTWARE
Warranties, UCITA 410:2

OPEN TERMS CONTRACTS
Formation, 2-204:3

OPERATIONAL-BODY-OF-LAW REQUIREMENT
Construction and interpretation,
1-103:5 [Rev]

OPTING IN OR OUT OF UCITA COVERAGE
Scope and terms of act, UCITA 103:16

OPTIONAL PROVISIONS
Construction and interpretation,
1-103:5 [Rev]

OPTIONS
Lessees, rightfully rejected goods,
2A-512:2

OPTION TO ACCELERATE AT WILL—Cont’d
Generally, 1-309 [Rev]
Abuse of discretion, 1-309:1 [Rev]
Burden of establishing lack of good faith, 1-309 [Rev]

OPTION TO ACCELERATE AT WILL—Cont’d
Burden of proof, 1-309:1 [Rev]
Changes in Code, 1-309 [Rev]
Collateral, 1-309 [Rev]
Credit period, 1-309:1 [Rev]
Demand for payment, 1-309:1 [Rev]

Fixed date of payment, 1-309:1 [Rev]

Impairment of payment or performance, 1-309 [Rev]
Insecure, when party deems self as, 1-309 [Rev]
Insecurity clauses, 1-309:1 [Rev]
Intent to accelerate, 1-309:1 [Rev]
Limitations and restrictions, 1-309:1 [Rev]
Nonnegotiable notes, 1-309:1 [Rev]

Notice, 1-309:1 [Rev]

Official Code text and comments, 1-309 [Rev]

Payment, 1-309 [Rev]

Performance, 1-309 [Rev]

Premature demand, 1-309:1 [Rev]

Successor in interest, 1-309 [Rev]
Tests, 1-309:1 [Rev]

Time, 1-309:1 [Rev]

ORDINARY COURSE OF BUSINESS, BUYER IN

Definition, 1-201 [Rev]

ORDINARY GOODS
Movement, 9-103:2
Perfection of security interests
four month rule, 9-103:5
last event test, 9-103:3

ORGANIZATION
Definition, 1-201 [Rev]

ORGANIZATION OF ARTICLE 2A

Generally, 2A-101:1
MASTER INDEX

ORGANIZATION OF UCC
Generally, 1-101:2 [Rev]
Amendments, 1-101:2 [Rev]
Commentary, 1-101:2 [Rev]
Official Comments, 1-101:2 [Rev]
Permanent Editorial Board, 1-101:2 [Rev]
Sections and subsections, 1-101:2 [Rev]
Terminology, 1-101:2 [Rev]

ORIGINAL
Presentation or retention of original record, UETA 12 et seq.

OTTAWA CONVENTION
International Commercial Conventions, ICC 9:131
Relationship with Cape Town Convention, ICC 9:131

OUT OF STATE CASES
Construction and interpretation, 1-103:8 [Rev]

OVERISSUE
Bills of lading, duplicate bills, 7-402:1 [Rev]
Fungible goods, commingling, 7-207:2
Liabilities of issuer, 7-402:1 [Rev]
Securities, Overissued Securities, this index
Warehouse receipts damages, 7-402:1 [Rev]
fungible goods, liability of warehousemen, 7-207:2 [Rev]
liabilities, 7-402:1 [Rev]

OVERISSUED SECURITIES
Generally, 8-210:1 [Rev]
Amendments, 8-104:5
Damages, 8-104:4
Definition, 8-104:1
Effect, 8-104:2

OVERISSUED SECURITIES—Cont’d
Remedies, forcing purchase and delivery of identical shares, 8-104:3
Validity, 8-104:1

OVERSEAS
Defined, Sales Act, application, 7-102:1 [Rev]

OVER-THE-COUNTER MARKETS
Brokers’ roles, 8-303:2
Functions, 8-303:2

OWNERSHIP AND TRANSFER OF INTERESTS AND RIGHTS
Generally, UCITA 501:1 to 501:9
Breach of contract copy, UCITA 502:1
financing arrangements, UCITA 510
Contractual interest transfers generally, UCITA 503:1 to 503:5
effect of “no transfer” clause, UCITA 503:3, UCITA 503:4
effect of transfer, UCITA 504
ineffectiveness of unauthorized transfer, UCITA 503:5
licensee transfers, absence of bona fide purchaser defense in, UCITA 506:1
nonexclusive licenses nontransferable, UCITA 503:2
payment rights, exception for, UCITA 503:4
rule favoring transferability, UCITA 503:1
unauthorized transfer, UCITA 503:5

© 2018 Thomson Reuters, 12/2018

Master Index-411
OWNERSHIP AND TRANSFER
OF INTERESTS AND
RIGHTS—Cont’d

Copy
  generally, UCITA 502:1 to 502:8
breach of contract, UCITA 502:1
contract enforcement, UCITA 502:3
distribution chain, UCITA 502:7

federal standards as to when
title to copy conveyed,
  UCITA 502:6
first sale, limited privileges
under, UCITA 502:2
first sale and noncontractual
copyright notices, UCITA 502:8

infringement claims, UCITA 502:1
relevance of license as
  compared to sale, UCITA 502:7
relevance of title to copy,
  generally, UCITA 502:1 to 502:3
rights ownership as not
  conveyed by copy transfer,
  UCITA 501:3
state law standards as to when
title to copy conveyed,
  UCITA 502:5
time when title to copy
  conveyed, generally,
  UCITA 502:4 to 502:6

Default rules as to whether and
  when transfer occurs, UCITA 501:2

Delegation. See Performance,
  delegation of, below
Distribution chain, title to copy,
  UCITA 502:7

Divisibility rules restricting
  transfers of ownership rights

OWNERSHIP AND TRANSFER
OF INTERESTS AND
RIGHTS—Cont’d

in computer programs,
  UCITA 501:7

Elements of a transfer, UCITA 501:1

Financing arrangements
  generally, UCITA 507 to 511
breach of contract, UCITA 510
  effect on licensor’s rights,
  UCITA 511
financier does not become
  licensee, rules applicable
where, UCITA 507
licenses, generally, UCITA 508
  obligations of licensee irrevoca-
  ble, UCITA 509
remedies or enforcement,
  UCITA 510
sublicensor, rules applicable
where financier is, UCITA 508
transfer by financier, rules
  applicable on, UCITA 508

Focus points in transactions,
  UCITA 501:1

Licenses
  bona fide purchaser defense in
  licensee transfers, absence
  of, UCITA 506:1
  nonexclusive licenses
  nontransferable, UCITA 503:2

“No transfer” clause, effect on
  contractual interests of,
  UCITA 503:3, UCITA 503:4

Performance, delegation of
  absence of express terms,
  UCITA 505:1
  express terms regulating delega-
  tion, UCITA 505:2
sublicensing distinguished,
  UCITA 505:1

Registration and priority statutes
  restricting rights ownership
OWNERSHIP AND TRANSFER OF INTERESTS AND RIGHTS—Cont’d
transfers in computer programs, UCITA 501:9
Rights ownership transfers in computer programs generally, UCITA 501:2 to 501:5
copy transfer as not conveying rights ownership, UCITA 501:3
divisibility rules, UCITA 501:7
intellectual property issues and restrictions, generally, UCITA 501:6 to 501:9
intent to transfer, UCITA 501:4
registration and priority statutes, UCITA 501:9
statute of frauds restricting transfers, UCITA 501:8
time when transfer effective, UCITA 501:5
Statute of frauds restricting transfers of ownership rights in computer programs, UCITA 501:8
Terminology, UCITA 501:1
Time or date
default rules as to whether and when transfer occurs, UCITA 501:2
effectiveness of transfer of ownership rights in computer programs, UCITA 501:5
Uniform Computer Information Transactions Act, this index

OWNERSHIP OF GOODS
Effect of lease contract, 2A-302:2
Warehouse receipts, issuance by owner of goods, 7-201:1 [Rev]

PACKAGING
Warranty of merchantability, adequacy, 2A-212:12

PAROL OR EXTRINSIC EVIDENCE
Accommodation parties
party accommodated, 3-415:12
special agreement with creditor, 3-415:9, 3-419:9 [Rev]
status, 3-415:4, 3-419:12 [Rev]
Additional terms, 2A-202:3, 2-202:5
Admissibility
additional terms, 2-202:5, 3-117:3 [Rev]
collateral, specification, 9-110:4
intended collateral, 9-203:8
terms of contract, 2-202:4
Ambiguous terms, UCITA 301:2
Application, 3-119:6
Assignments, 3-409:3
Capacity of party signing instrument, 3-402:1
Commercial paper, 3-119:1 et seq.
Construction of instruments, ambiguities, 3-119:4, 3-119:5
Contemporaneous oral agreement, 2-202:3
Course of dealing or performance, 2A-202:3
Defenses, 3-117:5 [Rev], 3-119:6
Description, problem, 9-108:3 [Rev], 9-203:8 [Rev]
Description of collateral, 9-203:8
Disclaimers of warranties, UCITA 406:3, 2A-214:7
Explanation of terms, 2A-202:3, 2A-202:4
Failure of consideration, 3-408:2
Federal Deposit Insurance Corporation, 3-119:6
Federal intellectual property rules, UCITA 301:3
Final writing, 2A-202:1 et seq., 2A-202:2, 2-202:2
PAROL OR EXTRINSIC EVIDENCE—Cont’d
Indorsements, order of signing, 3-414:2
Merger clauses and integrated contracts, UCITA 301:4
Negotiable instruments generally, 3-119:1, 3-119:4
additional or other terms, 3-117:3 [Rev]
ambiguities, 3-117:4 [Rev]
capacity of party signing instrument, 3-402:1
defense, 3-117:5 [Rev]
identity of party, 3-401:9
indorsements, order of signing, 3-415:3 [Rev]
signatures, 3-117:1 [Rev], 3-401:9
Prior agreement, 2-202:3
Records vs. extrinsic evidence, UCITA 301:1
Separate agreements, 3-119:1
Signatures
authority, 3-402:1 [Rev]
capacity of party signing instrument, 3-402:1
identity, 3-104:5 [Rev], 3-401:4 [Rev], 3-401:9
unnamed principal, 3-401:3
State law, 3-117:5 [Rev]
Supplementation of terms, 2A-202:3, 2A-202:4
Terms of contract, admissibility course of dealing, 2-202:4
course of performance, 2-202:4
usage of trade, 2-202:4
Third parties, prima facie evidence, 1-307:1 [Rev]
Trade usage, 2A-202:3
2003 and 2005 amendments, 2-202:6
Uniform Computer Information Transactions Act, this index
Unnamed principal, 3-401:3

PAROL OR EXTRINSIC EVIDENCE—Cont’d
Want of consideration, 3-408:3

PARTIAL DISCHARGE
Waiver or renunciation, 1-306:3 [Rev]

PARTIAL SHARES
Cape Town Convention, this index

PARTIES
Admissions, satisfaction of statute of frauds, 2-201:6
Aggrieved party defined, 1-201 [Rev], 1-306:1 [Rev]
Cape Town Convention, this index
Course of performance, course of dealing, and usage of trade, 1-303:4 [Rev]
Intent, statute of frauds, 2-201:3
Territorial Applicability and General Rules, this index

PARTIES TO INSTRUMENTS
See also Holders; Holders in Due Course; Impostors;
Signatures
Acceptors
capacity of payee to indorse, admission, 3-413:5
contract, 3-413:1 [Rev]
discharge, 3-502:5
existence of payee, admission, 3-413:5
obligations, 3-413:3
Accommodated, 3-419:2 [Rev]
Accommodation
generally, 3-419 [Rev], 3-419:1 [Rev] to 3-419:3 [Rev]
accommodated party’s rights, 3-415:12
contracts, 3-415:1
collection, 3-415:13
defenses
generally, 3-415:6

Master Index-414
PARTIES TO INSTRUMENTS
—Cont’d
Accommodation—Cont’d
defenses—Cont’d
accommodated maker,
3-606:3
accommodated party,
3-415:11, 3-419:11 [Rev]
consideration, lack, 3-419:7 [Rev]
creditors, understandings,
3-415:9, 3-419:9 [Rev]
failure of condition precedent,
3-415:8, 3-419:8 [Rev]
fraud, 3-415:9
holder in due course, 3-304:8
lack of consideration,
3-415:7
real, 3-415:10, 3-419:6 [Rev], 3-419:10 [Rev]
discharge, 3-605 [Rev], 3-605:1 [Rev]
liability, 3-415:2, 3-415:5, 3-419:2 [Rev], 3-419:5 [Rev]
maker, defenses, 3-606:3
proof of status generally, 3-415:3
oral evidence, 3-415:4
parol evidence, 3-415:4, 3-419:3 [Rev], 3-419:12 [Rev]
rights generally, 3-415:13, 3-419:12 [Rev], 3-419:13 [Rev]
accommodated party,
3-415:12
Anomalous indorsements, 3-419:4 [Rev]
Assumption agreements, signature requirement, 3-401:4
Contracts
acceptors, 3-413:1 [Rev], 3-413:3

PARTIES TO INSTRUMENTS
—Cont’d
Contracts—Cont’d
accommodation parties,
3-415:1, 3-419 [Rev], 3-419:1 [Rev]
admissions as to payees,
3-413:5
alterations, 3-407:1
drawers, 3-413:4, 3-414:1 [Rev]
guarantors, 3-416:1
indorsers, 3-414:1, 3-415:1 [Rev]
makers, 3-412:1 [Rev], 3-413:2
Discharge, 3-301:4, 3-601:1 et seq.
Drawees
acceptance, 3-409:2 [Rev]
failure to name, 3-102:8
identification, 3-102:8, 3-103:3 [Rev]
joint or alternative, 3-102:9
liability, 3-408 [Rev], 3-408:1 [Rev], 3-408:3 [Rev], 3-409:4
warranties, 3-417:5 [Rev]
Drawers
capacity of payee to indorse, admission, 3-413:5
certification requests, 3-411:3
contract, 3-413:4, 3-414:1 [Rev]
discharge, 3-414:2 [Rev], 3-414:3 [Rev], 3-502:4
existence of payee, admission, 3-413:5
guarantees, 3-416:3
identification, 3-103:3 [Rev]
impostors, 3-405:5
liability, 3-402:2 [Rev], 3-414 [Rev], 3-414:1 [Rev]
negligence
payments, 3-406:3

© 2018 Thomson Reuters, 12/2018

Master Index-415K 2018 Thomson Reuters, 12/2018
PARTIES TO INSTRUMENTS
—Cont’d
Drawers—Cont’d
negligence—Cont’d
third-party deliveries, 3-406:10
obligations, 3-413:4
without recourse, 3-413:4
Fiduciaries, breach of trust, 3-304:6
Guarantors
collection guaranties, 3-416:2
contract, 3-416:1
effect of words of guaranty, 3-416:3
payment guaranties, 3-416:2
signature requirement, 3-401:4
words of guaranty, 3-416:1
Holders
generally, 3-301:2 [Rev], 3-301:3 [Rev]
acceptance varying draft
generally, 3-412:2 to 3-412:4
payment as originally drawn, 3-412:6
place of payment, 3-412:5
bearer instruments, 3-301:5
certification requests, 3-411:2
claims of ownership, assertion, 3-306:3
claims to instruments, 3-306:2
defences
generally, 3-306:4
consideration, lack, 3-408:1
defense
contract, 3-414:1, 3-415:1 [Rev]
discharge, 3-415:4 [Rev], 3-502:3, 3-605:1 [Rev]
dishonor, notice, 3-415:1 [Rev]
guarantees, 3-416:3
liability, 3-415:1 [Rev], 3-415:2 [Rev]
antedated instruments, 3-301:1, 3-306:1 et seq.
recourse, 3-507:5
subrogation, 3-606:2
setoffs, 3-301:2
transfers, 3-301:3
Holders in due course, 3-302:1 [Rev] to 3-302:3 [Rev]
Incomplete instruments
enforcement, 3-115:6
liability, 3-115:3
Indorsees, negligence, 3-406:3
Indorsers
capacity of party signing instrument, 3-402:1
contract, 3-414:1, 3-415:1 [Rev]
discharge, 3-415:4 [Rev], 3-502:3, 3-605:1 [Rev]
dishonor, notice, 3-415:1 [Rev]
guarantees, 3-416:3
liability, 3-415:1 [Rev], 3-415:2 [Rev]
antedated instruments, 3-114:4
discharge, 3-208:1, 3-208:3
order, 3-414:2, 3-415:3 [Rev]
opposition, 3-414:1
PARTIES TO INSTRUMENTS — Cont’d
Indorsers — Cont’d
persons signing in same capacity, 3-118:8
rights of recourse, 3-606:3 et seq.
signatures, 3-401:1 et seq.
transfer warranty, 3-415:2
unnamed principals, 3-401:3

Liability
acceptors, 3-401:6
drawees, 3-408 [Rev], 3-408:1 [Rev], 3-408:3 [Rev], 3-409:4
drawers, 3-402:2 [Rev], 3-414:1 [Rev]
holders, bearer instruments, 3-401:7
indorsers, 3-114:4, 3-208:1, 3-208:3, 3-414:2, 3-415:2 [Rev]
maker, 3-412:1 [Rev]
negligence, 3-406:2
Makers
capacity of payee to indorse, admission, 3-413:5
contract, 3-413:2
discharge, 3-502:5
existence of payee, admission, 3-413:5
liability, 3-412 [Rev], 3-412:1 [Rev]
obligation, 3-412:1 [Rev]

Negligence
estoppel, 3-406:2
liability, 3-406:2
preclusion, 3-406:2, 3-406:3
Nonholders, right to sue in own name, 3-301:2

Notice to purchasers
completion of incomplete instruments, 3-304:10
discharge, 3-304:9

PARTIES TO INSTRUMENTS — Cont’d
Notice to purchasers — Cont’d
duty to inquire tests, 3-304:5
forgotten notice doctrine, 3-304:15
time when notice effective
individual acting without agent, 3-304:13
organizations, 3-304:14
Payees
generally, 3-110:3
alternative, 3-116:1 to 3-116:3
defenses, 3-302:2 [Rev]
holders in due course, 3-302:4
improper designations, 3-203:1, 3-204:4 [Rev]
joint
generally, 3-116:1, 3-116:2, 3-116:4 to 3-116:6
discharge, 3-116:6
enforcement, 3-116:5
negotiation, 3-116:4
misnomers, 3-203:1
misspelled names, 3-203:1
negligence, 3-406:3
undesignated, 3-111:1
words of description used, 3-117:1 et seq.
wrong names, 3-203:1
Payors’ rights
improperly designated presenters, 3-203:3
receipt, 3-203:3
Purchasers
bulk transactions, 3-302:6
notice of claims or defenses, 3-304:9
Reacquisitions
generally, 3-208:2
further negotiations, 3-208:4
rights obtained from reacquirer, 3-208:4
Remitters
generally, 3-302:4
PARTIES TO INSTRUMENTS—Cont’d
Remitters—Cont’d
conversion, right to bring action, 3-419:4
Secondary
generally, 3-102:11
causes of action, accrual, 3-122:5
discharge, 3-502:1
liability, 3-122:5, 3-501:1
Separate agreements, 3-119:2
Surety, 3-419 [Rev], 3-419:1 [Rev]
Transferees, derivative protection, 3-306:1

PARTNERSHIPS
Agents, 8-402:3
Indorsements, 8-308:5
Investment securities, 8-103:4 [Rev]

PARTY
Definition, 1-201 [Rev]

PATENTS
Damages, UCITA 808:5
Infringement, vouching, 2A-516:14
Intellectual property misuse,
UCITA 105:8
Noninfringement warranty, patent licenses excluded from,
UCITA 401:3
Notices, UCITA 105:10
Preemption of contract terms,
UCITA 105:3
Uniform Computer Information Transactions Act, this index

PAYMENT INTANGIBLES
Assignments, restrictions, ineffectiveness, 9-406:2 [Rev]

PAYMENT ORDERS—Cont’d
Acceptance
effective time, 4A-209:3
notice, 4A-404:4
obligations, 4A-302, 4A-302:1
premature, 4A-209:5
Agreement between parties, variations, 4A-205:5
Amendments
generally, 4A-202:6, 4A-203:4, 4A-205:3, 4A-211:1
accepted payment orders, 4A-211:3
effect, 4A-211:6
transmission of orders, 4A-206:4
unaccepted payment orders, 4A-211:2
Authorized
generally, 4A-202, 4A-202:1
verification, 4A-202:2
Beneficiaries
conditional payments, 4A-405:3, 4A-405:4
instructions, 4A-103:5, 4A-103:6
mistake, 4A-207:5, 4A-303:6
multiple, 4A-207:2
multiple payments, 4A-103:6
nonexistent, 4A-207, 4A-207:1
obligation to pay, 4A-404:1
payments, 4A-405:1, 4A-405:2
provisional payments, 4A-405:5, 4A-405:6
restitution, 4A-207:5
rules, 4A-207:3
unentitled payee, liability,
4A-207:4
unidentifiable, 4A-207, 4A-207:1
wrong person, 4A-303:6
Cancellation
generally, 4A-202:6, 4A-205:3, 4A-211:1
PAYMENT ORDERS—Cont’d
Cancellation—Cont’d
accepted payment orders, 4A-211:3
death of sender, 4A-211:8
effect, 4A-211:6
incapacity of sender, 4A-211:8
liability, 4A-211:7
mistake, 4A-211:4
passage of time, 4A-211:5
restitution, 4A-211:4
transfer system rules, 4A-211:9
transmission of orders, 4A-206:4
unaccepted payment orders, 4A-211:2
Charges and expenses, banks, 4A-302:5, 4A-302:6
Commercial reasonableness, 4A-202:3
Consequential damages
generally, 4A-404:2
defenses, 4A-404:3
Death of sender, 4A-211:8
Defenses, 4A-404:3
Definition, 4A-103:2
Designations
funds, 4A-302:2
receiving bank, 4A-302:3
Discharge of prior obligations, 4A-406:2
Discrepancies, 4A-206:2
Duplicates, 4A-303:4
Erroneous execution
generally, 4A-303, 4A-303:1, 4A-304, 4A-304:1
greater amount, 4A-303:2
law, 4A-303:3
notice, 4A-304:2
refund amount, 4A-304:3
remedies, 4A-303:7
Erroneous payments
agreement between parties, variation, 4A-205:5
amendments, 4A-205:3

PAYMENT ORDERS—Cont’d
Erroneous payments—Cont’d
cancellation, 4A-205:3
liability, 4A-205, 4A-205:1
mistake, 4A-205:4
restitution, 4A-205:4
Execution
generally, 4A-301, 4A-301:1
according to agreement, failure, 4A-305:6
beneficiary, mistake, 4A-303:6
date, 4A-301:2
erroneous, 4A-303:1 et seq., 4A-304:1
expeditious execution require-
tment or instruction, 4A-302:4
late, 4A-305:1
lessor amount, 4A-303:5
Failure to execute according to
agreement, 4A-305:6
Funds transfers, 4A-103, 4A-103:1
Incapacity of sender, 4A-211:8
Injunctions, 4A-503:1
Instructions
failure to follow, 4A-305:4
prerequisites, 4A-103:2
receipt, 4A-106:1
Intermediary bank, failure to use
designated bank, 4A-305:3
Late execution, 4A-305:1
Limitations, customer fault, 4A-203:3
Obligation to pay, 4A-402, 4A-402:1 to 4A-402:4
Ordinary care, 4A-204:3
Reasonable time, variation, writ-
ten agreement, 4A-204:6
Receipt, instructions, 4A-106, 4A-106:1
Refunds, 4A-204:1, 4A-402:5, 4A-402:6
Rejection
generally, 4A-205:3, 4A-210:1
PAYMENT ORDERS—Cont’d
Rejection—Cont’d
agreement, 4A-210:3
effectiveness, 4A-210:2
liability, 4A-210:4
Restraining orders
generally, 4A-503, 4A-503:1,
4A-503:2
beneficiary banks, 4A-503:4,
4A-503:5
originating banks, 4A-503:3
third parties, 4A-503:6
Rights and obligations, permissive
variations, 4A-501, 4A-501:1
Scope, 4A-103:2
Sender, 4A-202:4
Sender’s designation
bank, 4A-302:3
funds, 4A-302:2
Sender’s instructions, failure to
follow, 4A-305:4
Setoff payments, 4A-403:5
Time of payment, 4A-406:1
Transmission
generally, 4A-206:1
amendments, 4A-206:4
cancellations, 4A-206:4
discrepancies, 4A-206:2
Federal Reserve System, use,
4A-206:3
Unauthorized
generally, 4A-204:2
notice, reasonable time,
4A-204:5
Unentitled payee, liability,
4A-207:4
Verified
defenses, 4A-203:5
instructions, 4A-203:1
limitations, 4A-203:2
Waiver of performance, 4A-402:6

PAYMENTS—Cont’d
Account debtors to secured par-
ties, 9-502:2
Adverse claim
indemnity, 3-602:4 [Rev]
notice, 3-602:2 [Rev], 3-602:3
[Rev]
After date, 3-108:3 [Rev], 3-108:5
[Rev]
After sight, 3-108:2, 3-108:2
[Rev], 3-108:5 [Rev]
Bankruptcy petitions, 4-303:1
Bearer instruments
generally, 3-111:1
undesignated payees, 3-109:1
[Rev], 3-109:2 [Rev],
3-111:3
In cash, 4-215:2 [Rev]
Cash, 4-213:2, 4-215:2 [Rev]
Charge-backs, 4-215:6 [Rev]
Checks
evidence of, 4-101:3 [Rev]
stale, 4-404:2 [Rev]
Completed items, New Payments
Code, 4-401:5
Completion, determination,
4-109:6
Conflict of laws, 4-102:3, 4-102:5
[Rev]
Contracts, assignments, 9-318:1
Death, effect, 4-303:1, 4-405:3
[Rev], 4-405:4 [Rev]
Defaults
confessions of judgment
clauses, 3-112:6
notice of adverse claims,
8-305:1
Defenses, 3-603:4 to 3-603:6,
4-401:3
Deferred posting
generally, 4-301 [Rev], 4-301:1
[Rev]
exceptions, 4-301:2 [Rev]
settlement, 4-301:3 [Rev]
statutes, 4-302:1

UNIFORM COMMERCIAL SERIES
Master Index-420
PAYMENTS—Cont’d
Definite time
generally, 3-104:12
acceleration clauses, 3-108:6
[Rev], 3-109:4
after date, 3-108:3 [Rev],
3-108:5 [Rev], 3-109:3
after sight, 3-108:2 [Rev],
3-108:5 [Rev], 3-109:3
determination, 3-108:3 [Rev] to
3-108:5 [Rev], 3-109:1,
3-109:2
extensions, 3-108:7 [Rev],
3-109:5
prepayment clauses, 3-108:6
[Rev]
stated date, 3-108:5 [Rev]

Demand instruments
generally, 3-104:12, 3-108:1
after date, 3-108:3 [Rev],
3-108:5 [Rev]

causes of action, accrual,
3-108:3
postdated instruments, 3-108:2,
3-108:2 [Rev]
at sight, 3-108:2 [Rev]

statute of limitations, 3-108:1
[Rev]
time not stated, 3-108:1 [Rev],
3-108:3, 3-108:3 [Rev]

Demand items, 4-302:1
Departure from procedures,
holder’s challenge, 4-109:9

Direct, 9-502:2
Discharge
generally, 3-602:1 [Rev]
adverse claims
indemnification, 3-603:6
injunctive relief, 3-603:6
lack of notice, 3-603:4
notice, 3-603:5
instrument, 3-603:2
stolen instruments, 3-603:7

PAYMENTS—Cont’d
Documentary drafts, 4-101:10,
4-302:1, 4-501:1 [Rev]

Duty of securities intermediaries
obtaining payments or distribu-
tions, 8-505:2 [Rev]
received payments or distribu-
tions, 8-505:4 [Rev]

standards for performance,
8-505:3 [Rev]

Duty to give notice of nonpay-
ment, 4-202:3

Electronic fund transfers
automated clearing houses,
4-101:19
automatic teller machines,
4-101:20

bank cards, 4-101:17

interbank communication
systems, large transactions,
4-101:23

point of sale systems, 4-101:21
preauthorized transfers,
4-101:16

telephone bill payment systems,
4-101:18

Enforcement
burden of proof, 3-307:3,
3-307:4

prima facie cases, 3-307:3

signatures, 3-307:4

Extensions of time, 4-108:1,
4-109:2 [Rev], 4-109:3
[Rev], 4-302:1
Failure, interest, 3-122:6

Final

genernally, 3-418:1
accountability, 4-213:6, 4-213:8
actions constituting, 4-213:2
availability of credits, 4-213:9
branch banks, 4-215:2 [Rev]
cash, 4-213:2, 4-215:2 [Rev]
definition, 4-213:1
effect, 3-418:2
holders in due course, 3-418:3

© 2018 Thomson Reuters, 12/2018

Master Index-421
PAYMENTS—Cont’d
Final—Cont’d
midnight deadlines, effect on revocation rights, 4-215:4 [Rev]
posting process, completion, 4-213:4
provisional credits, effect on chain, 4-213:7
provisional settlement, failure to revoke, 4-213:5, 4-215:4 [Rev]
reliance, 3-418:3
restitution rights, 4-215:1 [Rev]
revocation, reservation of rights, 4-215:3 [Rev]
right to recover, 3-418:4
settle, 4-215:3 [Rev]
settlements
comparison, 4-213:2, 4-213:3 [Rev], 4-215:1 [Rev], 4-215:5 [Rev]
without revocation rights, 4-213:3
Force majeure rule
generally, 4-108:4
diligence requirement, 4-108:6
limitations on time extensions, 4-108:5, 4-109:3 [Rev]
Forged items, 4-406:3
Four legals, 4-303:1 [Rev] to 4-303:3 [Rev]
Full, exceptions, 3-311:1 [Rev], 3-311:3 [Rev] to 3-311:5 [Rev]
Funds transfers
obligation to pay, 4A-402, 4A-402:1 et seq.
payment date, 4A-401:1 et seq.
sender’s payment to receiving bank, 4A-403:1 et seq.
Good faith, 3-406:3, 3-418:5 [Rev]
Holders, 3-301:4

PAYMENTS—Cont’d
Improper
allocation of loss, 4-407 [Rev], 4-407:1 [Rev]
subrogation, 4-407:1 [Rev] to 4-407:3 [Rev]
Incompetence of drawers, 4-303:1
Indirect, 9-502:2
Indorsements, restrictive, inconsistencies, 3-206:5
Instruments payable through banks, 3-120:1, 3-120:2
Intent, 3-404:5 [Rev]
Item order, 4-303:4 [Rev]
Judgmental
processing, 4-107:1
steps, 4-109:4
Lessee’s default
lessor’s remedies, 2A-523:1
withholding of goods, 2A-523:2
Lessor’s remedies, lessee’s default, 2A-523:1
Liquidated damages, restitution, 2A-504:5
Mechanical
elements, 4-109:2
processing, 4-107:1, 4-401:4 [Rev], 4-404:2 [Rev]
Mistakes
protected party, 3-418:5 [Rev], 3-418:6 [Rev]
recovery, 3-418 [Rev], 3-418:1 [Rev] to 3-418:3 [Rev], 3-418:2, 3-418:5 [Rev], 3-418:6 [Rev], 4-406:9
Model Tribal Secured Transactions Act, this index
Money
generally, 3-107:1
foreign currency, 3-107:1 [Rev], 3-107:3
Negligence, 4-406:7
New Payments Code, 4-101:25 et seq.
PAYMENTS—Cont’d
Nonpayment, notice generally, 4-202:4
documentary drafts, 4-501:3
items, 4-202:3, 4-302:1
time, 4-210:2
Objections
drawers’, treatment, 4-407:3
subrogation rights of banks, 4-407:3
One-day rule, extensions, 4-108:2
limitations, 4-108:3
Option to accelerate at will, 1-309 [Rev]
Order instruments
generally, 3-110:1
nonexistent payees, 3-109:1 [Rev], 3-109:3 [Rev], 3-111:3
Payees
agent, 3-110:7 [Rev]
alternative generally, 3-116:2
rights, 3-110:2 [Rev], 3-110:3 [Rev], 3-116:3
defenses, 3-302:2 [Rev]
estates, 3-110:8 [Rev]
fictitious, 3-110 [Rev], 3-110:1 [Rev]
identification, 3-110:1 [Rev], 3-110:5 [Rev] to 3-110:8 [Rev]
incorrect designation, 3-203:1, 3-204:4 [Rev]
joint generally, 3-116:1, 3-116:2
discharge, 3-116:6
enforcement, 3-116:5
negotiation of instrument, 3-110:2 [Rev] to 3-110:4 [Rev], 3-116:4
misnomers, 3-203:1
misspelled names, 3-203:1
nonexistent, 3-111:3

PAYMENTS—Cont’d
Payees—Cont’d
particular account, 3-110:6 [Rev]
permissible, 3-110:4
trusts, 3-110:8 [Rev]
words of description, 3-110:5 [Rev]
wrong names, 3-203:1
Place, 3-111 [Rev], 3-111:1 [Rev], 3-410:5 [Rev]
Postdated instruments, 3-108:2 [Rev], 3-114:3, 4-401:4 [Rev]
Presentment
antedated instruments, 3-114:4
negotiation, distinguished, 3-202:3
overdue instruments, notice, 3-114:5
postdated checks, 3-114:3
Priorities, 4-303:1, 4-303:2, 4-303:4 [Rev]
Proper, 4-302:4 [Rev]
Provisional, 4-302:1
Provisional settlements, 4-301:5
Reasonable commercial standards, 3-406:3, 3-406:6 [Rev]
Receipt, 3-505:6
Recovery, 3-418:1 [Rev] to 3-418:3 [Rev], 3-418:4, 3-418:5 [Rev], 3-418:6 [Rev]
Refusals to make, 4-303:1
Remitters, 3-103:2 [Rev]
Restrictive indorsements, inconsistencies, 3-603:7
Revocation of authority, assignment of customer account, 4-401:3
Satisfaction
Generally, 3-603:1
discharge of instrument, 3-603:2
statute of frauds, 8-319:5
Seasonable actions, 4-202:7

© 2018 Thomson Reuters, 12/2018
Master Index-423
PAYMENTS—Cont’d
Setoffs, 4-303:1
Settlements, 4-202:6, 4-215:5
At sight, 3-108:2, 3-108:2 [Rev]
Stale checks, 4-404:1, 4-404:2 [Rev]
Stolen instruments, 3-603:7
Stop payment orders, 4-403:1 et seq., 4-403:6 [Rev]
Substituted performance, limitation, 2A-404:2, 2A-404:3
Sum certain, foreign currency, 3-107:3
Surrender of instruments generally, 3-505:6
rights of payors, 3-603:3
Suspension, 4-216:1 [Rev]

Tender
amount, 3-603:2 [Rev]
constructive discharge, 3-604:4
effective date, 3-604:3
parties with recourse rights, 3-604:2
refusal, 3-603:1 [Rev], 3-603:2 [Rev], 3-604:1
requirements, 3-603:3 [Rev], 3-604:3

Time
documentary drafts, 4-101:10
time allowed
generally, 4-302:6
calculations, 3-506:1
limitation, deferral, 3-506:3
Unauthorized, defenses, 4-401:3
Undated instruments, 3-108:3
Withholding of goods, lessee’s default, 2A-523:2

Words of description
generally, 3-117:1
accounts, 3-117:5
agents, 3-117:2
fiduciaries, 3-117:3
officers, 3-117:2
unconditional, 3-117:4

PAYOR BANKS
See also Banks and Banking;
Branch Banks; Collecting Banks; Depositary Banks
Accountability, 4-302:6 [Rev]
Alternative approaches, 4-105:3 [Rev]
Check, liability, 3-408:1 [Rev], 3-408:3 [Rev]
Collecting bank status, 4-105:3, 4-105:3 [Rev]

Customers
death, 4-405:1 [Rev], 4-405:3 [Rev], 4-405:4 [Rev]
incompetency, 4-405:1 [Rev], 4-405:2 [Rev]
Defenses, 4-302:6 [Rev]
Deferred posting exceptions, 4-301:2 [Rev]
settlement, 4-301:1 [Rev], 4-301:3 [Rev]
Definition, 4-104:3, 4-105:3, 4-301:2, 4-501:1, 9-302:10
Dishonor, 3-502:3 [Rev], 3-507:4
Documentary draft accountability, 4-302:3 [Rev], 4-302:5 [Rev]
Drawee status, 4-105:3, 4-105:3 [Rev]

Duties
generally, 4-301:6 [Rev]
on nonpayment, 3-120:3
visual examination, items, 4-406:7 [Rev]

Expeditious return, 4-301:6 [Rev]
Final payment, 4-213:1 et seq.
Four legs, 4-303:1 [Rev] to 4-303:3 [Rev]
Insolvency, 4-214:1 et seq.
Late return of items, 4-302:1 [Rev], 4-302:1 et seq., 4-302:2 [Rev]
Nondepositary, 3-206:2
Ordinary care
generally, 4-212:9
damages, 4-103:6 [Rev]
PAYOR BANKS — Cont’d
Ordinary care — Cont’d
definition, 3-406:4 [Rev],
4-105:3 [Rev]
Paying bank
definition, 4-105:3 [Rev]
duties, 4-105:3 [Rev]
Postdated checks, 4-302:3 [Rev]
Properly payable item, 4-302:4
[Rev]
Qualifications, 4-105:3 [Rev]
Reasonable commercial standards, 3-406:3
Represented items, 4-302:3 [Rev]
Restrictive indorsements, 3-206:2
Subrogation, improper payments,
4-407 [Rev], 4-407:1,
4-407:1 [Rev] to 4-407:3
[Rev]
Termination of right to charge
customers’ accounts, 4-401:4
Warranty recovery, 4-401:5

PAYPAL
Generally, NONUCCPY 2:31
Contractual dispute resolution
through PayPal’s dispute res-
solution center, NONUCCPY
5:30
Disclosure and evidence of
transfers, NONUCCPY 3:40
Disputes between PayPal and
users, NONUCCPY 5:31
Enforcement
generally, NONUCCPY 7:52
to 7:55
federal law enforcement and
PayPal, NONUCCPY
7:52, 7:54
state law enforcement and
PayPal, NONUCCPY
7:53, 7:55
statutes and rules,
NONUCCPY 7:52, 7:53
Error prevention and resolution
contractual dispute resolution
through PayPal’s dispute
resolution center,
NONUCCPY 5:30
disputes between PayPal and
users, NONUCCPY 5:31
federal law, error resolution for
PayPal accounts,
NONUCCPY 5:26
mobile payments,
NONUCCPY 5:39
non-EFTA error resolution
procedures, NONUCCPY
5:30
roadmap to statutory and
contractual error resolution
under PayPal user agree-
ment, NONUCCPY 5:28
special rules for disputes
between PayPal and its
users, NONUCCPY 5:31
state law, error resolution for
PayPal accounts,
NONUCCPY 5:27
statutes and rules, error resolu-
tion for PayPal accounts,
NONUCCPY 5:26, 5:27,
5:29
user agreement, statutory error
resolution, NONUCCPY
5:29
user agreement roadmap,
NONUCCPY 5:28
Federal law, error resolution for
PayPal accounts,
NONUCCPY 5:26
Mobile payments, error prevention
and resolution, NONUCCPY
5:39
Non-EFTA error resolution
procedures, NONUCCPY
5:30
Regulation of agreements
federal law and PayPal,
NONUCCPY 6:68
PAYPAL—Cont’d
Regulation of agreements
—Cont’d
state law and PayPal,
NONUCCPY 6:69
Regulation of fees and charges
discussion of PayPal contractual
provisions on fees and
charges, NONUCCPY
6:52
federal law and PayPal,
NONUCCPY 6:50
state law and PayPal,
NONUCCPY 6:51
statutes and regulations,
NONUCCPY 6:50, 6:51
Regulation of practices
generally, NONUCCPY 6:83
to 6:85
state law and PayPal,
NONUCCPY 6:84
statutes and regulations,
NONUCCPY 6:83, 6:84
Roadmap to statutory and
continuous error resolution
under PayPal user agreement,
NONUCCPY 5:28
Special rules for disputes between
PayPal and its users,
NONUCCPY 5:31
Statutes, rules and regulations
coverage, generally,
NONUCCPY 2:28
enforcement, NONUCCPY
7:52, 7:53
error resolution for PayPal
accounts, NONUCCPY
5:26, 5:27
regulation of agreements,
NONUCCPY 6:68, 6:69
regulation of fees and charges,
NONUCCPY 6:50, 6:51
regulation of practices,
NONUCCPY 6:83, 6:84
unauthorized transfers,
NONUCCPY 4:18

PAYPAL—Cont’d
Unauthorized transfers
generally, NONUCCPY 4:21
statutes and rules,
NONUCCPY 4:18
User agreement, statutory error
resolution, NONUCCPY
5:29
User agreement roadmap,
NONUCCPY 5:28

PAYROLL CARD TRANSFERS
Account, defined, NONUCCPY
2:5
Administrative enforcement,
NONUCCPY 7:5
Civil liability, NONUCCPY 7:3
Criminal liability, NONUCCPY
7:4
Definitions. Words and phrases,
below
Electronic fund transfer, defined,
NONUCCPY 2:4
Enforcement
generally, NONUCCPY 7:1 to
7:8
administrative enforcement [15
U.S.C.A. § 1693o],
NONUCCPY 7:5
civil liability [15 U.S.C.A.
§ 1693m], NONUCCPY
7:3
§ 1693n], NONUCCPY
7:4
§ 1693f], NONUCCPY
7:1
federal law enforcement, gener-
ally, NONUCCPY 7:8
15 U.S.C.A. § 1693f,
NONUCCPY 7:1
15 U.S.C.A. § 1693h,
NONUCCPY 7:2
15 U.S.C.A. § 1693m,
NONUCCPY 7:3

UNIFORM COMMERCIAL SERIES

Master Index-426
PAYROLL CARD TRANSFERS
—Cont’d
Enforcement—Cont’d
15 U.S.C.A. § 1693n,
NONUCCPY 7:4
15 U.S.C.A. § 1693o,
NONUCCPY 7:5
liability of financial institutions
[15 U.S.C.A. § 1693h],
NONUCCPY 7:2
representative state laws,
NONUCCPY 7:6
state law enforcement patterns,
gen generally, NONUCCPY
7:7
Error prevention and resolution
documentation of transfers [15
U.S.C.A. § 1693d],
NONUCCPY 5:2
error resolution
federal law, NONUCCPY
5:4
15 U.S.C.A. § 1693f,
NONUCCPY 5:1
state laws, NONUCCPY 5:3
15 U.S.C.A. § 1693d,
NONUCCPY 5:2
15 U.S.C.A. § 1693f,
NONUCCPY 5:1
statutes and rules
documentation of transfers
[15 U.S.C.A. § 1693d],
NONUCCPY 5:2
error resolution,
NONUCCPY 5:1, 5:3,
5:4
15 U.S.C.A. § 1693d,
NONUCCPY 5:2
Error resolution, enforcement,
NONUCCPY 7:1
Federal law enforcement, generally,
NONUCCPY 7:8
15 U.S.C.A. § 1693a,
NONUCCPY 2:2
NONUCCPY 6:1

PAYROLL CARD TRANSFERS
—Cont’d
15 U.S.C.A. § 1693c(b),
NONUCCPY 6:2
15 U.S.C.A. § 1693d,
NONUCCPY 5:2
15 U.S.C.A. § 1693f,
NONUCCPY 5:1
15 U.S.C.A. § 1693f, error resolution,
NONUCCPY 7:1
15 U.S.C.A. § 1693h enforcement,
NONUCCPY 7:2
15 U.S.C.A. § 1693k,
NONUCCPY 6:3
15 U.S.C.A. § 1693l,
NONUCCPY 6:4
15 U.S.C.A. § 1693m enforce-
ment, NONUCCPY 7:3
15 U.S.C.A. § 1693n enforcement,
NONUCCPY 7:4
15 U.S.C.A. § 1693o enforcement,
NONUCCPY 7:5
Historical background,
NONUCCPY 1:18
Liability of financial institutions,
NONUCCPY 7:2
Regulation of charges, agreements
and practices
case law, generally,
NONUCCPY 6:6
compulsory use of electronic
fund transfers,
NONUCCPY 6:3
fee disclosures at automated
teller machines,
NONUCCPY 6:1
NONUCCPY 6:1
15 U.S.C.A. § 1693c(b),
NONUCCPY 6:2
15 U.S.C.A. § 1693k,
NONUCCPY 6:3
15 U.S.C.A. § 1693l,
NONUCCPY 6:4
notification of changes to
consumer, NONUCCPY
6:2
PAYROLL CARD TRANSFERS—Cont’d
Regulation of charges, agreements and practices—Cont’d
statutes and rules, generally,
NONUCCPY 6:5
waiver of rights, NONUCCPY 6:4
Representative state laws,
NONUCCPY 7:6
State law enforcement patterns, generally, NONUCCPY 7:7
Statutes and rules generally, NONUCCPY 2:1
proposed additions to Regulation E, NONUCCPY 2:6 to 2:9
regulation of charges, agreements and practices,
NONUCCPY 6:1 to 6:6
risk management programs required of national banks,
NONUCCPY 2:10
Words and phrases generally, NONUCCPY 2:3
account, NONUCCPY 2:5
electronic fund transfer,
NONUCCPY 2:2 to 2:5, 2:4

PENAL DAMAGES
Liberal administration of remedies, 1-305 [Rev], 1-305:4 [Rev]

PERFECTION—Cont’d
Control—Cont’d
electronic chattel paper, 9-314:1 [Rev]
investment property, 9-314:1 [Rev]
letter-of-credit rights, 9-314:1 [Rev]
security entitlement, 9-314:1 [Rev]
uncertificated security, 9-308:1 [Rev]
Control of collateral, 9-308:1 [Rev]
Delivery, collateral, types covered, 9-313:1 [Rev], 9-313:2 [Rev]
Deposit accounts, governing law change effect, 9-316:4 [Rev]
Documents of title exceptions, 9-304:7
filing financing statements, 9-304:3
Duration, 9-305:5
Filing financing statement, 9-308:1 [Rev]
Goods held by bailee, 9-313:4 [Rev]
Goods held by bailees, 9-305:4
Goods held by third parties, 9-304:5, 9-304:6
Governing law change effect generally, 9-316 [Rev], 9-316:1 [Rev]
amendments of 2010, 9-316:5 [Rev]
four-month grace period, 9-316:1 [Rev]
Instruments, 9-304:4
Investment property, governing law change effect, 9-316:4 [Rev]
Investment securities, 8-321:1, 8-321:2
certificated securities, 8-321:3

Master Index-428
PERFECTION—Cont’d
Investment securities, 8-321:1, 8-321:2—Cont’d
uncertificated securities, 8-321:4
junior interests, 8-321:5
Letters-of-credit, governing law change, effect, 9-316:4 [Rev]
Model Tribal Secured Transactions Act, this index
Money, 9-304:4
Negotiable documents exceptions, 9-304:7
filing financing statements, 9-304:3
Possession generally, 9-305:1 et seq.
begins, 9-313:5 [Rev]
collateral, types covered, 9-313:1 et seq.
Possession of collateral, 9-308:1 [Rev]
Possession or delivery, ends, 9-313:5 [Rev]
Proceeds, 9-306:4
Security interests generally, 9-304:1
assignments generally, 9-302:13
accounts, 9-302:10
beneficial interest in trust or estate, 9-302:5
benefit of creditors, 9-302:12
chattel paper, 9-304:2
collateral, debtors’ location, 9-301:2 [Rev]
collecting banks, 9-302:10
continuity, 9-303:2
documents of title exceptions, 9-304:7
filing financing statements, 9-304:3
duration, 9-305:5
farm equipment, 9-302:9

PERFECTION—Cont’d
Security interests—Cont’d
filing of financing statements, 9-310:1 [Rev]
financing statements, filing, 9-302:2
fixtures, 9-302:7
goods held by bailees, 9-305:4
goods held by third parties, 9-304:5, 9-304:6
instruments, 9-304:4
law governing generally, 9-301 [Rev]
amendments of 2010, 9-301:4 [Rev]
money, 9-304:4
motor vehicles, 9-302:8
negotiable documents exceptions, 9-304:7
filing financing statements, 9-304:3
possessions, 9-302:3, 9-305:1 et seq.
pre-effective date filing, in proper office under former Article 9 but not Revised Article 9, 9-705:3 [Rev]
pre-effective date transactions generally, 9-705:1 [Rev]
perfected other than by filing, 9-705:2 [Rev]
perfection other than by filing, 9-703:1 [Rev]
proceeds, 9-306:4, 9-306:11
property subject to statute, 9-302:10
purchase money, 9-302:6 to 9-302:9
sales transaction, investment securities, 9-302:10
status after effective date where unperfected prior, 9-704:1
PERFECTION—Cont’d
Security interests—Cont’d
[Rev], 9-704:2 [Rev]
temporary, 9-302:4, 9-303:2,
9-304:7
temporary continuation,
9-304:8
time, 9-303:1
Special rules
generally, 9-312 [Rev], 9-312:1
[Rev]
chattel paper, 9-312:1 [Rev],
9-312:2 [Rev]
deposit accounts, 9-312:1
[Rev], 9-312:9 [Rev]
goods covered by document,
third-party possession,
9-312:6 [Rev]
instruments, 9-312:1 [Rev],
9-312:4 [Rev]
investment property, 9-312:8
[Rev]
letter-of-credit rights, 9-312:1
[Rev], 9-312:9 [Rev]
money, 9-312:1 [Rev], 9-312:5
[Rev]
negotiable documents, 9-312:1
[Rev], 9-312:3 [Rev]
temporary perfection, 9-312:1
[Rev], 9-312:7 [Rev]
Temporary, 9-303:2, 9-304:7
Temporary continuation, 9-304:8
Time, 9-303:1
Transfers, 9-204:4

PERFECT TENDER RULE
Generally, 2-601:1
Additional Code limitations,
2A-509:5
Burden of proof, 2-601:3
Code relief, rejection by lessee,
2A-509:5
Conformity of goods, 2A-509:1,
2-601:1
Convention on International Sale
of Goods, 2-601:3

PERFECT TENDER RULE—Cont’d
Cure, 2-601:2
Cure by sellers
cure defined, 2A-513:7
expiration of time for perfor-
mance, 2A-513:3 et seq.
limitation on perfect tender rule,
2A-513:1
shaken faith limitation,
2A-513:8
time for performance, 2A-513:2
De minimis doctrine, 2A-509:3,
2-601:2
Expiration of time for perfor-
mance, 2A-513:3 et seq.
Good faith limitations, 2A-509:4
Good faith of buyers, 2-601:2
Limitation on perfect tender rule,
2A-513:1
Options of buyers, 2-601:3
Qualifications, 2A-509:1
Rejection by lessee
Code relief, 2A-509:5
good faith limitations, 2A-509:4
summary, 2A-509:6
Remedies, 2-601:1 et seq.
Shaken faith limitation, 2A-513:8
Summary, 2A-509:6
Time for performance, 2A-513:2
2003 and 2005 amendments,
2-601:4

PERFORMANCE
Generally, UCITA 601 to 618
See also Contracts; Course of Per-
formance; Sales
Absence of agreement provision,
2A-405:10
Acceptance. See Copies, delivery
of, below
Access, control of, UCITA 814:1
Access contracts
generally, UCITA 611:1 to
611:5

Master Index-430
PERFORMANCE—Cont’d
Access contracts—Cont’d
defined, UCITA 611:1
download from accessed site,
UCITA 611:4
EU issues and online contracts,
UCITA 611:5
obligation of access provider,
UCITA 611:3
sources of control of access,
UCITA 611:2
Adequate assurance
generally, 2A-401:1
insecurity grounds, 2A-401:2
mechanics, 2A-401:5
standard, 2A-401:3
Adequate assurance of performance, breach of contract and,
UCITA 708
Anticipatory repudiation and breach of contract, UCITA 709, UCITA 710
Assumption of greater obligation,
2A-405:4
Assumption of risk, 2A-404:5
Breach of Contract, this index
Claims of excuse, 2A-405:12
Code section structure, 2A-405:2
Commercial impracticability elements, 2A-405:7
Completing performance after breach, UCITA 812
Continuing use after breach,
UCITA 813
Contrary agreement regarding remedies, 2A-406:3
Copies, delivery of generally, UCITA 606 to 610
acceptance, rejection and cure difference between acceptance and rejection,
UCITA 609:3
effect of acceptance, UCITA 610
PERFORMANCE—Cont’d
Copies, delivery of—Cont’d acceptance, rejection and cure—Cont’d
new systems and extended periods of adjustment,
UCITA 609:5
relationship between, UCITA 609:1
burden of establishing breach of contract, UCITA 610
flawed performance, generally, UCITA 609:2 to 609:5
inspection rights, UCITA 608
loss of copy, risk of, UCITA 614
new systems and extended periods of adjustment,
UCITA 609:5
notice of breach of contract, UCITA 610
payment, UCITA 607, UCITA 608
pure rights transfer or license, UCITA 607:2
requirements for delivery in general, UCITA 606, UCITA 607
standards for when acceptance occurs, UCITA 609:4
tender of delivery, UCITA 606 “Copy” rules inapplicable, UCITA 603:2
Copyright anti-circumvention rules, UCITA 605:2 to 605:5
Correction and support contracts, UCITA 612
Course of Performance, Course of Dealing, and Usage of Trade, this index
Crop failures, 2A-405:15
Cure of improper tender or delivery after time specified, 2A-513:3
within time specified, 2A-513:2
© 2018 Thomson Reuters, 12/2018
PERFORMANCE—Cont’d
Dealers, contracts involving, UCITA 613
Default, protection against, 2A-405:3
Default rules associated with performance obligations, UCITA 601:1
Digital Millennium Copyright Act (DMCA), UCITA 605:2 to 605:5
Electronic regulation of performance generally, UCITA 605:1 to 605:5
copyright anti-circumvention rules, UCITA 605:2 to 605:5
technology as adjunct of contract, UCITA 605:1
Electronic Self-Help, this index
End users, contracts involving, UCITA 613
EU issues and online access contracts, UCITA 611:5
Excuse by failure of presupposed conditions, UCITA 615
Excused generally, 2A-405, 2A-405:1 et seq., 2A-406:1 et seq.
absence of agreement provision, 2A-405:10
agreement, 2A-405:8
assumption of greater obligation, 2A-405:4
claims of excuse, 2A-405:12
Code section structure, 2A-405:2
commercial impracticability elements, 2A-405:7
contrary agreement regarding remedies, 2A-406:3
crop failures, 2A-405:15
default, protection against, 2A-405:3

PERFORMANCE—Cont’d
Excused—Cont’d
difficulty in determining assumptions, 2A-405:11
foreseeable contingencies, 2A-405:13
governmental regulations, 2A-405:5
lessees, 2A-405:6
lessee’s options, excused lessor or supplier, 2A-406:2
limitations, 2A-405:4
miscellaneous causes, 2A-405:17
price terms, 2A-405:14
procedure, 2A-406
relief available, 2A-405:18
remedies, 2A-405:19
source of supply failure, 2A-405:16
Foreseeable contingencies, 2A-405:13
Good Faith, this index
Governmental regulations, 2A-405:5
Immediately completed performance
general issues, UCITA 604:1
informational content, UCITA 604:2
information rights, UCITA 604:3
Impossibility, UCITA 615
Impossibility and impracticability distinguished, 2A-404:1
Insecurity grounds, 2A-401:2
Inspection rights regarding copies, UCITA 608:1
Lessees, excused, 2A-405:6
Lessee’s options, excused lessor or supplier, 2A-406:2
Licensors’ obligations to enable use, UCITA 602:1
Limitations
excused, 2A-405:4
PERFORMANCE—Cont’d
Limitations—Cont’d
substituted, 2A-404:2, 2A-404:3
Loss of copy, risk of, UCITA 614
Material breach of contract, UCITA 601:1
Mechanics, adequate assurance, 2A-401:5
Miscellaneous causes, excused, 2A-405:17
No fault requirement, 2A-404:4
Notice copies, notice of breach of contract, UCITA 610
termination of contract. Notice, this index
Open terms, performance of contract under, UCITA 306:1 to 306:4
Option to accelerate at will, 1-309 [Rev]
Ownership and Transfer of Interests and Rights, this index
Possession and use. Repossession, this index
Price terms, 2A-405:14
Procedure, excused, 2A-406
Publishers, contracts involving, UCITA 613
Rejection. See Copies, delivery of, above
Relief available, excused performance, 2A-405:18
Remedies, excused performance, 2A-405:19
Remedies related to performance generally, UCITA 811 to 816
access, control of, UCITA 814:1
completing performance, UCITA 812
continuing use, UCITA 813
Electronic Self-Help, this index
PERFORMANCE—Cont’d
Remedies related to performance—Cont’d
Possession, this index
specific performance, UCITA 811:1, UCITA 811:2
Remedies to be Liberally Administered, this index
Reservation of Rights, this index
Source of supply failure, 2A-405:16
Special type of contacts access. See Access contracts, above
correction and support contracts, UCITA 612
publishers, dealers and end users, UCITA 613
support contracts, UCITA 612
Specific performance, UCITA 811:1, UCITA 811:2
Standard, adequate assurance, 2A-401:3
Submissions of information to satisfaction of party, UCITA 603:1, UCITA 603:2
Substituted generally, 2A-404, 2A-404:1 et seq.
assumption of risk, 2A-404:5
impossibility and impracticability distinguished, 2A-404:1
limitation, 2A-404:2, 2A-404:3
no fault requirement, 2A-404:4
Termination of contract effect of, UCITA 618:1
Notice, this index
return of subject matter after termination or cancellation, UCITA 618:3
rightful termination ends rights to use, UCITA 618:2
survival of obligation, UCITA 616, UCITA 618:1
PERFORMANCE—Cont’d
Time where new systems require extended periods of adjust-
ment, **UCITA 609:5**

Transfers. Ownership and Transfer of Interests and Rights, this index
Uniform Computer Information Transactions Act, this index

PERMANENT EDITORIAL BOARD
History of code, **1-101:1 [Rev]**
Organization of UCC, **1-101:2 [Rev]**

PERMANENT EDITORIAL BOARD COMMENTARIES
Code Section 1-203, **PEB Com 10**
Code Section 2-507(2), **PEB Com 1**
Code Section 3-116 [Rev], **PEB Com 11**
Code Section 3-305 [Rev], **PEB Com 11**
Code Section 3-415 [Rev], **PEB Com 11**
Code Section 3-419 [Rev], **PEB Com 11**
Code Section 3-605 [Rev], **PEB Com 11**
Code Section 4A-503, **PEB Com 16**
Code Section 4A-502(D), **PEB Com 16**
Code Section 4A-101 et seq., **PEB Com 13**
Code Section 8-207, **PEB Com 4**
Code Section 8-102(a)(15), **PEB Com 18**
Code Section 9-102, **PEB Com 17**
Code Section 9-301(1), **PEB Com 6**
Code Section 9-301(4), **PEB Com 2**
Code Section 9-302, **PEB Com 12**

PERMANENT EDITORIAL BOARD COMMENTARIES—Cont’d
Code Section 9-306(1), **PEB Com 9**
Code Section 9-306(2), **PEB Com 3**
Code Section 9-306(5), **PEB Com 5**
Code Section 9-308, **PEB Com 8**
Code Section 9-309, **PEB Com 7**
Code Section 9-312, **PEB Com 7**
Code Section 9-402, **PEB Com 3, PEB Com 15**
Code Section 9-102(1)(b), **PEB Com 14**

PERMANENT PRECEDENTIAL VALUE
Construction and interpretation, **1-103:6 [Rev]**

PER SE MANIFESTLY UNREASONABLE
Generally, **1-205:1 [Rev]**

PERSON
Defined, **UETA 2**
Definition, **1-201 [Rev]**

PERSONAL INJURIES
Consequential damages, breach of warranty, **2A-520:10**

PERSONAL PROPERTY
See also Goods
Default, lessor and lessee rights, **2A-501:10**
Forms, lease, **App. 2A-A7**
Leases, **9-102:4**
Secured parties’ rights, **9-501:10**
Serving as security, **9-102:2**

PERSON ENTITLED UNDER THE DOCUMENT
Defined, **7-403:2 [Rev]**
application, **7-102:7 [Rev]**
PERSONS IN POSITIONS OF SELLERS
Assignees, relationship, 2-707:1
Definition, 2-707:1
Rights, 2-707:2
Third parties, relationship, 2-707:1

PERSUASIVE VALUE
Construction and interpretation, 1-103:8 [Rev]

PLACE OR LOCATION
CISG, delivery, ICC 10:39
Collateral, 9-110:5
Debtors, 9-103:9
Delivery of documents, 2-308:2
Delivery of goods, 2-308:1
Filing financing statements generally, 9-401:1, 9-401:2
alternatives, 9-401:3 to 9-401:5
changes, 9-401:8, 11-105:1
character of collateral, 9-401:7
Code requirements, transition, 11-105:1
transmitting utilities, 9-401:6
wrong place, 9-401:9
Inspection of goods, 2-513:1
Market price, measure of damages, breach of contract, 2-708:1, 2-723:1 to 2-723:3
Negotiable instruments, 3-111:1 [Rev]
Payments drafts, 3-412:5
goods, 3-410:5 [Rev]
presentment, 3-111:1 [Rev]
Presentment generally, 3-111:1 [Rev], 3-501:3 [Rev], 4-301:6
designated banks, 3-504:10
production of instruments, 3-505:5
specified on instruments, 3-504:5
Security agreements, 9-203:9

PLACE OR LOCATION—Cont’d
Tender of delivery, 2-503:2
Warehouse, form of warehouse receipts, 7-202:1 [Rev]

PLEDGES
Agents’ duties to pledgees, 8-406:3
Book entries generally, 8-320:2
incorrect, 8-320:6
Central depository systems, 8-320:1, 8-321:6
Certificated securities, 8-321:4, 8-321:6
Government National Mortgage Association (Ginnie Mae), 8-321:6
Hybrid securities, 8-321:6
Multiple, 8-108:2
1977 amendments, 8-320:7
Reasonable care generally, 9-207:1 [Rev], 9-207:2 [Rev]
pledgees, 9-207:2
repledgees, 9-207:1
Registered default, 8-321:4
releases, 8-108:5
termination, 8-108:5
Registration generally, 8-108:1, 8-401:3 [Rev]
multiple, 8-108:2
Rights pledgors, 8-108:3
registered pledgees, 8-108:4
Termination, 8-108:5
Uncertificated securities, 8-321:4, 8-321:6, 8-401:3 [Rev]
Warranties on transfer, 8-306:5

PLURAL WORDS
Definition, 1-106 [Rev]
POLICY PERSPECTIVES
Generally, UCITA 101:6 to 101:10
Fundamental public policy and contract terms, UCITA 101:6 to 105:10
POSSESSION
See also Repossession; Returned and Repossessed Goods
Bailee with notification of interest, perfection, 9-305:4
Collateral
perfection of security interests, 9-302:3, 9-305:2
secured parties’ rights and duties, 9-207:1
Debtors, 9-113:3
Goods, perfection of security interests
bailee’s possession, 9-305:4
third party possession, 9-304:5, 9-304:6
Lawful, 9-113:3
Lease goods, importance, 2A-302, 2A-302:1, 2A-302:2
Liens by operation of law, priority rule, 2A-306:2
Model Tribal Secured Transactions Act, this index
Perfection of security interests, 9-305:1, 9-305:3
Security interests, 9-203:4
Third parties, perfection of security interests, 9-304:5, 9-304:6
Time, perfection of security interests, 9-305:5
POWER TO TRANSFER
Lessee, 2A-305:1
PRACTICES
See Regulation of Charges, Agreements and Practices, this index

PREAMBLE
Cape Town Convention, ICC 9:1 to 9:9
PRECEDENCE
Construction and interpretation, 1-103:6 [Rev], 1-103:8 [Rev]
PREDOMINANT PURPOSE TEST
Governing law in absence of UCITA, UCITA 103:21
PREEMPTION
Construction and interpretation, 1-103:5 [Rev]
Federal Preemption, this index
International commercial conventions, Supremacy Clause of U.S. Constitution, ICC 8:23
UETA preemption by E-Sign, UETA 3:3
PREFERENCES
Burden of proof, 9-204:4
Elements, 9-108:1, 9-204:4
Transfers, time limitations, 9-204:4
PREFERRED STATUS
Third parties, prima facie evidence, 1-307:4 [Rev]
PREPAID DEBIT CARDS NOT PAYROLL-RELATED
Error prevention and resolution generally, NONUCCPY 5:40 to 5:44
federal law, error resolution, NONUCCPY 5:40
state law, error resolution, NONUCCPY 5:41
statutes and rules, error resolution, NONUCCPY 5:40, 5:41
Federal law, error resolution, NONUCCPY 5:40
PREPAID DEBIT CARDS NOT PAYROLL-RELATED
—Cont’d
State law, error resolution, NONUCCPY 5:41
Statutes and rules, error resolution, NONUCCPY 5:40, 5:41

PRESENTMENT
Acceptance, 3-507:2
Acceptors, unlocated, 3-504:5
Accrual of cause of action for breach of warranties, 3-417:9
Antedated instruments, 3-114:4
On arrival, 4-502:1 [Rev]
Bank generally, 4-105:4 [Rev]
branch, 4-107:1 [Rev], 4-301:6
checks, 3-503:9
duty, 4-106:3 [Rev]
Banking practices, variation by agreement, 4-103:1 et seq.
Branch banks, 4-301:6, 4-301:6 [Rev]
Check truncation, 4-101:14, 4-101:15
Circuitous routing of items, 4-204:2
Clearinghouses, 3-504:8
Cutoff hour, 4-107:1, 4-108:1 [Rev]
Definition, 3-504:2, 4-210:1
Delays generally, 3-502:2, 3-504:3
discharge, 3-104:13 [Rev], 3-414:2 [Rev], 3-502:3
effect, 3-414:2 [Rev], 3-502:1, 3-502:2 [Rev]
Determination of time, 4-301:6
Direct sending, 4-204:2 [Rev], 4-204:4, 4-212:1 [Rev]
Disclaimers of warranties, 3-417:2
Dishonor notice, 4-202:3, 4-202:4, 4-212:1 [Rev]

PRESENTMENT—Cont’d
Dishonor—Cont’d wrongful, 4-402:1 et seq.
Documentary drafts, 3-511:11, 4-501:1, 4-501:2 [Rev], 4-501:3, 4-502:1 [Rev]
Domiciled instruments manner, 3-501:4
time, 3-501:4
Drafts generally, 3-501:5
clean, 4-101:11
documentary, 4-101:9, 4-101:10, 4-502:1
Drawees, joint or alternative, 3-102:9, 3-103:3 [Rev]
Effectiveness, 3-501:4 [Rev]
Electronic, 4-101:4 [Rev], 4-101:14
Excused generally, 3-501:4, 3-502:8 [Rev], 3-504:5, 3-507:5, 3-511:1, 3-511:2
circumstances beyond party’s control, 3-511:4
countermanded payments, 3-504:4 [Rev], 3-511:6
death of maker, 3-504:6 [Rev]
deceased party, 3-511:11
dishonored instruments, 3-511:7
drafts, nonacceptance, 3-511:13
futility, 3-511:8
insolvency, 3-504:6 [Rev], 3-511:11
knowledge, 3-511:8
notice, lack, 3-511:3
obligation repudiated, 3-504:6 [Rev]
payment not expected, 3-504:4 [Rev]
reasonable diligence, 3-504:3 [Rev], 3-511:5
refusal to pay or accept, 3-511:12
PRESENTMENT—Cont’d
Excused—Cont’d
waiver
express, 3-511:9
implied, 3-504:1 [Rev],
3-504:5 [Rev], 3-511:10
Face to face, 3-504:5
Federal regulations, 3-504:4
Hold for instructions, 4-504:1
[Rev]
Identification, presentors, 3-501:5
[Rev], 3-505:4
Indirect methods, appropriateness,
4-204:2
Indorsements
after maturity, 3-501:7
authenticity, proof, 3-505:8
forged, 3-501:5 [Rev]
missing
generally, 4-205:1 [Rev]
proof of rightful transfer,
3-505:7
supplying, 4-205:1 et seq.
Instructions of principals, relevancy,
4-204:3
Instruments
accelerated, 3-503:6
demand, 3-503:10
exhibition, 3-501:5 [Rev],
3-505:1, 3-505:3
payable
definite time, 3-503:3
demand, 3-503:7
fixed period after date,
3-503:4
postdated, 3-503:8
production, 3-505:5
showing due date, 3-503:5
surrender, 3-505:6
Invalidation, 3-505:1
Liability, double, protection,
3-505:1
Mail, 3-501:4 [Rev], 3-504:9
Manner
clearinghouse, 3-504:8

PRESENTMENT—Cont’d
Manner—Cont’d
cut-off hour, 3-501:4 [Rev],
3-502:4 [Rev]
mail, 3-501:4 [Rev], 3-504:9
telephones, 3-501:4 [Rev],
3-504:7
Methods, 4-202:2, 4-204:1 et seq.,
4-204:2 [Rev], 4-212:1 [Rev]
Multiple parties, 3-504:11
Negotiation, distinguished,
3-201:3 [Rev], 3-202:3
Nonpayment, notice, 4-202:3,
4-202:4
Notes, 3-502:2 [Rev]
Notices
generally, 4-210:1
dishonor
generally, 4-102:1
excused, 3-501:4
time, 4-210:2
nonpayment, 4-202:3, 4-202:4
time, 4-212:1 [Rev]
Off-premises, 4-204:5
Optional
generally, 3-501:6, 3-507:2
delays, 3-502:2
discharge, 3-502:2
Ordinary care
duties, 4-202:1 [Rev], 4-202:2
failure to exercise, damages,
3-406:4 [Rev], 4-103:8 et
seq.
Overdue instruments, notice,
3-114:5
Payments, necessity, 3-507:2
Payor bank, ordinary care, 3-406:4
[Rev]
Payors, unlocated, 3-504:5
Persons making
holders, 3-504:3
transferees, 3-501:2 [Rev],
3-504:3
Place
generally, 4-301:6

Master Index-438
PRESENTMENT—Cont’d
Place—Cont’d
designated banks, 3-504:10
production of instruments, 3-505:5
specified on instruments, 3-504:5
unspecified, 3-111:1 [Rev], 3-501:3 [Rev], 3-504:6
Postdated instruments, 3-113:2 [Rev], 3-114:3
Presentees
authorized demands evidence of authority, 3-501:5 [Rev]
instrument exhibition, 3-501:5 [Rev]
reasonable identification, 3-501:5 [Rev]
receipt, 3-501:5 [Rev]
reasonable care, 3-505:2
requests generally, 3-505:2
identification, 3-505:4
receipt, 3-505:6
surrender of instrument, 3-505:6
rights, 3-505:1
Presenters, 3-417:4 [Rev], 3-505:4
Procedures
demand, 3-504:1
language used, 3-504:2
simplification, 3-504:1
Proceedings, 3-501:2
Promptness, banks’ duties, 4-202:2
Proper, 3-501:1 [Rev]
Protest generally, 4-202:5
certification, 3-509:3
Reasonable identification, 3-501:5 [Rev]
Receipt, signing, 3-505:6
Representments, 3-507:6

PRESENTMENT—Cont’d
Requirements, 3-501:2 [Rev], 3-501:5
Second, 4-302:5
Stop payment orders, 4-403:6
Surrender of instrument, 3-505:6
Telephone calls, 3-502:2 [Rev], 3-504:7
Time
generally, 3-503:1
due date shown, 3-503:5
fixed period after date, 3-503:4
presumptions, 3-503:8
reasonableness, 3-503:2, 3-503:4
tellers’ checks, 3-503:9
Trade acceptances, 3-501:5
Undomiciled instruments acceptors, 3-501:3
makers, 3-501:3
Validity, duly made, 3-507:3
Warranties
generally, 3-417:1, 3-417:2, 3-417:9
[Rev], 4-207:1, 4-208 [Rev], 8-306:1
accrual of cause of action, 3-417:9
alteration, 3-417:8, 3-417:9 [Rev], 3-417:12 [Rev], 4-207:8, 4-208:12 [Rev], 4-406:6
breach generally, 3-417:9

© 2018 Thomson Reuters, 12/2018

Master Index-439
PRESENTMENT—Cont’d
Warranties—Cont’d
breach—Cont’d
charge to customers’ accounts, 4-401:3
damages, 4-207:10, 4-208:7 [Rev], 4-208:9 [Rev]
defenses, 4-208:7 [Rev]
notice, 4-207:9, 4-208:13 [Rev]
remedy, 3-417:8 [Rev], 3-417:10 [Rev], 3-417:13 [Rev], 4-208:8 [Rev], 4-208:10 [Rev]

cause of action, accrual, 4-208:13 [Rev]
collecting bank, 4-207:4
customers, 4-207:4
damages, 3-417:10
defenses, 3-417:7 [Rev]
disclaimers, 3-417:3 [Rev], 4-208:3 [Rev]
drawee only, 3-417:6 [Rev], 3-417:9 [Rev]
unaccepted draft, 3-417:5 [Rev]
etitled to enforce, 3-417:9 [Rev], 3-417:10 [Rev], 4-208:10 [Rev]
exclusiveness, 4-207:3, 4-208:2 [Rev]
good title, 3-417:6, 4-207:6
knowledge of unauthorized signatures, lack, 4-207:7
material alterations, lack, 4-207:8
1977 amendments, 8-306:7
notice of breach, unreasonable delay, 4-207:9
parties, 4-208:4 to 4-208:6, 4-208:9 [Rev]
persons making, 3-417:3
presenter, 3-417:4 [Rev]
purposes, 3-417:5

PRESENTMENT—Cont’d
Warranties—Cont’d
recipients, 3-417:4, 3-417:4 [Rev], 4-207:5
signatures, 3-417:7, 3-417:9 [Rev], 3-417:11 [Rev]
special purchasers, 8-306:2
statute of limitations, 4-207:9, 4-208:13 [Rev]
transfer, distinguished, 3-417:2 [Rev]
unauthorized signatures, lack of knowledge, 3-417:1 [Rev], 4-208:1 [Rev], 4-208:9 [Rev], 4-208:11 [Rev]

PRESENT VALUE
Definition, 1-201 [Rev]

PRESERVATION
Bill of lading, lien of carrier, 7-307:1 [Rev]
Warehouseman’s expenses in preserving goods, lien, 7-209:3 [Rev]

PRESUMED
Definition, 1-206 [Rev]

PRESUMPTIONS
Generally, 1-206 [Rev]
See also Amendments
Carrier’s liability, damaged goods, 7-309:4
Collecting bank, agency status, 4-201:1 et seq.
Conversion, 7-204:4
Definitions, 1-206 [Rev]
Investment securities, signatures, 8-105:3, 8-105:4, 8-205:4
Negligence, 7-204:2
Negotiable instruments, signatures, 3-308:4 [Rev]
Notice of dishonor, 3-510:2, 3-510:5
Official Code text and comments, 1-206 [Rev]
MASTER INDEX

PRESUMPTIONS—Cont’d
Presumed defined, 1-206 [Rev]
Protests, 3-510:3
Signatures
generally, 8-205:4
authority to sign, 3-402:1 [Rev]
investment securities, 8-105:3, 8-105:4
negotiable instruments, 3-308:4 [Rev]

PREVIOUS RIGHTS AND TRANSACTIONS
UCITA provisions, UCITA 904

PRICE
Excused performance, increase, 2A-405:14

PRIMACY
Territorial applicability and general rules, 1-301 [Rev]

PRIMA FACIE EVIDENCE
Third Parties, this index

PRINCIPAL OBLIGOR
Words and phrases, 3-103:9 [Rev]

PRIOR ACTS AND MATTERS
Course of performance, course of dealing, and usage of trade, 1-303:2 [Rev]

PRIORITIES
Accessions, security interests, 9-314:2, 9-314:3
Accounts financers, returned and repossessed goods, 9-306:9
Agricultural liens, incorrect information in financing statements, 9-338:1 [Rev]
Artisan’s liens
generally, 9-104:4, 9-310:1
possession as determinative,
9-310:2
security interests, distinguished, 9-333:1 [Rev], 9-333:2 [Rev]

PRIORITIES—Cont’d
Cape Town Convention, this index
Chattel paper
duty of inquiry, 9-308:2
holder in due course, 9-309:1
Collateral
noninventory, 9-312:5
purchasers, 9-306:10
Commingled goods, 9-315:1
Commingled goods, timing of perfection, 9-336:1 [Rev]
Conflicting security interests
generally, 9-322 [Rev]
amendments of 2010, 9-322:4 [Rev]
Code rules, 9-322:2 [Rev]
crops, 9-312:3
proceeds, 9-312:7, 9-322:4 [Rev]
same collateral, 9-312:2, 9-322:3 [Rev]
Conflicts, 9-114:4
Consignors, steps, 9-114:4
Construction mortgages, 9-313:4, 9-313:6
Course of performance, course of dealing, and usage of trade, 1-303:2 [Rev]
Creditors, 9-306:10
Crops, 9-334:1 [Rev], 9-334:5 [Rev]
Double debtor problem,
transferred collateral, 9-325:1 [Rev]
Exceptions, 9-316:1
Fixtures
generally, 9-334:1 [Rev], 9-334:4 [Rev]
financers, 9-313:3 to 9-313:5
purchase money security interests, 9-313:5
### PRIORITIES—Cont’d

**Future advances**
- conflicting security interests in same collateral, 9-312:8
- federal tax lien, 9-323:3 [Rev]
- lien creditors, 9-323:3 [Rev]
- purchasers of collateral, 9-323:2 [Rev]
- tax lien, 9-301:8

**Goods covered by certificates of title, security interests, 9-337:1 [Rev]**

**Instruments**
- proceeds, 9-330:4 [Rev], 9-330:5 [Rev]
- security interests, 9-330:1 [Rev], 9-330:3 [Rev]

**Instruments as proceeds, 9-308:4**

**Inventory financers, 9-306:9**

**Lien creditors**
- generally, 9-301:4, 9-301:8
- exceptions, 9-301:5

**Liens arising by operation of law, 9-310:2**

**Materialman’s liens, 9-313:4**

**Mechanic’s liens, 9-313:4**

**Model Tribal Secured Transactions Act, this index**

**Multiple state transactions, 9-103:12**

**Nonbuyers in ordinary course of business, 9-307:6**

**Payment of items, 4-303:2**

**Perfected security interests, 9-301:3**

**Processed goods, 9-315:1**

**Purchase money security interests generally, 9-107:6**
- holders, fixtures, 9-313:5
- inventory, 9-312:4

**Purchasers**
- chattel paper, 9-308:2, 9-308:4
- collateral, 9-307:6
- documents, 9-309:1
- farm products, 9-301:7

---

### PRIORITIES—Cont’d

**Purchasers—Cont’d**

**goods, 9-301:7**

**instruments, 9-309:1**

**perfected, nonpossessory security interests in chattel paper or instruments, 9-308:1**

**securities, 9-309:1**

**Repossessed goods, 9-306:6 et seq.**

**Returned goods, 9-306:6 et seq.**

**Reversal of rules, 9-316:1**

**Rights of protected purchasers, security entitlements, 9-331:1 [Rev]**

**Rights of purchasers, negotiable documents of title, 9-331:1 [Rev]**

**Rights of purchasers in due course, negotiable instruments, 9-331:1 [Rev]**

**Sale of goods, 9-113:4**

**Secured parties**
- future advances, 9-307:6
- lien creditors, 9-301:5
- perfected, nonpossessory security interests in chattel paper or instruments, 9-308:1

**Security interests**
- collecting banks, items deposited, 4-208:5, 4-208:6

**conflicts, same collateral, 9-312:6, 9-322:3 [Rev]**

**deposit accounts, 9-327:1 [Rev]**

**fixtures, 9-313:3**

**incorrect information in financing statements, 9-338:1 [Rev]**

**investment property, 9-312:9, 9-328:1 [Rev], 9-328:2 [Rev]**

---

Master Index-442
### PRIORITIES—Cont’d

Security interests—Cont’d
- Model Tribal Secured Transactions Act, this index
  - new debtor, 9-326:1 [Rev], 9-326:2 [Rev]
  - same collateral, 9-312:1, 9-312:6
  - transferred collateral, 9-325:1 [Rev]
- Subordination agreements, 9-316:1, 9-339:1 [Rev]
- Transferees
  - bulk, 9-301:7
  - chattel paper, returned or repossessed, 9-306:8
- Transitions, 11-107:1
- Trustees in bankruptcy, 9-301:6
- Unperfected security interests generally, 9-301:2
  - buyers not in ordinary course of business, 9-301:7
  - conflicts, 9-301:3
  - purchasers
    - accounts, 9-301:7
    - general intangibles, 9-301:7
  - transferees in bulk, 9-301:7

### PRIORITY OF SECURITY INTERESTS

Model Tribal Secured Transactions Act, this index

### PRIVATE LAW CONVENTIONS—Cont’d

- Drafting organizations generally, ICC 8:4
  - Hague Conference, ICC 8:7
  - UNCITRAL, ICC 8:5
  - UNIDROIT, ICC 8:6
- Entry into force, U.S. treaty ratification, ICC 8:14
  - Hague Conference, ICC 8:7
  - Interagency consultation in U.S. treaty ratification, ICC 8:10
- International obligation, ratification, ICC 8:21
  - Legal guides, ICC 8:3
  - Model laws, ICC 8:3
  - Office of Private International Law (L/PIL), ICC 8:9
  - Preemption under Supremacy Clause, ICC 8:23
- Principles, ICC 8:3
- Ratification
  - Constitutional Supremacy Clause, ICC 8:23
  - effect on U.S. law, generally, ICC 8:20, ICC 8:22
  - international obligation, ICC 8:21
  - preemption under Supremacy Clause, ICC 8:23
  - Supremacy Clause, ICC 8:23
  - U.S. domestic law, effect on, ICC 8:22
  - U.S. treaty ratification process, below
  - U.S. treaty, See U.S. treaty ratification, below
- Reservations, ICC 8:16, ICC 8:17
- Senate advice and consent, U.S. treaty ratification, ICC 8:12
  - Signature, U.S. treaty ratification, ICC 8:11
  - Soft law instruments, ICC 8:3
  - Transmittal, U.S. treaty ratification, ICC 8:12
PRIVATE LAW CONVENTIONS
—Cont’d
Treaty
definition, ICC 8:2
U.S. treaty ratification process,
below
UNCITRAL, ICC 8:5
Understandings, ICC 8:16, ICC
8:18
UNIDROIT, ICC 8:6
Uniform Commercial Code, gen-
erally, ICC 8:1
U.S. treaty ratification process
generally, ICC 8:8
accession, ICC 8:15
consent by accession, ICC 8:15
deposit of instrument of ratifica-
tion, ICC 8:13
entry into force, ICC 8:14
instrument of ratification,
deposit, ICC 8:13
interagency consultation, ICC
8:10
Office of Private International
Law (L/PIL), ICC 8:9
senate advice and consent, ICC
8:12
signature, ICC 8:11
transmittal and Senate advice
and consent, ICC 8:12
Words and phrases
convention, ICC 8:2
treaty, ICC 8:2

PRIVILEGES AND
IMMUNITIES
Cape Town Convention, this index

PRIVACY OF CONTRACT
—Cont’d
Implied warranty of merchant-
ability, 2A-212:5
Third-party beneficiaries of war-
rants, 2A-216:1 et seq.

PROBABLE INTENT OF
PARTIES
Course of performance, course of
dealing, and usage of trade,
1-303:4 [Rev]

PROBATIVE VALUE
Course of performance, course of
dealing, and usage of trade,
1-303:2 [Rev]

PROCEEDS
Bulk transfers, application,
6-106:1
auction sales, 6-106:6
personal liability of transferees,
6-102:2
protection
non-consensual creditors,
6-106:4
secured creditors, 6-106:5
unlisted creditors, 6-106:3
Cash, 9-306:1, 9-306:11
Chattel paper, priority of
purchaser, 9-330:4 [Rev],
9-330:5 [Rev]
Chattel paper, priority of purchas-
ers, 9-308:4
Claims
generally, 9-110:6
insolvency proceedings, catego-
ries, 9-306:5
Collateral
generally, 9-110:6
noninventory, 9-312:5
payments under government
programs constituting,
9-203:13
subsequent to disposition, distri-
bution orders, 9-504:3

Master Index-444
### PROCEEDS—Cont’d
Commingling, reclaiming, 9-306:5
Definitions, 4-208:1, 9-110:6, 9-203:10, 9-302:4, 9-306:1
Department of Agriculture entitlement payments to farmers, 9-306:1
Descriptions, 9-110:6, 9-203:10
Distribution, 9-502:5
Farmers, Department of Agriculture entitlement payments, 9-306:1
Government program payments constituting, 9-203:13 [Rev]
Identifiable, perfection, continuation, 20-day rule, 9-315:3 [Rev]
Insolvency proceedings, 9-306:5
Instruments, priorities of purchasers, 9-308:4
Insolvency proceedings, 9-306:5
Instruments, priorities of purchasers, 9-308:4
Insurance, 9-306:1
Investment property, payments or distribution, 9-308:4
Received on or before delivery of inventory, 9-312:4
Reclamation, insolvency proceedings, 9-306:5
Rights
- generally, 9-203:13, 9-203:13 [Rev]
- secured parties, 9-203:10
Security interests
- generally, 9-203:13 [Rev]
- cash, perfection, 9-306:11
- conflicts, priorities, 9-312:7
- continuation
- generally, 9-306:3, 9-315:2 [Rev]
- perfection, 9-306:4
- insolvency proceedings, 9-315:4 [Rev]
- temporary perfection, 9-306:4

### PROCESSED GOODS
Priorities, 9-315:1
Security interests, continuation, 9-315:1

### PROCESS OF POSTING
Accountability attaching, 4-109:10
Added steps, 4-109:6
Classification of items, 4-109:7
Completion
determination, 4-109:6, 4-109:10
indication of final payment, 4-213:4
significance, 4-109:11
Correction of entries, 4-109:8
Deferred posting statutes, 4-301:1
Departure from procedures, holder’s challenge, 4-109:9
Documentary drafts, 4-501:1
Drafting history, 4-109:1
Expedited funds availability, 4-213:9
Judgmental steps, 4-109:4
Mechanical elements, 4-109:2
Midnight deadlines, 4-213:4
Noncash items, 4-109:3
Omitted steps, 4-109:5
Posting distinguished, 4-213:4
Pre-Code law, 4-301:1
Record-keeping steps, 4-109:8
Reversing entries, 4-109:8
Sight posting, 4-301:1

### PRODUCTS LIABILITY
Disclaimers of warranties, 2-316:2, 2-316:5
Express warranties, disclaimers, 2-316:2
Implied warranties disclaimers, 2-316:3, 2-316:4
PRODUCTS LIABILITY
—Cont’d
Implied warranties—Cont’d
fitness for particular purpose breach, 2-315:3
particular purpose, 2-315:2
remedies for breach, 2-315:3
2003 and 2005 amendments, 2-315:5
Magnuson-Moss Warranty Act, 2-316:5
merchantability
applicability, 2-314:2
definition, 2-314:3
limitations on recovery, 2-314:5
nature, 2-314:1
strict liability in tort, relationship, 2-314:6
tort law, relationship, 2-314:6
2003 and 2005 amendments, 2-314:7
strict liability in tort, 2A-212:14
Magnuson-Moss Warranty Act, 2-316:5
Privity, 2-318:1 to 2-318:4
Warranty of merchantability, relationship, 2A-212:14

PROFITS
Measure of damages, 2A-528:3, 2A-528:4
Sales, measure of damages, 2-708:2

PROMISSORY NOTES—Cont’d
interests, RMTSTA 9-601:1

PROPERTY
CISG, excluded issues, ICC 10:19

PROPERTY DAMAGE
Breach of warranty, 2A-520:10
Reasonable care duty, warehouse receipts, 7-204:1 [Rev]

PROPERTY LAW
Coexistence of contract law, UCITA 101:10

PROSPECTIVE APPLICATION
Generally, UETA 4, UETA 4:1

PROTECTED PURCHASES
Generally, 8-303:1 [Rev]
Control
certificated securities, 8-303:6 [Rev]
uncertificated securities, 8-303:7 [Rev]
Good faith, 8-303:10 [Rev]
Indirect holding systems, 8-303:8 [Rev]
1994 revision, definition, 8-303:9 [Rev]
Value, 8-303:2 [Rev]

PROTECTION
Bulk sales
assignment for benefit of creditors, 6-103:11 [Rev]
exempt assets sale, 6-103:11 [Rev]
judicial sale, 6-103:11 [Rev]
purchasers, 6-107:6 [Rev]
statutory sale, 6-103:11 [Rev]
Bulk transfers
generally, 6-104:1
list of creditors, demand accuracy, 6-104:3
completion, 6-104:3
information and belief affidavits, 6-104:2

Master Index-446
PROTECTION—Cont’d
Bulk transfers—Cont’d
list of creditors, demand
—Cont’d
investigation, 6-104:3
schedule of property, 6-104:4
Buyers of goods
generally, 9-307:1
consumer goods, 9-307:4,
9-320:4 [Rev]
farm equipment, 9-307:5
farm products, 9-307:3, 9-320:3
[Rev]
ordinary course of business,
9-307:2, 9-320:2 [Rev]
wellhead or minehead
purchases, 9-320:5 [Rev]
Consignors, 9-102:5, 9-114:2,
9-114:3, 9-114:4
Debtors, disposition of collateral,
9-505:2
Nonmerchant buyers, 9-103:8
Purchasers, 9-309:1, 9-309:2
Purchasers for value, 9-504:11
Secured parties, 9-103:4

PROTESTS
See also Dishonor
Authorized officials, 3-509:4
Burden of proof, 3-510:2, 3-510:3
Certification of presentment and
dishonor, 3-509:3, 3-509:4
Contents, 3-509:3
Defined, 3-501:8, 3-509:1
Delay, 3-502:6
Discharge, delay, 3-502:6
Documentary drafts, notice
excused, 3-511:11
Evidence, 3-509:1, 3-509:2,
3-510:2, 3-510:3
Evidence of dishonor, 3-505:2
[Rev]
Excused
generally, 3-507:1, 3-511:1,
3-511:2

PROTESTS—Cont’d
Excused—Cont’d
circumstances beyond party’s
control, 3-511:4
deceased party, 3-511:11
dishonored instruments, 3-511:7
express waiver, 3-511:9
futility, 3-511:8
implied waiver, 3-511:10
improper grounds for refusal,
3-511:12
insolvency, 3-511:11
knowledge, 3-511:8
lack of knowledge, 3-511:3
nonacceptance of drafts,
3-511:13
payments countermanded,
3-511:6
reasonable diligence, 3-511:5
Identification of instrument,
3-509:3
Officials authorized to make,
3-509:4
Optional, timeliness, 3-509:5
Presentment, excused, 3-509:3
Presumptions, 3-510:3
Purposes, 3-509:1
Requirements, 3-509:2
Seal, 3-509:2
Timeliness, 3-509:5
Waiver
express, 3-511:9
implied, 3-511:10

PROTOCOL ON MATTERS
SPECIFIC TO AIRCRAFT
ASSETS
Cape Town Convention, this index

PROVISIONAL CREDITS
Reversal, 4-103:4

PUBLIC COMMENT

PROHIBITIONS
Fundamental public policy and
contract terms, UCITA 105:7
PUBLIC DOMAIN
Warranties, UCITA 401:8

PUBLIC ENEMY
Carriers, 7-309:2

PUBLIC POLICY
Intellectual property policy, UCITA 105:6
Public comment prohibitions, UCITA 105:7

PUBLISHERS
Performance, UCITA 613

PUNITIVE DAMAGES
Generally, 4-103:10
Bad faith, 4-103:10, 4-401:1 [Rev]
Carrier’s liability, 7-309:12
Improper payment, bad faith, 4-401:1 [Rev]
Pre-Code law, 4-402:9
Remedies to be liberally administered, 1-305:2 [Rev]
Wrongful dishonor, 4-402:9

PURCHASE
Definition, 1-201 [Rev]

PURCHASE MONEY SECURITY INTERESTS—Cont’d
Consumer goods—Cont’d
perfection of security interests, 9-302:6
Definition, 9-103:4
Direct, 9-107:1
Enabling, 9-103:1 [Rev], 9-103:6 [Rev], 9-107:1
Exceptions, avoidance of preferential transfers, 9-301:6
Farm equipment, 9-302:9
Filing
generally, 9-107:6
grace periods, 9-301:6
Fixtures
consumer goods, perfection of security interests, 9-302:7
priorities, 9-313:5
Floating lien on inventory, 9-103:5 [Rev]
Grace periods, 9-107:6, 9-301:6
History, 9-107:1
Impact, 9-107:6
Instruments
nonpossessory, 9-308:3
proceeds, 9-308:4
Inventory
collateral, 9-107:6, 9-324:1 [Rev]
priorities, 9-312:4, 9-324:1 [Rev]
proceeds, 9-312:4
Model Tribal Secured Transactions Act, comparison with Revised UCC Article 9, RMTSTA 9-115:1
Motor vehicles, 9-302:8
Negative equity and Bankruptcy Code’s hanging paragraph, 9-103:7 [Rev]
Noninventory collateral, 9-324:2 [Rev]
Preferential status, 9-103:1 [Rev]
PURCHASE MONEY SECURITY
INTERESTS—Cont’d
Present value requirement,
9-103:2 [Rev], 9-107:2
Priorities
collateral other than inventory,
9-312:5
rules, 9-107:6
Problems, 9-107:1
Refinancing, 9-103:3 [Rev], 9-107:3
Securing future advances, 9-103:5 [Rev]
30-day rule, 9-103:4
Treatment, 9-107:6
True or direct PMSI, 9-103:6 [Rev]
Value
actual use, 9-107:4
requirements, 9-203:11
PURCHASERS—Cont’d
Investment securities, subsequent purchaser, defined, 8-102:4
Nonmerchants, protection,
9-103:8
Notice, adverse claims, 8-304:1
Not in ordinary course of business, definition, 9-301:7
Ordinary course of business
definition, 9-301:7, 9-307:2
protection, purchase collateral with perfected security interests, 9-307:2
qualifications, 9-307:2
Ordinary course of business, protection, fungible goods,
7-205:1
Securities intermediaries, purchasers for value, 8-116:1 [Rev]
Special, warranties on presentment, 8-306:2
Stale securities, 8-305:2
Subsequent, definition, 8-102:4
PURCHASES
Definition, 8-302:2
Voluntary transfers as constituting, 8-302:2
QUALIFIED DOCUMENTS
Third parties, prima facie evidence, 1-307:1 [Rev] to
1-307:4 [Rev]
QUESTIONS FOR COURT
Generally, UCITA 117
RAIL PROTOCOL
Cape Town Convention, this index
Luxembourg Protocol, this index
RAIL WORKING GROUP (RWG)
Cape Town Convention, ICC 9:3
RATES AND CHARGES
Handling, warehouse receipts,
7-202:1 [Rev]
RATES AND CHARGES—Cont’d
Lien, warehouseman, 7-209:3
[Rev]
Storage, warehouse receipts, 7-202:1 [Rev]
Warehouseman, lien, 7-209:3 [Rev]
Warehouse receipts, storage, 7-202:1 [Rev]

RATIFICATION
Cape Town Convention, ICC 9:134
International Commercial Conventions, this index

REAL ESTATE
See also Fixtures
Default, lessor and lessee rights, 2A-501:10
Description, 9-110:5, 9-203:9 financing statements, 9-402:13
Description, signed security agreements, 9-203:6
Excluded transactions, 9-104:11
Financing statements, 9-402:2, 9-402:13
Leases, rights of parties, 2A-501:10
Model Tribal Secured Transactions Act, security agreement covering real property, RMTSTA 9-604:1
Mortgage, financing statement, 9-402:1
Secured parties’ options, real and personal property both collateral, 9-604:1 [Rev]
Secured parties’ rights, 9-501:10
Uniform Real Property Electronic Recording Act (URPERA), this index

REASONABLE CARE—Cont’d
Conversion of debentures, failure, 9-207:3
Definition in agreement, 9-207:2
Negligence concepts, 9-207:2
Negotiable instruments, 9-207:3
Pledgees, 9-207:2
Repledgees, 9-207:1
Secured parties generally, 9-207:1 et seq.
contents of collateral, 9-207:3
instruments, 9-207:3

REASONABLE RELATION TO TRANSACTION
Territorial applicability and general rules, 1-301:2 [Rev]

REASONABLE TIME AND SEASONABLENESS
Generally, 1-205 [Rev]
Agreements, 1-205:1 [Rev]
Changes in Code, 1-205 [Rev]
Course of performance, course of dealing, and usage of trade, 1-303:4 [Rev]
Definitions, 1-205 [Rev]
Limitations and restrictions, 1-205:1 [Rev]
Manifestly defined, 1-205:1 [Rev]
Official Code text and comments, 1-205 [Rev]
Per se manifestly unreasonable, 1-205:1 [Rev]

RECEIPT
Generally, UETA 15 et seq.

RECEIPT OF GOODS
Defined, Sales Act, application, 7-102:1 [Rev]

RECEIPTS
Electronic record, 2A-224, 2A-224:1

Master Index-450

UNIFORM COMMERCIAL SERIES
### RECLAMATION
Buyer’s insolvency, 2-702:2 to 2-702:4
Lessor’s insolvency, 2A-522:7
Seller’s insolvency, 2-502:1 et seq.

### RECOGNITION
Legal recognition of electronic records, signatures, and contracts, UETA 7 et seq.

### RECONSIGNMENT
Bills of lading, 7-303:1 [Rev]

### RECORDING
Uniform Real Property Electronic Recording Act (URPERA), this index

### RECORDS
Conduct, terms of contract formed by, UCITA 210
Conspicuous terms, UCITA 102:39, UCITA 102:40
Consumer transactions, UCITA 102:28
Corrections statements amendments of 2010, 9-518:5 [Rev]
criteria necessary, 9-518:3 [Rev]
effect, 9-518:4 [Rev]
need for correction statements, 9-518:1 [Rev]
statutory authority, 9-518:2 [Rev]
Definition, UCITA 102:50, UETA 2, 1-201 [Rev], 7-102:11 [Rev]
E-commerce, UCITA 102:47, UCITA 102:48, UCITA 102:50
Effectiveness of filed generally, 9-516 [Rev], 9-516:1 [Rev]

### RECORDS—Cont’d
Effectiveness of filed—Cont’d amendments authorization, less than all secured parties, 9-510:4 [Rev]
unauthorized, 9-510:2 [Rev]
amendments of 2010, 9-516:4 [Rev]
arborization exceeded, 9-510:3 [Rev]
financing statements, 9-510:1 [Rev]
unauthorized, 9-510:2 [Rev]
multiple debtors, 9-520:4 [Rev]
Electronic message, effectiveness and acknowledgment of, UCITA 214
Electronic Record, this index
Emails and confirmations, UCITA 201:3
Extrinsic evidence vs., UCITA 301:1
Filing office authority to destroy originals, 9-522:2 [Rev]
maintenance generally, 9-522 [Rev], 9-522:1 [Rev]
after lapse of financing statements, 9-522:3 [Rev]
Filing office duties generally, 9-519 [Rev], 9-519:1 [Rev]
file number assignment, 9-519:2 [Rev]
indexing and retrieval of information generally, 9-519:3 [Rev]
real property related records, 9-519:3 [Rev]
mandatory acceptance, 9-520:3 [Rev]
mandatory refusal, effect of failure to refuse, 9-520:2 [Rev]
RECORDS—Cont’d
Filing office errors, effect, 9-517:1 [Rev]
Manifestation of assent, UCITA 112:1, UCITA 113:2, UCITA 208:1
Mass-market licenses, UCITA 209
Material variance standard, UCITA 204:1
Multiple debtors, 9-520:4 [Rev]
On-line terms and conspicuousness, UCITA 102:42
Presentation of records, UETA 8 et seq.
Prima facie evidence by third-party documents. Third Parties, this index
Reasons for refusal to accept generally, 9-516:2 [Rev]
amendments of 2010, 9-516:4 [Rev]
inadequate information, 9-516:3 [Rev]
Review record, opportunity to, UCITA 113:1
Standard form, UCITA 102:37
Terms of records adoption, generally, UCITA 208:1 to 208:5
clickwrap and other standards forms, UCITA 208:3
incorporation of terms by reference, UCITA 208:5
layered contracts, UCITA 208:4
manifested assent, UCITA 208:1
reasonable expectations test, UCITA 208:2
shrinkwrap agreements, UCITA 208:4
Transferable records, UETA 16, UETA 16:1
Uniform Computer Information Transactions Act, this index
Uniform Electronic Transactions Act, this index

RECORDS—Cont’d
Waiver or renunciation, 1-306 [Rev]
Words and phrases, 3-103:10 [Rev]

RECOUPMENT
Generally, UCITA 810:1
Accommodation parties, 3-305:11 [Rev]
Banks’ rights, deposit accounts, 9-340:1 [Rev]
Claim in, notice, 3-302:11 [Rev], 3-302:18 [Rev]
Claims, 3-305:1 [Rev], 3-305:7 [Rev]
generally, 3-305 [Rev]
counterclaim, 3-305:8 [Rev]
Deduction of damages compared, 2A-508:4
Defenses, 3-305:1 [Rev], 3-305:8 [Rev]
Repossession of leased goods, 2A-525:7
Third parties, 3-305:9 [Rev]

RECOUSE RIGHTS
Discharge
principal debtor, 3-605:2 [Rev]
reservation of rights, 3-605:17 [Rev]
Exceptions, 3-606:8
Impairment
generally, 3-606:1
binding agreement, 3-606:4
consent, 3-606:6
extensions of time, 3-605:3 [Rev], 3-606:2
extent of discharge, 3-606:5
modifications, 3-605:3 [Rev]
releases, 3-606:2
Modifications, extensions, 3-605:3 [Rev]
Reservation of rights, 3-606:7
REDEMPTION
Generally, 9-623 [Rev], 9-623:1
[Rev]
Alternative to damages, 9-507:4
Bankruptcy Code provisions, 9-506:7
Cape Town Convention, ICC 9:43
Codebtors, right, 9-506:2
Collateral, 9-112:5, 9-506:1
Conditions, fulfillment of all obligations, 9-506:6
Damages alternatives, 9-507:4
Debtors’ rights, 9-506:2
Duration, 9-506:4
Guarantors, right, 9-506:2
Model Tribal Secured Transactions Act, default and enforcement of security interests, RMTSTA 9-623:1
Nondebtor owners’ rights, 9-112:5, 9-506:2
Partial, 9-506:6
Parties who may redeem, 9-623:3
[Rev]
Period of redemption, 9-623:4
[Rev]
Requirements, 9-623:2 [Rev]
Secured parties’ rights, 9-506:3
Time limitations generally, 9-506:4, 9-506:5
waiver, 9-506:5
Waiver, 9-506:5, 9-623:5 [Rev], 9-624:4 [Rev]
REDUNDANT LANGUAGE
Good faith, 1-304:1 [Rev]
REFUSAL
CISG, refusal by buyer, ICC 10:68
REFUSAL TO DELIVER GOODS
Lessee’s insolvency, 2A-525:1
REGIONAL ECONOMIC INTEGRATION ORGANIZATIONS
Cape Town Convention, ICC 9:135
REGISTERED FORM
Bearer form distinguished, 8-102:3
Bona fide purchasers, 8-302:6
Debt securities, 8-102:3
Definitions, 8-102:3, 8-107:2, 8-302:6
Delivery of security without indorsements, 8-304:5 [Rev], 8-307:1
Indorsements without delivery, 8-304:4 [Rev]
REGISTERED MAIL
Warehousemen lien, enforcement, 7-210:3 [Rev]
REGISTERED OWNERS
Agents’ duties, 8-406:3
Demand, registration, 8-403:4 [Rev], 8-404:3 [Rev]
Duties, lost certificates, 8-406:1 [Rev], 8-406:2 [Rev]
Liability assessments, 8-207:2
calls, 8-207:2
Multiple indorsements of securities, 8-308:5
Stop orders, 8-403:1 et seq., 8-403:2
Treatment, 8-207:1, 8-207:1 [Rev]
REGISTRARS
Cape Town Convention, this index
Definition, 8-406:1
Duties, 8-406:2, 8-406:3, 8-406:5
Notices, receipt, 8-406:4
Responsibilities, 8-205:2, 8-406:1
Warranties generally, 8-208:1
amount, 8-208:4
authority, 8-208:3
capacity, 8-208:3
form, 8-208:4
genuineness of security, 8-208:2
1977 amendments, 8-208:5
REGISTRATIONS
Accuracy, 8-404:1
Cape Town Convention, this index
Demand not to register, generally, 8-403:1 [Rev]
Duties, 8-404:1
Importance, 8-404:1
International registration. Cape Town Convention, this index
Liability
 generally, 8-404:1
adverse claims, notices, 8-404:6 [Rev]
collection of taxes, 8-404:3
forged indorsements, 8-404:3
1977 amendments, 8-404:5
remedies, 8-404:4
unauthorized indorsements, 8-404:3
Multiple, pledges, 8-108:2
Nonliability, 8-404:2
Pledges
 generally, 8-108:1, 8-401:3 [Rev]
multiple, 8-108:2
rights
 pledgees, 8-108:4
pledgors, 8-108:3
termination, 8-108:5
Prerequisites
 generally, 8-316:1
failure to supply, 8-316:2
1977 amendments, 8-316:3
Requisites, 8-307:1 [Rev]
Transfers
 generally, 8-401:1 [Rev]
book entry as equivalent, 8-320:5
issuers
duties, 8-401:1, 8-401:2, 8-401:4 [Rev], 8-401:5 [Rev], 8-403:4 [Rev]
refusals, 8-401:4
refusals, 8-204:3, 8-401:4

REGULATION M
Generally, 2A-104:1
Consumer leases
 model closed-end or net vehicle lease disclosures, App. 2A-A5
model open-end or finance vehicle lease, App. 2A-A4

REIMBURSEMENT
Merchant lessee’s duty, 2A-511:3

REJECTION OF GOODS
Consequences of acceptance, 2A-516:3
Default under contract, lessor’s remedies, 2A-523:1
Manner, 2A-509, 2A-509:10
Perfect tender rule, 2A-509:1
Revocation of acceptance compared, 2A-517:1
Time, 2A-509:9
Timeliness, 2A-516:5, 2A-516:6

RELATED LAWS
General provisions, 2A-104:2

RELATION BACK
Cape Town Convention, time of registration, ICC 9:72

RELEASES
Collateral
 amendments, 9-406:1
impairment of rights, 3-606:2
Contract formation and release of informational rights, UCITA 207
Discharge, secondary obligors, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:12 [Rev]
Negotiable instruments, 3-606:2
Partial, 9-406:1
Registered pledges, 8-108:5
Statements, filing, proof, 9-407:1
Substitute goods, cover by lessee as equivalent, 2A-518:1
MASTER INDEX

RELEASES—Cont’d
Warehousmen, delivery excused by, 7-403:4 [Rev]

REMEDIES
Generally, UCITA 801 to 806
See also Anticipatory Repudiation; Damages; Fraud; Repossession
Actions for price
breach by nonacceptance, 2-708:1
breach by repudiation, 2-708:1
Convention on International Sale of Goods, 2-709:1
due under contract, 2-709:1
other remedies, relationship to, 2-709:2
specific performance, 2-709:1
2003 and 2005 amendments, 2-709:3
Actions for rent, 2A-528:1 et seq., 2A-529:1
Ancillary obligations, 2A-503:9
Ancillary services agreement, contractual modification of remedy, UCITA 803:9
Anticipatory repudiation, 2A-402:4, 2-610:2
Attachment, bulk transfers, 6-104:9
Breath and restrictions in contractual use terms, UCITA 801:2
Breath of contract allocation, 2-615:3
collateral contracts, impairment, 2-701:1, 2-701:2
Convention on International Sale of Goods, 2-701:1
2003 and 2005 amendments, 2-701:2
Breath of warranty generally, 2A-211:8
interference or infringement, 4-208:8 [Rev]

REMEDIES—Cont’d
Bulk sales
auctions, 6-108:2 [Rev]
damages, 6-107:1 [Rev] to 6-107:6 [Rev]
liquidation, 6-108:2 [Rev]
in personam, 6-107:1 [Rev]
in rem, 6-107:1 [Rev]
statutory duty, breach, 6-107:1 [Rev]
Bulk transfers
compliance by parties generally, 6-104:9
unsecured creditors, 6-104:10
compliance by transferors, 6-104:9
noncompliance generally, 6-104:5, 6-104:6
defective, cure, 6-104:7
secured creditors, 6-104:11
Buyers
accepted goods generally, 2-714:1
consequential damages, 2-714:2
cover, 2-714:2
incidental damages, 2-714:2
2003 and 2005 amendments, 2-714:3
warranty damages, 2-714:2
cancellation of contract, 2-711:3
comparison with seller’s, 2-711:1
cover
Convention on International Sale of Goods, 2-712:1
reasonable purchase requirements, 2-712:2
remedial equivalent of resale, 2-712:2

© 2018 Thomson Reuters, 12/2018
REMEDIES—Cont’d
Buyers—Cont’d
cover—Cont’d
deduction of damages from price
generally, 2-717:1
availability, 2-717:1
Convention on International Sale of Goods, 2-717:1
notice requirements, 2-717:2
other remedies distinguished, 2-717:1
2003 and 2005 amendments, 2-717:3
measure of damages
Convention on International Sale of Goods, 2-713:1
market price, 2-713:1
repudiation, 2-713:1
obtaining of goods, 2-711:2
overview and theory, 2-711:1
recovery of price, 2-711:1
repair and replacement costs, 2-714:2
replevin, 2-716:2
security interests in goods, 2-711:4
specific performance
generally, 2-716:1
availability, 2-716:1
Convention on International Sale of Goods, 2-716:1
proper circumstances, requirements, 2-716:1
2003 and 2005 amendments, 2-716:3
uniqueness requirements, 2-716:1
Cancellation contracts, 2-703:3
Convention on International Sale of Goods, 2-720:1

REMEDIES—Cont’d
Cancellation—Cont’d
2003 and 2005 amendments, 2-720:2
use of term, 2-720:1
Cape Town Convention, this index Change. See Contractual modification of remedy, below
Collateral obligations, 2A-503:9
Communications with defaulting party, protecting remedies, 2A-505, 2A-505:1
Comparison of lessor’s and lessee’s, 2A-508:2
Competence to limit or modify, 2A-503:1
Consequential damages, 2A-503:8
Consumers, secured parties’ noncompliance with default provisions, 9-507:6
Consumers, secured party’s noncompliance with default provisions, 9-507:6
Contractual modification of remedy
generally, UCITA 803:1 to 803:10, 2-719:1
ancillary services agreement, UCITA 803:9
cancellation, particular terms dealing with, UCITA 803:6
Convention on International Sale of Goods, 2-719:1
damages, excluding or limiting, UCITA 803:4, UCITA 803:8
exclusion of consequential loss, limited remedy related to, UCITA 803:5
failure of essential purpose, UCITA 803:3, 2-719:3
fair quantum doctrine, 2-719:2
limitation of actions, UCITA 805:2

UNIFORM COMMERCIAL SERIES
Master Index-456
REMEDIES—Cont’d
Contractual modification of remedy—Cont’d
  online contracts, UCITA 803:10
  optional or exclusive remedy, UCITA 803:2, UCITA 803:3
  particular terms, generally, UCITA 803:6 to 803:9
  policy issues, UCITA 803:1
  replacement or repair of defect, particular terms dealing with, UCITA 803:7
  2003 and 2005 amendments, 2-719:4
  unconscionability, 2-719:2
Cover, 2A-518, 2A-518:1, 2A-518:2, 2-712:1, 2-712:2
Creditors, bulk transfers
  application of proceeds, 6-106:1
  auction sales, 6-106:6
  compliance, 6-104:9 to 6-104:11
  noncompliance, 6-104:5, 6-104:6
  personal liability of transferees, 6-106:2
  protection
    nonconsensual creditors, 6-106:4
    secured creditors, 6-106:5
    unlisted creditors, 6-106:3
Damages, this index
Debtors
  default, 9-501:8
  defaults, 9-501:8
  secured parties’ actions, 9-507:1
Deduction of damages from price generally, 2-717:1
  availability, 2-717:1
Convention on International Sale of Goods, 2-717:1
  notice requirements, 2-717:2

REMEDIES—Cont’d
Deduction of damages from price—Cont’d
  other remedies compared, 2-717:1
  2003 and 2005 amendments, 2-717:3
Definition of remedy, 1-201 [Rev]
Delivery
  conditional upon payment, 2-507:2
  like securities, 8-404:4
Dispose of goods, 2A-527:1 et seq.
  Double recovery prohibited, UCITA 801:1, UCITA 804:2
Elections
  abolishment, 2-720:1
  default, 2A-501:7
  secured parties, 9-501:7
Electronic Self-Help, this index
  Equitable, recovery of money paid under mistake of fact, 4-303:1
Estoppel, entrustment, 2-403:4
Exculpatory agreements, validity, 4-103:1
Excused performance, 2A-405:19
Failure of essential purpose, modification or impairment, 2A-503:3
Fraud, UCITA 806, 2A-505:2
Funds transfers
  cancellation or amendment of payment order, 4A-211:4
  erroneous execution of payment order, 4A-303:7
  misdescription of beneficiary, 4A-207:5
Identification of goods, conditions precedent, 2-501:1
Improper tender of delivery of goods, cure by sellers, 2-508:1
  time for performance, 2-508:2, 2-508:3
REMEDIES—Cont’d
Incidental damages, 2A-530:1, 2A-530:2
Index of lessee’s remedies, 2A-508:1
Injunctions
bulk transfers, 6-104:10
funds transfers payment orders, 4A-503:1
Insolvency of buyers
delivery for cash, 2-702:1
reclamation, 2-702:2 to 2-702:4
third parties’ rights
buyers in ordinary course, 2-702:3
good faith purchasers, 2-702:3
2003 and 2005 amendments, 2-702:4
Insolvency of sellers, specific performance, 2-502:1 et seq.
Lessees
replevin, 2A-521:4
specific performance, 2A-521:1
Lessors
generally, 2A-501:5
index, 2A-523:1
repossession, 2A-525:2 et seq.
right to dispose of goods, 2A-527:1 et seq.
right to possession, 2A-525:1 et seq.
stoppage of delivery, 2A-526:1 et seq.
withholding of goods, 2A-523:2
Liberal administration. Remedies to be Liberally Administered, this index
Limitation of Actions, this index
Limitations, 2A-214:8, 2A-503:2
Liquidation of damages, UCITA 804:1, UCITA 804:2

REMEDIES—Cont’d
Misrepresentation, remedies for, UCITA 806
Model Tribal Secured Transactions Act, default and enforcement of security interests, RMTSTA 9-625:1
Modification or Impairment, this index
Negotiable instruments, presentment warranties, breach, 3-417:8 [Rev]
Online contracts, limitation of liability, UCITA 803:10
Overissued securities, 8-104:2
force purchase and delivery of identical shares, 8-104:3
Payments, prior to inspection of goods, 2-512:1
Penalty, unenforceability of liquidated damages clause constituting, UCITA 804:2
Performance, remedies related to generally, UCITA 811 to 816
access, control of, UCITA 814:1
completing performance, UCITA 812
continuing use, UCITA 813
Electronic Self-Help, this index
Repossession, this index
specific performance, UCITA 811:1, UCITA 811:2
Performance of contracts, adequate assurance rights, 2-609:1
suspension of performance, 2-609:4
Profit, measure of damages, 2A-528:3, 2A-528:4
Property claim issues, UCITA 801:1
Reclamation of goods
cash sale, 2-507:2
insolvency of lessor, 2A-522:7

Master Index-458
REMEDIES—Cont’d
Reclamation of goods—Cont’d
third parties’ rights
buyers in ordinary course, 2-702:3
good faith purchasers, 2-702:3
Reclamation of proceeds, 9-306:5
Recoupment, UCITA 810:1
Refusal to deliver goods, lessee’s insolvency, 2A-525:1 et seq.
Registration of transfers, 8-404:4
Regulation CC, violation, 4-215:17 [Rev]
Rejection, 2A-516:3
Repair or replacement, modification or impairment, 2A-503:4, 2A-503:5
Replevin, 2A-521:2, 2A-521:4, 2-716:2
Repossession, this index
Resale of goods
aggrieved buyers, 2-706:4
Convention on International Sale of Goods, 2-706:1
persons in position of sellers, 2-706:4
Rescission
Convention on International Sale of Goods, 2-720:1
2003 and 2005 amendments, 2-720:2
use of term, 2-720:1, 4-207:10 [Rev]
Restitution, funds transfers, 4A-205:4, 4A-303:3
Revocation of acceptance, 2A-517:1, 2-608:1 et seq.
Right to dispose of goods, lessors, 2A-527:1 et seq.
Right to goods, limitation, lessor’s insolvency, 2A-522:2 et seq.
Right to possession, lessors, 2A-525:1 et seq.

REMEDIES—Cont’d
Secured creditors
injunctive relief, bulk transfers, 6-104:11
secured parties’ actions, 9-507:1
Secured parties noncompliance with Article generally, 9-625 [Rev], 9-625:1 [Rev]
actual damages, 9-625:3 [Rev]
injunctive relief, 9-625:2 [Rev]
reduction of deficiency, 9-625:4 [Rev]
statutory damages
all cases, 9-625:5 [Rev]
consumer cases, 9-625:6 [Rev]
Sellers
actions for price
Convention on International Sale of Goods, 2-709:1
due under contracts, 2-709:1
other remedies, relationship to, 2-709:2
specific performance, 2-709:1
2003 and 2005 amendments, 2-709:3
cancellation of contracts, 2-703:3
commercial reasonableness requirements, 2-706:1
completion of manufacture, 2-704:2
consequential damages, incidental distinguished, 2-710:1
Convention on International Sale of Goods, 2-703:2, 2-703:3
identification of goods requirements, 2-704:1

© 2018 Thomson Reuters, 12/2018
Master Index-459
REMEDIES—Cont’d
Sellers—Cont’d
incidental damages
consequential distinguished, 2-710:1
expenses included, 2-710:1
2003 and 2005 amendments, 2-710:2
insolvency of buyers, 2-702:1 et seq.
nonacceptance, market price, 2-708:1
overview and theory of provisions, 2-703:1
repudiation of contracts, 2-708:1
resale for scrap, 2-704:2
resale of goods
Convention on International Sale of Goods, 2-706:1
good faith buyers, 2-706:3
good faith requirements, 2-706:1
mechanics of proper resale, 2-706:2
noncompliance, consequences, 2-706:3
private sale requirements, 2-706:2
public sale requirements, 2-706:2
sale of goods, measure of damages, 2-706:1
stoppage of delivery in transit, 2-705:1
conditions permitting, 2-705:1
Convention on International Sale of Goods, 2-705:1
goods in possession of carriers, 2-705:1
limitations, 2-705:2
negotiation of documents of title, 2-705:2
procedures, 2-705:3

REMEDIES—Cont’d
Sellers—Cont’d
withholding goods, 2-703:2
Shipment contracts, noncompliance of sellers, 2-504:2
Specific performance generally, 2-716:1
availability, 2-716:1
Convention on International Sale of Goods, 2-716:1
insolvency of sellers
buyers’ rights, 2-502:1
tender of unpaid portion of price requirements, 2-502:2
other proper circumstances requirements, 2-716:1
specific or ascertained goods requirements, 2-716:1
2003 and 2005 amendments, 2-716:3
uniqueness requirements, 2-716:1
Specific Performance, this index
Standing to sue, third parties, 2A-531:1
Statute of limitations. Limitation of Actions, this index
Stoppage of delivery, 2A-526, 2A-526:1 et seq.
Suspension of performance, 2-610:2
Temporary restraining orders, bulk transfers, 6-104:10
Tender of delivery, improper, cure by sellers, 2-508:1 et seq.
Transferees, actions against, 6-106:2, 6-110:3
procedural, 2-302:3
substantive, 2-302:4
Unwilling or unable to repair or replace, modification or
REMEDIES—Cont’d
impairment, 2A-503:5
Withholding goods, 2A-523:2, 2-703:2

REMEDIES TO BE LIBERALLY ADMINISTERED—Cont’d
Generally, 1-305 [Rev]
Action defined, 1-305:5 [Rev]
Aggrieved party defined, 1-305:5 [Rev]
Avoidable consequences, 1-305:2 [Rev]
Changes in Code, 1-305 [Rev]
Compensatory damages, 1-305:4 [Rev]
Complete performance, 1-305:1 [Rev], 1-305:2 [Rev]
Conflict between text and comments, 1-305:5 [Rev]
Consequential damages, 1-305 [Rev], 1-305:4 [Rev]
Construction and interpretation, 1-305:3 [Rev]
Criminal sanctions, 1-305:2 [Rev]
Damages, generally, 1-305 [Rev]
Definitions, 1-305:5 [Rev]
Enforceability of UCC rights and obligations, 1-305:5 [Rev]
Equitable discretion, 1-305:2 [Rev]
Evidence, proof of damages, 1-305:2 [Rev]
Expectation damages, 1-305:3 [Rev], 1-305:4 [Rev]
Fair quantum of substitutional relief, 1-305:2 [Rev]
Good faith doctrine, 1-305:5 [Rev]
Limitations and restrictions, 1-305:3 [Rev], 1-305:5 [Rev]
Mitigation of damages, 1-305:2 [Rev]
Money damages, 1-305:2 [Rev], 1-305:5 [Rev]
Obligation, 1-305:5 [Rev]

REMEDIES TO BE LIBERALLY ADMINISTERED—Cont’d
Official Code text and comments, 1-305 [Rev]
Penal damages, 1-305 [Rev], 1-305:4 [Rev]
Performance in the alternative, 1-305:3 [Rev]
Punitive damages, 1-305:2 [Rev]
Restitution damages, 1-305:3 [Rev]
Self-help, 1-305:5 [Rev]
Special damages, 1-305 [Rev], 1-305:4 [Rev]
Specific performance, 1-305:2 [Rev]
Specific relief, 1-305:2 [Rev]
Substitutional relief, 1-305:2 [Rev]
Uniform Sales Act (USA), 1-305:2 [Rev]

REMOV AL OF GOODS
Failure, 7-206:1
Notification, 7-206:1, 7-206:2
Termination of storage, 7-206:1

RENTS
Acceptance of goods, 2A-516:2
Action for rent, 2A-529:1
Computation, release, 2A-527:5
Disposal of goods, lessor’s right, 2A-527:1
Goods acceptance, 2A-516:2
disposal, lessor’s right, 2A-527:1
RENTS—Cont’d
Lessor’s insolvency, payment of all or part, 2A-522:2
Market, damages, 2A-528:1 et seq.
Release computation, 2A-527:5
lessor’s right to dispose of goods, 2A-527:1
Specific performance, 2A-529:2

RENUNCIATION
Waiver or Renunciation, this index

REPAIRS
Cure of improper tender or delivery, shaken faith limitation, 2A-513:8
Limitations of remedies, 2A-503:4, 2A-503:5
Modification or impairment of remedies, 2A-503:4, 2A-503:5
Warranty, damages, 2A-519:6

REPEAL
Construction and interpretation, 1-104 [Rev]
Effective Date and Repealer, this index
General repeal, 10-103
Laws not repealed, 10-104
Savings provision, 10-102:1
Specific repeal, 10-102:2
UCITA, effect of, UCITA 903

REPLACEMENT
Limitations of remedies, 2A-503:4, 2A-503:5
Modification or impairment of remedies, 2A-503:4, 2A-503:5
Warranty, damages, 2A-519:6

REPLACEMENT SECURITIES AND CERTIFICATES
Generally, 8-405:1 [Rev], 8-405:2 [Rev]
Bona fide purchasers, intervention, 8-405:4
Indemnity bonds, 8-405:3
Issuance, 8-405:2, 8-405:3
Requirements, 8-405:3

REPLEVIN
Changes in former U.C.C. § 2A:521, 2A-507A:1
Lessee’s right, 2A-521:4
Right, 2A-507A
Specific goods, 2A-521:2

REPORTS
BitLicense regulations, error prevention and resolution, NONUCCPY 5:43

REPOSSESSION
Generally, UCITA 815:1 to 815:5
Articles 2A and 9, UCITA 815:5
Bankruptcy, 9-503:7
Collateral
prior notice, 9-609:3 [Rev]
secured parties’ right generally, 9-609 [Rev], 9-609:1 [Rev]
time to exercise, 9-609:2 [Rev]
Collateral, enforcement of security agreements, 9-503:1
Contract law rights, generally, UCITA 815:1 to 815:3
Conversion, 9-503:3
Electronic Self-Help, this index
Goods
generally, 2A-525:2 et seq.
actions to repossess, 2A-525:7
alternatives to self-help repossession, 2A-525:7
assembly of leased goods by lessee, 2A-525:8

Master Index-462
REPOSSESSION—Cont’d
Goods—Cont’d
  bankruptcy laws, effect on right, 2A-525:10
  consumer protection laws, effect on right, 2A-525:10
  disposal of goods without removal, 2A-525:9
  lessor’s right, 2A-525:2
  notice prior to repossession, 2A-525:3
  self-help, 2A-525:4
  violence, threats, and protest, 2A-525:5
Intellectual property law rights, generally, UCITA 815:4
Judicial remedy, UCITA 815:2
Model Tribal Secured Transactions Act, this index
Notices
  lack, constitutionality, 9-503:2
  prior, 9-503:2
Secured parties
  bankruptcy of debtors, 9-503:7
  breach of peace, effect, 9-503:3
  consumer protection laws, 9-503:7
  physical violence, 9-503:3
Self-help, 9-503:3
  alternatives, 9-503:4
Self-help remedy, UCITA 815:3
Uniform Computer Information Transactions Act, this index

REPRESENTATIVE
Definition, 1-201 [Rev]

REPUDIATION—Cont’d
Lessee’s damages, market rent, 2A-519:1, 2A-519:2
Lessor’s remedies
  cancellation, 2A-523:3
  damages, 2A-528:1 et seq.
  index, 2A-523:1
  withholding goods, 2A-523:2
  Withholding goods, 2A-523:2

REQUESTS
Debtors, 9-112:3
  Statements
    accounts of collateral, 9-210:1 [Rev]
    lists of collateral, 9-208:1, 9-210:1 [Rev]
    noncompliance, 9-208:2, 9-210:2 [Rev]
    proper parties, 9-208:2
    Written, necessity, 9-208:2, 9-210:2 [Rev]

RESALE
Aggrieved buyers, 2-706:4
CISG, ICC 10:78
Persons in positions of sellers, 2-706:4
  definition, 2-707:1

RESCISSION
Generally, 2A-208
Cancellation of contract
  compared, UCITA 802:1
  Common law, 2A-208:1
Communications with defaulting party, protecting remedy, 2A-505, 2A-505:1
Contracts, generally, UCITA 303
Fraud, 2A-505:2, 2A-505:3
Negotiable instruments, 3-202:1 [Rev] et seq.
  Revocation of acceptance, comparison, 2A-517:1
RESCISSION—Cont’d
Uniform Computer Information
Transactions Act, this index

RESERVATION OF RIGHTS
Accord and satisfaction, 1-308:2
[Rev]
Changes in Code, 1-308 [Rev]
Commercial contracts, 1-308:1
[Rev]
Common law, 1-308:2 [Rev]
Damages, 1-308:1 [Rev]
Discharge, secondary obligors,
3-605:17 [Rev]
Full satisfaction checks, 1-308:2
[Rev]
Mitigation of damages, 1-308:1
[Rev]
Official Code text and comments,
1-308 [Rev]
Performance or acceptance
accord and satisfaction, 1-308:2
[Rev]
changes in Code, 1-308 [Rev]
corporate contracts, 1-308:1
[Rev]
common law, 1-308:2 [Rev]
full satisfaction checks, 1-308:2
[Rev]
mitigation of damages, 1-308:1
[Rev]
Official Code text and comments,
1-308 [Rev]
Settlement,
1-308:2 [Rev]
Stopping performance,
1-308:1 [Rev]
Waiver and estoppel, 1-308:1
[Rev]
Without prejudice, 1-308 [Rev]

RESERVATIONS
Cape Town Convention, ICC
9:145

RESIDUAL INTEREST
Right of lessor, 2A-532, 2A-532:1

RESTITUTION DAMAGES
Remedies to be liberally
administered, 1-305:3 [Rev]

RESTRICTIONS
Limitations and Restrictions, this
index

RETENTION OF ELECTRONIC
RECORDS
Electronic Record, this index

RETROACTIVITY
Generally, 10-101:1
Cape Town Convention, State of
registry, ICC 9:23
Construction and interpretation,
1-103:5 [Rev]
Statute of limitations, 2A-506:4

RETURNED AND
REPOSSESSED GOODS
Account financers’ rights and
priorities, 9-306:9
Chattel paper
financers’ rights and priorities,
9-306:8
transferees’ rights and priorities,
9-306:8
Creditors, priorities, 9-306:10
Inventory financers’ rights,
9-306:7
Priorities
interests, 9-306:6 et seq.
purchasers, 9-306:10
Secured parties, rights, 9-306:7
Secured parties’ rights, 9-306:7

Master Index-464
REVERSE ENGINEERING
Generally, UCITA 118:1
Contract and information law, UCITA 101:10
Contract clauses prohibiting, UCITA 118:2
Copyright anti-circumvention rules, UCITA 605:5
Federal preemption and contract terms, UCITA 105:4, UCITA 105:6
Uniform Computer Information Transactions Act, this index

REVISED ARTICLE 9
Model Tribal Secured Transactions Act, this index

REVISED SALES ACT
Privity limitations, 2A-216:1

REVOCATION
CISG, offer, ICC 10:30

REVOCATION OF ACCEPTANCE
Buyer’s obligation for goods after revocation, 2A-517:2
Conditions, 2A-517:2
reasonable assumption of cure, 2A-517:2
substantial impairment of value, 2A-517:2
Continued use by buyer after revocation, 2A-517:2
Correction of nonconformities, 2A-517:2
Default, 2A-517:2
Finance lease limitations, 2A-517:2
Firm offers, 2A-517:2
Latent defect, 2A-517:2
Lemon laws, 2A-517:2
Notice, 2A-517:2

REVOCATION OF ACCEPTANCE—Cont’d
Policy, 2A-517:14
Procedure, 2A-517:10, 2A-517:11
Reasonable assumption of cure, 2A-517:12
Reasonable time, 2A-517:12
Rejection and rescission compared, 2A-517:12
Rejection distinguished, 2A-517:12
Rescission distinguished, 2A-517:12
Substantial change in condition, 2A-517:12
Substantial impairment of value, 2A-517:12
Time limits, 2A-517:12
Use of revoked goods, 2A-517:13

RIGHTFUL REJECTION OF GOODS
Disposal, 2A-517:14
Merchant buyers
options, 2A-517:14
Nonmerchant buyers, duties, 2A-517:14
Use of revoked goods, 2A-517:14

RIGHTS
Ancillary obligations, 2A-503:9
Banks, deposit accounts, 9-341:1 [Rev]
Bona fide purchasers, 8-301:2
Charge-back accounts, 3-502:1
Collateral obligations, 2A-503:9
Compelling indorsements, 8-307:2
Compete to limit or modify, 2A-503:1
RIGHTS—Cont’d
Debtors, 9-505:3
   after-acquired property, 9-203:12
collateral, 9-203:12
defaults, 9-501:8, 9-501:9
Default
   lessees, 2A-501:8
   variation, 2A-501
Definition of right, 1-201 [Rev]
Failure of essential purpose, 2A-503:3
Indenture trustees, treatment of registered owners of securities, 8-207:1
Issuers, treatment of registered owners of securities, 8-207:1, 8-207:1 [Rev]
Lessees, default, 2A-501:8
Lessor, 2A-501:5
Limitations, 2A-503:2
Modification or impairment
   ancillary obligations, 2A-503:9
   collateral obligations, 2A-503:9
   competence to limit or modify, 2A-503:1
   limitations, 2A-503:2
   repair or replacement, 2A-503:4, 2A-503:5
   replacement or repair, 2A-503:4, 2A-503:5
   unconscionability, 2A-503:7, 2A-503:8
   unwilling or unable to repair or replace, 2A-503:5
Owners, wrongful transfers
generally, 8-315:1
   actions against transferees, 8-315:2
Pledgors, 8-108:3
Proceeds, 9-203:13 [Rev]
Purchasers
delivery, 8-301:1, 8-301:3, 8-301:7, 8-302:2 [Rev]
limited interest, 8-301:6

RIGHTS—Cont’d
Purchasers—Cont’d
   shelter, 8-301:1
   shelter rule, 8-510:4 [Rev]
Registered pledgees, 8-108:4
Repair or replacement, modification or impairment,
   2A-503:4, 2A-503:5
Replevin, 2A-507A
Repossession, 9-503:1 et seq.
Secured parties
   retention of collateral, 9-112:4
Specific performance, 2A-507A
Transfers, 8-301:1
Unconscionability, 2A-503:7, 2A-503:8
Unwilling or unable to repair or replace, modification or impairment, 2A-503:5
Variation
generally, 9-602 [Rev], 9-602:1 [Rev]
   amendments of 2010, 9-602:2 [Rev]
Waiver
generally, 9-602 [Rev], 9-602:1 [Rev]
   amendments of 2010, 9-602:2 [Rev]

RIGHTS OF BUYERS
Specific performance, 2-502:1

RIGHTS OF CREDITORS
Creditors’ Rights, this index

RIGHTS OF PURCHASERS
Adverse claims, protection, 8-510:3 [Rev]
Security entitlements
   priority, 8-510:5 [Rev]
   shelter rule, 8-510:4 [Rev]

Master Index-466
RIGHTS OWNERSHIP
TRANSFERS
Ownership and Transfer of Interests and Rights, this index

RISK OF LOSS
Generally, 2A-219:1
Absent breach of contract, 2-509:1 et seq.
Actions against third parties, 2A-531:2
Agreement of parties, 2-509:2
Allocation, 2-509:1 et seq.
Allocation by contract, 2A-219:2, 2-303:1, 2-303:2
Bailee holding goods, 2A-219:4
Breach of contract generally, 2-510:1, 2-510:1 to 2-510:3
buyer’s rejection of conforming goods, 2-510:2
conforming goods, tender or delivery, failure, 2-510:1
nonconforming goods, tender or delivery, 2-510:1
Carrier transportation, 2A-219:3
Casualty to identified goods, effect of delivery, 2A-221:4
Categories of contracts, 2-509:2
Convention on International Sale of Goods, 2-509:1
Default generally, 2A-220:1
delivery of nonconforming goods, 2A-220:3
lessee, repudiation, 2A-220:4
lessor
delivery of nonconforming goods, 2A-220:3
failure to tender or deliver, 2A-220:2
lessor’s failure to tender or deliver, 2A-220:2
repudiation, 2A-220:4

RISK OF LOSS—Cont’d
Default—Cont’d
revocation of acceptance, 2A-220:3
Delivery of nonconforming goods, 2A-220:3
Destination contracts, 2-509:3
Documentary sales transactions, 2-310:3
Goods in possession of bailees, 2-509:3
Lessor’s failure to tender or deliver, 2A-220:2
Parties with control over goods, 2-509:1
Repudiation, 2A-220:4
Residual cases, 2A-219:5
Revocation of acceptance, 2A-220:3
Sale or return generally, 2-509:4
seller as merchant, 2-509:3
seller as nonmerchant, 2-509:3
shipment contracts, 2-509:3
Time of passage
bailee holding goods, 2A-219:4
carrier transportation, 2A-219:3
residual cases, 2A-219:5
2003 and 2005 amendments, 2-303:2
Warehousemen, 2A-219:4

ROLLING CONTRACTS
Manifestation of assent, UCITA 112:4

ROME CONVENTION
Cape Town Convention, ICC 9:133
International commercial conventions, relationship to Cape Town Convention, ICC 9:133

RULES AND REGULATIONS
Non-UCC Payment Methods, this index
SAFE HARBOR
Conspicuous terms, UCITA 102:39
Contract modification procedures, contract provisions setting forth, UCITA 304:1
Uniform Computer Information Transactions Act, this index

SAFETY VALVE RULES
Construction and interpretation, 1-103:4 [Rev]

SAID TO CONTAIN
Bills of lading, 7-301:2

SALE
Ownership and Transfer of Interests and Rights, this index
SALE-LEASEBACKS
Fraudulent retention of possession, 2A-308:3

SALES
See also Breach of Contract; Contracts; Goods
Acceptance of goods—Cont’d
actions constituting, 2-603:1
acts inconsistent with seller’s ownership, 2-606:4
consequences, 2-606:1, 2-607:1
Convention on International Sales of Goods, 2-607:2, 2-607:3
effect of acceptance, 2-607:2
price on contract terms due, 2-607:2
rejection, 2-607:3
remedies, 2-607:3
Convention on International Sale of Goods, 2-606:1
definition, 2-606:1
failure to reject, 2-606:3
nonconforming, notice to seller, 2-607:3, 2-607:4

SALE—Cont’d
Acceptance of goods—Cont’d
part of commercial unit, 2-606:1
subsequent breach, burden of proof, 2-607:5
words or conduct signifying, 2-606:2
Anticipatory repudiation remedies, 2-610:2
retraction, 2-611:1
sales
generally, 2-610:1
Convention on International Sale of Goods, 2-610:1
remedies, 2-610:2
retraction, 2-611:1
2003 and 2005 amendments, 2-610:3, 2-611:2

Auctions
generally, 7-102:6, 7-210:2, 7-308:2, 7-308:3
bulk sales
filing system, 6-109:1 [Rev]
liability, 6-108:2 [Rev]
et contract price, 6-108:2 [Rev]
notice, 6-108:2 [Rev]
special provisions, 6-108:1 [Rev], 6-108:2 [Rev]
bulk transfers, validity, 6-108:1
formation of contracts, 2-328:1
fraud, 2-328:3
reserve, 2-328:2
with reserve, 2-328:2
2003 and 2005 amendments, 2-328:4
without reserve, 2-328:2

Bailments
goods in possession of bailee
risk of loss, 2-509:3
tender of delivery, 2-503:4

Banks and banking
defective documents,
reimbursement, 2-506:2

Master Index-468
SALES—Cont’d
Banks and banking—Cont’d
drafts attached to documents, 2-506:1
Bills of Lading, this index
Bona Fide Purchasers, this index
Breach of contract
anticipatory repudiation
  generally, 2-610:1
  Convention on International
    Sale of Goods, 2-610:1
remedies, 2-610:2
requisites, 2-610:1
retraction, 2-611:1
  2003 and 2005 amendments, 2-610:3, 2-611:2
burden of proof, 2-607:5
causes of action
  accrual, 2-725:2
  price due under contract, 2-709:1
consequential damages of
  buyer, 2-715:3
  Convention on International
    Sale of Goods, 2-715:1
  limitations, 2-715:3
  overview, 2-715:1
  2003 and 2005 amendments, 2-715:4
delivery conditional on pay-
  ment, 2-507:2
failure to surrender documents
to buyer, 2-514:1, 2-514:2
fraudulent, 2-721:2
incidental damages of buyer,
  2-715:1, 2-715:2
installment contracts
  cancellation, 2-612:3
  rejection, 2-612:2
measure of damages
  Convention on International
    Sale of Goods, 2-708:1, 2-708:2
  foreseeability, 2-715:3
  incidental damages, 2-708:2

SALES—Cont’d
Breach of contract—Cont’d
measure of damages—Cont’d
market price, 2-708:1
  Convention on
    International Sale of
      Goods, 2-723:1, 2-724:1
market quotations, admissi-
  bility, 2-724:1
place, 2-708:1, 2-723:1 to
  2-723:3
time, 2-708:1, 2-723:1 to
  2-723:3
  2003 and 2005 amend-
    ments, 2-723:3, 2-724:2
nonacceptance of goods,
  2-708:1
profit, lost volume, 2-708:2
reliance expenses, 2-708:2
  2003 and 2005 amendments, 2-708:3
nonconforming goods
  payments prior to inspection
    acceptance, 2-512:2
recovery, 2-512:1
  2003 and 2005 amend-
    ments, 2-512:3
risk of loss, 2-510:1
notice to sellers
  condition to recovery,
    2-714:1
contents, 2-607:3
Convention on International
  Sale of Goods, 2-607:2, 2-607:3
infringement of intellectual
  property rights of
    another, 2-607:4
nonconforming goods,
  2-607:3
proper party, 2-607:3
timeliness, 2-607:3
SALES—Cont’d
Breached contract—Cont’d
remedies of buyers
accepted goods, 2-714:1
consequential damages, 2-714:2
Convention on
International Sale of
Goods, 2-714:1
cover method, 2-714:2
incidental damages, 2-714:2
2003 and 2005 amendments, 2-714:3
warranty damages, 2-714:2
allocation, 2-615:3
cancellation of contract, 2-711:3
Convention on International
Sale of Goods, 2-711:2
to 2-711:4, 2-716:1
cover, 2-712:1, 2-714:2
deduction of damages from price, 2-717:1
availability, 2-717:1
Convention on
International Sale of
Goods, 2-717:1
notice requirements, 2-717:2
2003 and 2005 amendments, 2-717:3
measure of damages, 2-713:1
notice of breach required, 2-714:1
obtaining of goods, 2-711:2
overview and theory, 2-711:1
reasonable purchase requirements, 2-712:2
recovery of price, 2-711:1
repair and replacement costs, 2-714:2
replevin, 2-716:2
security interests in goods, 2-711:4

SALES—Cont’d
Breached contract—Cont’d
remedies of buyers—Cont’d
sellers, comparison, 2-711:1
specific performance, 2-716:1
2003 and 2005 amendments, 2-716:3
remedies of sellers
actions for price
Convention on
International Sale of
Goods, 2-709:1
due under contract, 2-709:1
other remedies, relationship to, 2-709:2
specific performance, 2-709:1
2003 and 2005 amendments, 2-709:3
buyers, comparison, 2-711:1
cancellation, 2-703:3
completion of manufacture, 2-704:2
identification of goods, 2-704:1
incidental damages, 2-710:1
measure of damages
market price, 2-708:1
resale, 2-706:1
resale for scrap, 2-704:2
resale of goods
Convention on
International Sale of
Goods, 2-706:1
good faith buyers, 2-706:3
measure of damages, 2-706:1
noncompliance, consequences, 2-706:3
proper manner, 2-706:2
public sales, 2-706:2
requirements, 2-706:1
SALES—Cont’d
Breach of contract—Cont’d
remedies of sellers—Cont’d
stoppage of delivery in transit, 2-705:1
conditions permitting, 2-705:1
Convention on
International Sale of
Goods, 2-705:1
goods in possession of
 carriers, 2-705:1
limitations, 2-705:2
procedures, 2-705:3
2003 and 2005 amendments, 2-705:4, 2-710:2
withhold goods, 2-703:2
repudiation, measure of damages, market price, 2-708:1
risk of loss
buyer’s rejection of conforming goods, 2-510:2
effect, 2-510:1
failure to tender or deliver conforming goods, 2-510:1
nonconforming goods, tender or delivery, 2-510:1
2003 and 2005 amendments, 2-510:3
Burden of proof
breach of contract, 2-607:5
perfect tender rule, conformance, 2-601:3
Buyers, definition, 2-103:1
Carriers, liens, 7-308:1 [Rev]
Cash, sellers’ rights to reclamation of goods, 2-507:2
C. & F. contracts, 2-320:3, 2-320:4
2003 and 2005 amendments, 2-321:3
variances, 2-321:2
C.I.F. contracts, 2-320:2
2003 and 2005 amendments, 2-320:4, 2-321:3
SALES—Cont’d
C.I.F. contracts, 2-320:2—Cont’d
variances, 2-321:2
Closing-out, 6-103:7 [Rev]
Collateral
commercially reasonable,
9-507:8 to 9-507:10
secured parties’ rights after default, 9-504:2
Common law
contracts
performance
adequate assurance rights,
2-609:1
2003 and 2005 amendments, 2-609:5
creditors’ rights
fraudulent retention of possession, 2-402:1
sold goods, 2-402:1
2003 and 2005 amendments, 2-402:4
fraudulent retention of possession, 2-402:1
title to goods
entrustment, 2-403:4
estoppel, 2-403:1
fraud punishable under criminal law, 2-403:3
power to transfer, 2-403:1
2003 and 2005 amendments, 2-403:5
voidable title doctrine, 2-403:1
vouching, 2-607:6
Conditional on approval, definition, 9-114:2
Consignee, defined, 7-102:7 [Rev]
Consignments
Revised Article 9, 2-326:1
special incidents, 2-327:1
2003 and 2005 amendments, 2-326:4, 2-327:3
Consignor
defined, 7-102:7 [Rev]
SALES—Cont’d
Consignor—Cont’d
delivery of goods, 7-303:2
[Rev]
Contract for sale defined, applica-
tion, 7-102:1 [Rev]
Contracts
acceptance
defective documents, 2-605:2
revocation, 2-608:1 et seq.
anticipatory repudiation
generally, 2-610:1
Convention on International
Sale of Goods, 2-610:1
remedies, 2-610:2
requisites, 2-610:1
retractions, 2-611:1
2003 and 2005 amendments,
2-610:3
cancellation, 2-612:3
collateral, impairment of reme-
dies, 2-701:1, 2-701:2
Convention on International
Sale of Goods, 2-701:1
course of performance, course
of dealing, and usage of
trade, 1-303:1 [Rev]
destination, tender of delivery
of goods, 2-503:3
documents, surrender to buyers,
2-514:1, 2-514:2
estoppel, entrustment, 2-403:4
identification of goods, 2-501:1
insolvency of sellers
buyer’s right to reclaim
goods, 2-502:1 et seq.
specific performance as reme-
dy, 2-502:1
inspection of goods
C.O.D. agreement, 2-513:2
expense, 2-513:1
payments prior to inspection,
2-512:1
place, 2-513:1

SALES—Cont’d
Contracts—Cont’d
inspection of goods—Cont’d
prior payments, 2-512:1,
2-512:2
rights of buyers, 2-513:1
2003 and 2005 amendments,
2-513:3
installment
cancellation
rights of buyers, 2-612:3
reasonable notice, 2-612:3
Convention on International
Sale of Goods, 2-612:3
definition, 2-612:1
nonconforming
documents, rejection,
2-612:2
goods, rejection, 2-612:2
2003 and 2005 amendments,
2-612:4
limitation of remedies
generally, 2-719:1
Convention on International
Sale of Goods, 2-719:1
failure of essential purpose,
2-719:3
fair quantum of remedy doc-
trine, 2-719:2
2003 and 2005 amendments,
2-719:4
unconscionability, 2-719:2
liquidated damages clauses
consequence of invalidation
unreasonably large,
2-718:1
unreasonably small,
2-718:1
Convention on International
Sale of Goods, 2-718:1
criterion, 2-718:1
forfeiture of prepayments,
2-718:2
reasonableness tests, 2-718:1
elements, 2-718:1
SALES—Cont’d
Contracts—Cont’d
liquidated damages clauses
—Cont’d
reasonableness tests, 2-718:1
—Cont’d
other adequate remedies available, 2-718:1
proof of loss, 2-718:1
restitution of deposit to breaching buyer, 2-718:2
2003 and 2005 amendments, 2-718:3
modification of remedies generally, 2-719:1
Convention on International Sale of Goods, 2-719:1
disclaimers distinguished, 2-719:1
failure of essential purpose, 2-719:3
fair quantum of remedy doctrine, 2-719:2
2003 and 2005 amendments, 2-719:4
unconscionability, 2-719:2
payments
checks, 2-511:3
defective documents, 2-605:2
prior to inspection of goods, 2-512:1
acceptance, 2-512:2
right of inspections, conditions precedent, 2-511:1	
tender, 2-507:1, 2-507:2, 2-511:1, 2-511:2
2003 and 2005 amendments, 2-511:4
performance
adequate assurances, 2-609:1
Convention on International Sale of Goods, 2-609:1
procedures, 2-609:4
SALES—Cont’d
Contracts—Cont’d
performance—Cont’d
adequate assurances, 2-609:1
—Cont’d
promisees as nonmerchants, 2-609:3
anticipatory repudiation, 2-609:1, 2-610:1
Convention on International Sale of Goods, 2-610:1
remedies, 2-610:2
requisites, 2-610:1
retraction, 2-611:1
2003 and 2005 amendments, 2-611:2
excused
buyer’s excuse, 2-615:4
casualty to identified goods, 2-613:1 et seq.
commercially impractical, 2-615:1
compliance with governmental regulations, 2-615:2
Convention on International Sale of Goods, 2-613:1, 2-615:1
cost increases, 2-615:2
crop failures, 2-615:2
force majeure clause, 2-613:1
remedies, 2-613:2
supply sources, failure, 2-615:2
2003 and 2005 amendments, 2-615:5
failure of presupposed conditions, 2-615:1
allocation, 2-615:3
buyer’s excuse, 2-615:4
compliance with governmental regula-
SALES—Cont’d
Contracts—Cont’d
performance—Cont’d
failure of presupposed conditions, 2-615:1—Cont’d
tions, 2-615:2
Convention on
International Sale of
Goods, 2-615:1
cost increases as excuse,
2-615:2
crop failure as excuse,
2-615:2
exemptions, agreements of
parties, 2-615:2
options of buyers, 2-616:1,
2-616:2
supply source, failure,
2-615:2
2003 and 2005 amendments,
2-615:5,
2-616:2
unanticipated events,
2-615:2
promisee as merchant,
2-609:1
reasonableness, grounds for
insecurity, 2-609:2
substituted
absence of fault require-
ments, 2-614:1
Convention on
International Sale of
Goods, 2-614:1
delivery provisions,
2-614:1
necessity, 2-614:1
payment provisions,
2-614:2
2003 and 2005 amend-
ments, 2-614:3
2003 and 2005 amendments,
2-609:5, 2-613:3
revocation of acceptance
buyer’s obligation for goods
after revocation, 2-608:3

SALES—Cont’d
Contracts—Cont’d
revocation of acceptance
—Cont’d
conditions
reasonable assumption of
cure, 2-608:1
substantial impairment of
value, 2-608:1
continued use by buyer after
revocation, 2-608:3
Convention on International
Sale of Goods, 2-608:1
procedure, 2-608:2
rejection distinguished,
2-608:4
rescission distinguished,
2-608:4
time limits, 2-608:2
2003 and 2005 amendments,
2-608:6
rightfully rejected goods
commission on sale, 2-603:2
Convention on International
Sale of Goods, 2-603:1
defects
Convention on
International Sale of
Goods, 2-605:2
specifying, 2-605:1
2003 and 2005 amend-
ments, 2-605:3
unstated, waiver, 2-605:1
disposal by buyers, 2-604:1
duties of buyers, 2-602:2
good faith, 2-603:1
merchant-buyers
duties, 2-603:1
options, 2-604:2
2003 and 2005 amend-
ments, 2-603:3
nonmerchant-buyers, duties,
2-604:2
reimbursement of expenses,
2-603:2
SALES—Cont’d
Contracts—Cont’d
rightfully rejected goods
—Cont’d
sellers’ instructions, 2-604:2
risk of loss
allocation, 2-509:2
destination contracts, 2-509:3
shipment contracts, 2-509:3
shipments and shipping
documents required, tender,
2-504:1
notice requirements, 2-504:1
proper arrangements, necessity,
2-504:1
responsibilities of sellers,
2-504:1
seller’s noncompliance, con-
sequences, 2-504:2
tender of delivery, 2-503:3,
2-504:1
2003 and 2005 amendments,
2-504:3
tender of payments
conditional deliveries,
2-507:2
Convention on International
Sale of Goods, 2-507:1,
2-507:2
deliveries, concurrent condi-
tions, 2-507:1
seller’s duty to deliver, condi-
tions, 2-511:1
2003 and 2005 amendments,
2-507:3
third parties’ rights on buyer’s
insolvency
buyers in ordinary course,
2-702:3
good faith purchasers,
2-702:3
2003 and 2005 amendments,
2-514:2, 2-701:2
vouching, 2-607:6

SALES—Cont’d
Damages
actions for price
Convention on International
Sale of Goods, 2-709:1
due under contract, 2-709:1
other remedies, relationship
to, 2-709:2
specific performance,
2-709:1
2003 and 2005 amendments,
2-709:3
anticipatory repudiation of
contract, 2-610:2
buyers
accepted goods, 2-714:1
consequential, 2-714:2
Convention on
International Sale of
Goods, 2-714:1
cover method, 2-714:2
incidental, 2-714:2
2003 and 2005 amend-
ments, 2-714:3
warranty, 2-714:2
consequential, 2-715:1,
2-715:3
breach of warranty,
2-715:3
Convention on
International Sale of
Goods, 2-715:1
incidental distinguished,
2-710:1
limitations, 2-715:3
2003 and 2005 amend-
ments, 2-715:4
incidental, 2-715:1
consequential
distinguished, 2-710:1
expenses, inclusion,
2-710:1
losses, inclusion, 2-715:2
market price
basis of computation,
2-713:1

© 2018 Thomson Reuters, 12/2018

Master Index-475
SALES—Cont’d
Damages—Cont’d
buyers—Cont’d
market price—Cont’d
Convention on
International Sale of
Goods, 2-713:1,
repudiation, 2-713:1
2003 and 2005 amend-
ments, 2-713:2
repair and replacement costs,
2-714:2
consequential, 2-715:1 et seq.
incidental distinguished,
2-710:1
fraud, measurement, 2-721:1
incidental
generally, 2-715:1
consequential damages
distinguished, 2-710:1
liquidated
Convention on International
Sale of Goods, 2-718:1
criterion, 2-718:1
forfeiture of prepayments,
2-718:2
reasonableness tests
generally, 2-718:1
elements, 2-718:1
other adequate remedies
available, 2-718:1
proof of loss, 2-718:1
restitution of deposit to
breaching buyer,
2-718:2
2003 and 2005 amendments,
2-718:3
unreasonably large clauses,
invalidation, 2-718:1
unreasonably small clauses,
invalidation, 2-718:1
market price
generally, 2-708:1
basis of computation, 2-713:1
SALES—Cont’d
Damages—Cont’d
market price—Cont’d
Convention on
International Sale of
Goods, 2-713:1,
2-723:1, 2-724:1
place, 2-708:1, 2-723:1 to
2-723:3
quotations, use, 2-724:1
repudiation, 2-708:1, 2-713:1
time, 2-708:1, 2-723:1 to
2-723:3
2003 and 2005 amendments,
2-723:3, 2-724:2
measurement
Convention on International
Sale of Goods, 2-708:1,
2-708:2
fraud, 2-721:1
fraudulent breach, 2-721:2
incidental damages, 2-708:2
market price
Convention on
International Sale of
Goods, 2-723:1,
2-724:1
place, 2-708:1, 2-723:1 to
2-723:3
quotations, use, 2-724:1
repudiation, 2-708:1
time, 2-708:1, 2-723:1 to
2-723:3
2003 and 2005 amend-
ments, 2-723:3,
2-724:2
profits, lost volume, 2-708:2
reliance expenses, 2-708:2
repudiation of contract,
2-708:1
2003 and 2005 amendments,
2-708:3
Defects, effect of lemon laws,
2-608:5
Definitions, 2-103:3
SALES—Cont’d
Delivery
  bailee, previous sale enforcing lien or termination of storage, 7-403:4 [Rev]
conditioned, 2-507:2
definition, 2-103:3
documents, 2-308:2
goods, 2-308:1
improper tender, cure by sellers
  Convention on International Sale of Goods, 2-508:1
  further reasonable time, allowance, 2-508:3
  reasonable grounds to believe, 2-508:3
  rejection of goods, 2-508:1
  replacement, 2-508:2, 2-508:3
  shaken faith doctrine, 2-508:2, 2-508:3
time for performance, 2-508:2, 2-508:3
tender
definition, 2-503:1
destination contracts, 2-503:3
goods in possession of bailees, 2-503:4
manner, 2-503:2
obligation of sellers, 2-503:1
payments, concurrent conditions, 2-507:1, 2-511:1
place, 2-503:2
put and hold conforming goods, requirements, 2-503:2
required documents, 2-503:5
shipment contracts, 2-503:3
time, 2-503:2
2003 and 2005 amendments, 2-503:6

2003 and 2005 amendments, 2-308:3
Delivery ex ship, 2-322:2
De minimis doctrine, 2-601:2
Destination contracts, no arrival, no sale
  shipping terms, generally, 2-324:1
  2003 and 2005 amendments, 2-324:3
Deterioration, warehousemen, right to sell, 7-206:2 [Rev]
Disclaimers, Magnuson-Moss Warranty Act, 2-316:5
SALES—Cont’d
Disposal of collateral
private, 9-504:10
public, 9-504:10
Documentary sales transactions, payments, 2-310:3
Documents
acceptance, failure to state defects, 2-605:2
defective
failure to specify, 2-605:2
financing agencies’ right to reimbursement, 2-506:2
drafts attached, 2003 and 2005 amendments, 2-506:3
installment contracts, rejection of nonconforming installments, 2-612:2
necessity under agreement shipment contracts, 2-504:1
tender of delivery of goods, 2-503:5
surrender to buyers, 2-514:1, 2-514:2
2003 and 2005 amendments, 2-514:2
Election of remedies, abolishment, 2-720:1
Estoppel, entrustment, 2-403:4
Evidence
nonconforming goods, preservation, 2-515:1 et seq.
value of goods, market price, 2-723:1 to 2-723:3
Convention on International Sale of Goods, 2-724:1
market quotations, use, 2-724:1
2003 and 2005 amendments, 2-724:2
Exchange of goods
applicability, 2-304:2
real estate, 2-304:3
services, 2-304:4
Exclusions, 2-102:1 et seq.

SALES—Cont’d
Express Warranties, this index
Financing agencies, definition, 2-104:3
Fraud
remedies
measure of damages, 2-721:2
preservation of action, 2-721:1
2003 and 2005 amendments, 2-721:3
Good faith
definition, 2-103:2
perfect tender rule, 2-601:2
Goods
acceptance
actions constituting, 2-603:1
acts inconsistent with seller’s ownership, 2-606:4
consequences, 2-606:1, 2-607:1
additional remedies, 2-607:2
Convention on International Sales of Goods, 2-607:2, 2-607:3
effect of acceptance, 2-607:2
price on contract terms due, 2-607:2
rejection, 2-607:3
consequential damages, 2-714:2
Convention on International Sale of Goods, 2-606:1
damages for breach, 2-714:1
consequential, 2-714:2
cover, 2-714:2
incidental, 2-714:2
repair and replacement costs, 2-714:2

Master Index-478
SALES—Cont’d
Goods—Cont’d
acceptance—Cont’d
damages for breach, 2-714:1
—Cont’d
2003 and 2005 amendments, 2-714:3
warranties, 2-714:2
definition, 2-606:1
failure to reject, 2-606:3
notice to sellers, 2-607:3
part of commercial unit, 2-606:1
subsequent breach, burden of proof, 2-607:5
2003 and 2005 amendments, 2-606:5, 2-607:7
warranty damages, 2-714:2
words signifying, 2-606:2
actions for price due under contract, 2-709:1
bona fide purchasers for value, transfer of title, 2-403:1
cash sales, sellers’ rights to reclamation, 2-507:2
commercial units, 2-606:1
conforming
acceptance, 2-606:2
failure of seller to tender, risk of loss, 2-510:1
rejection, risk of loss, 2-510:2
financing agencies’ rights, 2-506:1
fraudulent retention by sellers
attachment by creditors, 2-402:2
common law, 2-402:1
determination of time, 2-402:3
merchant-sellers, 2-402:3
negotiable documents, 2-402:3
2003 and 2005 amendments, 2-402:4

SALES—Cont’d
Goods—Cont’d
identification
definition, 2-501:1
future goods, 2-501:1
manner, 2-401:2
property interest of buyers, 2-501:1
purpose, 2-501:1
requirements following breach, 2-704:1
special property, 2-501:2
time of occurrence, 2-501:1
2003 and 2005 amendments, 2-704:3
improper tender of delivery,
cure by sellers, 2-508:1 et seq.

injury by third party tortfeasors,
actions
buyers, 2-722:1
sellers, 2-722:1
2003 and 2005 amendments, 2-722:2

insolvency of sellers, buyers’ rights to reclamation,
2-502:1 et seq.

installment contracts

cancellation
rights of buyers, 2-612:3
seasonable notice, 2-612:3
Convention on International
Sale of Goods, 2-612:3
SALES—Cont’d
Goods—Cont’d
installment contracts—Cont’d
definition, 2-612:1
nonconforming, rejection, 2-612:2
2003 and 2005 amendments, 2-612:4
interests
buyers, 2-722:1
insurable, 2-501:2, 2-501:3
sellers, 2-722:1
2003 and 2005 amendments, 2-501:3, 2-722:2
nonconforming
acceptance, notice to seller, 2-607:3
access, 2-515:1
delivery, 2-510:1
lemon laws, effect, 2-608:5
limitation of actions, 2-725:2
notice to sellers
acceptance, 2-607:3
Convention on
International Sales of
Goods, 2-607:2, 2-607:3
infringement of intellectual
property rights of
another, 2-607:4
timeliness, 2-607:3
options of buyers, 2-601:3
payments prior to inspec-
tions, 2-512:1, 2-512:2
perfect tender rule, 2-601:1
preservation of evidence,
2-515:1 et seq.
rejection
commission on sale, 2-603:2
Convention on
International Sale of
Goods, 2-603:1
reimbursement of expen-
ses, 2-603:2
SALES—Cont’d
Goods—Cont’d
nonconforming—Cont’d
resale rights, 2-515:1
revocation of acceptance
buyer’s obligation for
goods after revoca-
tion, 2-608:3
conditions, 2-608:1
continued use by buyer
after revocation, 2-608:3
Convention on
International Sale of
Goods, 2-608:1
procedures, 2-608:2
reasonable assumption of
cure, 2-608:1
rejection distinguished, 2-608:4
rescission distinguished, 2-608:4
time limits, 2-608:2
2003 and 2005 amend-
ments, 2-608:6
rightful rejections
Convention on
International Sale of
Goods, 2-602:1, 2-602:2
duties of buyers, 2-602:1, 2-602:2
duties of merchant buyers,
2-603:1
manner, 2-602:1
options of buyers, 2-604:1
to 2-604:3
seasonable notice, 2-602:1
2003 and 2005 amend-
ments, 2-602:3
sanctions, 2-515:1
tender, 2-510:1
tests, rights, 2-515:1
third party inspections or
surveys, 2-515:2
SALES—Cont’d
Goods—Cont’d
nonconforming—Cont’d
2003 and 2005 amendments,
2-515:3, 2-601:4
payments
checks, 2-511:3
prior to inspections, 2-512:1
right of inspections by buyers,
2-511:1
2003 and 2005 amendments,
2-511:4
payments against documents,
failure to state defects,
2-605:2
perfect tender rule
generally, 2-601:1
conformity of goods, 2-601:3
Convention on International
Sale of Goods, 2-601:3
cure by sellers, 2-601:2
de minimis doctrine, 2-601:2
good faith, 2-601:2
options of buyers, 2-601:3
relief, 2-601:1 et seq.
2003 and 2005 amendments,
2-601:4
persons in position of sellers,
2-707:1 to 2-707:3
rejections
acceptance, 2-607:3
failure as acceptance, 2-606:3
resales by sellers
Convention on International
Sale of Goods, 2-706:1
measure of damages, 2-706:1
noncompliance, consequences,
2-706:3
persons in position, 2-706:4
private sales, requirements,
2-706:2
procedures
commercially reasonable
requirements, 2-706:1
good faith buyers, 2-706:3
SALES—Cont’d
Goods—Cont’d
resales by sellers—Cont’d
procedures—Cont’d
good faith requirements,
2-706:1
proper, mechanics, 2-706:2
rightfully rejected
commission on sale, 2-603:2
Convention on International
Sale of Goods, 2-603:1,
2-605:2
disposal by buyers, 2-604:1
duties of buyers, 2-602:2
good faith, 2-603:1
merchant-buyers
duties, 2-603:1
options, 2-604:2
nonmerchant-buyers, 2-604:2
reimbursement of expenses,
2-603:2
sellers’ instructions, 2-604:2
specifications of defects,
2-605:1
2003 and 2005 amendments,
2-604:3
unstated defects, waiver,
2-605:1
rights of buyers, insolvency of
sellers, 2-502:1
risk of loss
allocation by agreement,
2-509:2
destination contracts, 2-509:3
goods in possession of
bailees, 2-509:3
parties controlling goods,
2-509:1
sellers as merchants, 2-509:3
shipment contracts, 2-509:3
2003 and 2005 amendments,
2-509:5
security interests, buyers,
2-711:4
SALES—Cont’d
Goods—Cont’d

shipment contracts
documents required, tender,
2-504:1
notice requirements, 2-504:1
proper arrangements, necessity,
2-504:1
responsibilities of sellers,
2-504:1
sellers’ noncompliance, consequences, 2-504:2
tender of delivery, 2-504:1
2003 and 2005 amendments, 2-504:3
shipments by sellers, applicability of provisions, 2-504:1
shipments under reservation effect, 2-505:2
improper, consequences, 2-505:2
security interests, creation, 2-505:1, 2-505:2
tender of delivery
conformance, 2-601:1
Convention on International Sale of Goods, 2-507:1, 2-507:2, 2-508:1
definition, 2-503:1
destination contracts, 2-503:3
documents required, 2-503:5
goods in possession of bailees, 2-503:4
improper, cure by sellers, 2-508:1 et seq.
limitation of actions, 2-725:2
manner, 2-503:2
obligations of sellers, 2-503:1
payments, concurrent conditions, 2-507:1, 2-511:1
perfect tender rule, 2-601:1
conformance, 2-601:3

SALES—Cont’d
Goods—Cont’d
tender of delivery—Cont’d
perfect tender rule, 2-601:1
—Cont’d
cure by sellers, 2-601:2
de minimis doctrine, 2-601:2
good faith of buyers, 2-601:2
options of buyers, 2-601:3
relief, 2-601:1 et seq.
2003 and 2005 amendments, 2-601:4
place, 2-503:2
put and hold requirements, 2-503:2
rejection by buyers, cure by sellers, 2-508:1
shipment contracts, 2-503:3
time, 2-503:2
tender of payment
conditional delivery, 2-507:2
delivery, concurrent conditions, 2-507:1
2003 and 2005 amendments, 2-507:3
title
completion of physical delivery, 2-401:3
Convention on International Sale of Goods, 2-401:1
identification requirements, 2-401:2
passing, 2-401:2
relationship to buyer and seller rights, 2-401:1
2003 and 2005 amendments, 2-401:6
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Value, market price, Convention on International Sale of Goods</td>
<td>2-723:1 to 2-723:3</td>
</tr>
<tr>
<td>Quotations, admissibility, 2003 and 2005 amendments</td>
<td>2-724:1</td>
</tr>
<tr>
<td>Vesting of title</td>
<td>2-401:4</td>
</tr>
<tr>
<td>Goods not to be moved</td>
<td>2-401:4</td>
</tr>
<tr>
<td>Goods to be moved</td>
<td>2-401:3</td>
</tr>
<tr>
<td>Refusal by buyers</td>
<td>2-401:5</td>
</tr>
<tr>
<td>Rejection by buyers</td>
<td>2-401:5</td>
</tr>
<tr>
<td>Revocation of acceptance</td>
<td>2-401:5</td>
</tr>
<tr>
<td>Voidable title</td>
<td></td>
</tr>
<tr>
<td>Cash sale</td>
<td>2-403:3</td>
</tr>
<tr>
<td>Delivery procured through fraud</td>
<td>2-403:3</td>
</tr>
<tr>
<td>Identity of seller, deceit concerning</td>
<td>2-403:3</td>
</tr>
<tr>
<td>Payments by checks</td>
<td>2-403:3</td>
</tr>
<tr>
<td>Power to transfer</td>
<td>2-403:2</td>
</tr>
<tr>
<td>Transfers to bona fide purchasers for value</td>
<td>2-403:1</td>
</tr>
<tr>
<td>Hazardous goods, warehousemen, right to sell, International shipments</td>
<td>7-206:2 [Rev]</td>
</tr>
<tr>
<td>Implied Warranties, this index</td>
<td></td>
</tr>
<tr>
<td>Index of definitions</td>
<td>2-103:4</td>
</tr>
<tr>
<td>Injuries to goods by third parties</td>
<td>2-722:1</td>
</tr>
<tr>
<td>Insolvency of buyer</td>
<td></td>
</tr>
<tr>
<td>Definition</td>
<td>2-702:2</td>
</tr>
<tr>
<td>Delivery for cash</td>
<td>2-702:1</td>
</tr>
<tr>
<td>Reclamation, demands</td>
<td>2-702:2</td>
</tr>
<tr>
<td>Third parties' rights</td>
<td>2-702:3</td>
</tr>
<tr>
<td>Insolvency of sellers</td>
<td></td>
</tr>
<tr>
<td>Creditors of seller, rights of</td>
<td>2-502:3</td>
</tr>
<tr>
<td>Reclamation, buyers' rights</td>
<td>2-502:1</td>
</tr>
<tr>
<td>Specific performance as remedy</td>
<td>2-502:1</td>
</tr>
<tr>
<td>Tender of balance due requirements</td>
<td>2-502:2</td>
</tr>
<tr>
<td>Inspection of goods</td>
<td></td>
</tr>
<tr>
<td>Prior payments</td>
<td>2-512:1</td>
</tr>
<tr>
<td>Rights of buyers</td>
<td>2-513:1</td>
</tr>
<tr>
<td>Installment contracts</td>
<td></td>
</tr>
<tr>
<td>Cancellation</td>
<td>2-612:3</td>
</tr>
<tr>
<td>Rights of buyers</td>
<td>2-612:3</td>
</tr>
<tr>
<td>Seasonable notice</td>
<td>2-612:3</td>
</tr>
<tr>
<td>Definition</td>
<td>2-612:1</td>
</tr>
<tr>
<td>Nonconforming installments</td>
<td>2-612:2</td>
</tr>
<tr>
<td>Documents, rejection</td>
<td>2-612:2</td>
</tr>
<tr>
<td>Goods, rejection</td>
<td>2-612:2</td>
</tr>
<tr>
<td>2003 and 2005 amendments</td>
<td>2-612:4</td>
</tr>
<tr>
<td>International shipments</td>
<td></td>
</tr>
<tr>
<td>Bills of lading</td>
<td></td>
</tr>
<tr>
<td>Form, determination</td>
<td>2-323:2</td>
</tr>
<tr>
<td>Sets, 2-323:3</td>
<td>2-323:3</td>
</tr>
<tr>
<td>Shipping terms, generally</td>
<td>2-323:1</td>
</tr>
<tr>
<td>2003 and 2005 amendments</td>
<td>2-323:4</td>
</tr>
<tr>
<td>Lessees</td>
<td></td>
</tr>
<tr>
<td>Entrustment</td>
<td>2A-305:2</td>
</tr>
<tr>
<td>Power to transfer</td>
<td>2A-305:1</td>
</tr>
<tr>
<td>Letters of credit</td>
<td></td>
</tr>
<tr>
<td>Function</td>
<td>2-325:1</td>
</tr>
</tbody>
</table>
SALES—Cont’d
Letters of credit—Cont’d
2003 and 2005 amendments, 2-325:2
Limitation of actions
contracts for sale, 2-725:1 to 2-725:5
warranty actions, nonconforming goods, tender, 2-725:2
Liquidation
filing system, 6-109:1 [Rev]
liability, 6-108:2 [Rev]
net contract price, 6-108:2 [Rev]
notice, 6-108:2 [Rev]
special provisions, 6-108:1 [Rev], 6-108:2 [Rev]
Market value
Convention on International Sale of Goods, 2-723:1, 2-724:1
place, 2-708:1, 2-723
quotations, use, 2-724:1
repudiation, 2-708:1
time, 2-708:1, 2-723:1 to 2-723:3
2003 and 2005 amendments, 2-723:3, 2-724:2
Merchants
generally, 2-104:1
financing agency, 2-104:3
transactions between, 2-104:2
Model, express warranty, 2-313:3
Negotiable documents, delivery of goods as equivalent, 2-402:3
Nonconforming goods
acceptance
notice, 2-607:3
timeliness, 2-607:3
access, 2-515:1
resale rights, 2-515:1
revocation of acceptance
generally, 2-608:1
buyer’s obligation for goods after revocation, 2-608:3
SALES—Cont’d
Nonconforming goods—Cont’d
revocation of acceptance—Cont’d
conditions, 2-608:1
continued use by buyer after revocation, 2-608:3
Convention on International Sale of Goods, 2-608:1
time limits, 2-608:2
rightful rejection, 2-602
sanctions, 2-515:1
testing rights, 2-515:1
third party inspections or surveys, 2-515:2
2003 and 2005 amendments, 2-515:3
Notice and notices
breach of contract
buyer’s accepting, 2-607:3, 2-714:1
failure of presupposed conditions, 2-616:1
infringement of intellectual property rights of another, 2-607:4
installment contracts, cancellation, 2-612:3
nonconforming goods, 2-607:3
revocation distinguished, 2-608:4
sellers receiving contents, 2-607:3
proper party to give, 2-607:3
timeliness, 2-607:3
nonconforming goods, 2-602:1, 2-608:5
revocation of acceptance, time limits, 2-608:2

Master Index-484
SALES—Cont’d
Notice and notices—Cont’d shipment of goods, requirements, 2-504:1
tender of delivery of goods, seller to cure improper, 2-508:2
Options, 2-311
Overview, 2-101:1
Payment terms, statutory fillers, 2-310:1
PEB Commentary 1 on UCC § 2-507(2), PEB Com 1
Perfect tender rule generally, 2-601:1
burden of proof, 2-601:3
conformity of goods, 2-601:1
cure, 2-601:2
de minimis doctrine, 2-601:2
good faith of buyers, 2-601:2
options of buyers, 2-601:3
remedies, 2-601:1 et seq., 2003 and 2005 amendments, 2-601:4
Performance of contracts adequate assurances
Convention on International Sale of Goods, 2-609:1
procedures, 2-609:4
promisees as merchants, 2-609:3
promisees as nonmerchants, 2-609:3
rights, 2-609:1
anticipatory repudiation, 2-610:1
assortment of goods, open terms, 2-311:2
casualty to identified goods, 2-613:1 et seq.
Convention on International Sale of Goods, 2-613:1
cooperation, failure, 2-311:3

SALES—Cont’d
Performance of contracts—Cont’d failure to exercise options, 2-311:3
force majeure clause, 2-613:1
open shipping arrangements, 2-311:2
reasonable grounds for insecurity, 2-609:2
remedies, 2-613:2
time
open time term, 2-309:1
2003 and 2005 amendments, 2-309:4
2003 and 2005 amendments, 2-311:4, 2-613:3
Persons in positions of sellers assignees, relationship, 2-707:1
definition, 2-707:1
rights, 2-707:2
third parties, relationship, 2-707:1
2003 and 2005 amendments, 2-707:3
Place
inspection of goods, 2-513:1
market price, measure of damages, breach of contract, 2-708:1, 2-723:1 to 2-723:3
tender of delivery, 2-503:2
Privity of contract, 2-318
Reclamation
buyer’s insolvency, 2-702:2 to 2-702:4
seller’s insolvency, 2-502:1 et seq.
Remedies
actions for price
breach by nonacceptance, 2-708:1
breach by repudiation, 2-708:1
Convention on International Sale of Goods, 2-709:1

© 2018 Thomson Reuters, 12/2018
SALES—Cont’d
Remedies—Cont’d
actions for price—Cont’d
due under contract, 2-709:1
other remedies, relationship
to, 2-709:2
specific performance, 2-709:1
2003 and 2005 amendments, 2-709:3
anticipatory repudiation, 2-610:2
breach of contract
allocation, 2-615:3
collateral contracts, impair-
ment, 2-701:1, 2-701:2
Convention on International
Sale of Goods, 2-701:1
2003 and 2005 amendments, 2-701:2
buyers
accepted goods, 2-714:1
consequential damages, 2-714:2
Convention on
International Sale of
Goods, 2-714:1
cover, 2-714:2
incidental damages, 2-714:2
2003 and 2005 amend-
ments, 2-714:3
warranty damages, 2-714:2
cancellation of contract, 2-711:3
comparison with seller’s, 2-711:1
Convention on International
Sale of Goods, 2-711:2
to 2-711:4
cover
Convention on
International Sale of
Goods, 2-712:1
reasonable purchase
requirements, 2-712:2
SALES—Cont’d
Remedies—Cont’d
buyers—Cont’d
cover—Cont’d
remedial equivalent of
resale, 2-712:2
2003 and 2005 amend-
ments, 2-712:3
deduction of damages from
price
generally, 2-717:1
availability, 2-717:1
Convention on
International Sale of
Goods, 2-717:1
notice requirements,
2-717:2
other remedies
distinguished, 2-717:1
2003 and 2005 amend-
ments, 2-717:3
measure of damages
Convention on
International Sale of
Goods, 2-713:1
market price, 2-713:1
repudiation, 2-713:1
obtaining of goods, 2-711:2
overview and theory, 2-711:1
recovery of price, 2-711:1
repair and replacement costs,
2-714:2
replevin, 2-716:2
security interests in goods,
2-711:4
specific performance
generally, 2-716:1
availability, 2-716:1
Convention on
International Sale of
Goods, 2-716:1
proper circumstances
requirements, 2-716:1
2003 and 2005 amend-
ments, 2-716:3
SALES—Cont’d
Remedies—Cont’d
buyers—Cont’d
specific performance
—Cont’d
uniqueness requirements,
2-716:1
2003 and 2005 amendments,
2-711:5
cancellation
contracts, 2-703:3
Convention on International
Sale of Goods, 2-720:1
2003 and 2005 amendments,
2-720:2
use of term, 2-720:1
contractual limitations
generally, 2-719:1
Convention on International
Sale of Goods, 2-719:1
failure of essential purpose,
2-719:3
fair quantum doctrine,
2-719:2
2003 and 2005 amendments,
2-719:4
unconscionability, 2-719:2
contractual modifications
generally, 2-719:1
Convention on International
Sale of Goods, 2-719:1
failure of essential purpose,
2-719:3
fair quantum doctrine,
2-719:2
2003 and 2005 amendments,
2-719:4
unconscionability, 2-719:2
cover, 2-712:1, 2-712:2
deduction of damages from
price
generally, 2-717:1
availability, 2-717:1
Convention on International
Sale of Goods, 2-717:1
SALES—Cont’d
Remedies—Cont’d
deduction of damages from
price—Cont’d
notice requirements, 2-717:2
other remedies compared,
2-717:1
2003 and 2005 amendments,
2-717:3
delivery, conditional upon pay-
ment, breach, 2-507:2
elections, abolishment, 2-720:1
estoppel, entrustment, 2-403:4
identification of goods, condi-
tions precedent, 2-501:1
improper tender of delivery of
goods, cure by sellers,
2-508:1
time for performance,
2-508:2, 2-508:3
insolvency of buyers
Convention on International
Sale of Goods, 2-702:1,
2-702:2
delivery for cash, 2-702:1
reclamation, 2-702:2 to
2-702:4
third parties’ rights
buyers in ordinary course,
2-702:3
good faith purchasers,
2-702:3
2003 and 2005 amendments,
2-702:4
insolvency of sellers, specific
performance, 2-502:1 et
seq.
payments
prior to inspection of goods,
2-512:1
2003 and 2005 amendments,
2-512:3
performance of contracts, ade-
quate assurance
rights, 2-609:1
SALES—Cont’d
Remedies—Cont’d
performance of contracts, adequate assurance—Cont’d
suspension of performance, 2-609:4
reclamation of goods
cash sale, 2-507:2
third parties’ rights
buyers in ordinary course, 2-702:3
good faith purchasers, 2-702:3
replevin, availability, 2-716:2
resale of goods
Convention on International Sale of Goods, 2-706:1
persons in position of sellers, 2-706:4
rescission
Convention on International Sale of Goods, 2-720:1
2003 and 2005 amendments, 2-720:2
use of term, 2-720:1
revocation of acceptance, 2-608:1 et seq.
sellers
actions for price
Convention on International Sale of Goods, 2-709:1
due under contracts, 2-709:1
other remedies, relationship to, 2-709:2
specific performance, 2-709:1
2003 and 2005 amendments, 2-709:3
cession of contracts, 2-703:3
commercial reasonableness requirements, 2-706:1
SALES—Cont’d
Remedies—Cont’d
sellers—Cont’d
completion of manufacture, 2-704:2
consequential damages, incidental distinguished, 2-710:1
Convention on International Sale of Goods, 2-703:2, 2-703:3
identification of goods requirements, 2-704:1
incidental damages consequential distinguished, 2-710:1
expenses included, 2-710:1
insolvency of buyers, 2-702:1 et seq.
nonacceptance, market price, 2-708:1
overview and theory of provisions, 2-703:1
repudiation of contracts, 2-708:1
resale for scrap, 2-704:2
resale of goods
Convention on International Sale of Goods, 2-706:1
good faith buyers, 2-706:3
good faith requirements, 2-706:1
mechanics of proper resale, 2-706:2
noncompliance, consequences, 2-706:3
private sale requirements, 2-706:2
public sale requirements, 2-706:2
sale of goods, measure of damages, 2-706:1
stoppage of delivery in transit, 2-705:1
conditions permitting, 2-705:1

Master Index-488
SALES—Cont’d
Remedies—Cont’d
sellers—Cont’d
stoppage of delivery in transit, 2-705:1—Cont’d
Convention on International Sale of Goods, 2-705:1
goods in possession of carriers, 2-705:1
limitations, 2-705:2
negotiation of documents of title, 2-705:2
procedures, 2-705:3
withholding goods, 2-703:2
shipment contracts, noncompliance of sellers, 2-504:2
specific performance generally, 2-716:1
availability, 2-716:1
Convention on International Sale of Goods, 2-716:1
insolvency of sellers
buyers’ rights, 2-502:1
tender of unpaid portion of price requirements, 2-502:2
2003 and 2005 amendments, 2-502:4
other proper circumstances requirements, 2-716:1
specific or ascertained goods requirements, 2-716:1
2003 and 2005 amendments, 2-716:3
uniqueness requirements, 2-716:1
suspension of performance, 2-610:2
tender of delivery, improper, cure by sellers, 2-508:1 et seq.

SALES—Cont’d
Remedies—Cont’d
2003 and 2005 amendments, 2-501:3
withholding goods, 2-703:2
Resale of goods, persons in positions of sellers, 2-706:4
definition, 2-707:1
Revocation of acceptance
buyer’s obligation for goods after revocation, 2-608:3
conditions
reasonable assumption of cure, 2-608:1
substantial impairment of value, 2-608:1
continued use by buyer after revocation, 2-608:3
Convention on International Sale of Goods, 2-608:1
procedures, 2-608:2
rejection distinguished, 2-608:4
rescission distinguished, 2-608:4
time limits, 2-608:2
2003 and 2005 amendments, 2-608:6
Rightful rejection of goods
disposal, 2-604:1
merchant buyers
duties, 2-603:1
options, 2-604:2
nonmerchant buyers, duties, 2-604:2
unstated defects, waiver, 2-605:1
Rights of buyers, specific performance, 2-502:1
Rights of creditors
fraudulent retention of possession
attachment of goods, 2-402:2
common law, 2-402:1
determination of time, 2-402:3

© 2018 Thomson Reuters, 12/2018

Master Index-489
SALES—Cont’d
Rights of creditors—Cont’d
fraudulent retention of possession—Cont’d
merchant-sellers, 2-402:3
negotiable documents, 2-402:3
nonnegotiable documents, 2-402:3
2003 and 2005 amendments, 2-402:4
sold goods
common law, 2-402:1
fraudulent retention of possession, 2-402:1
attachment, 2-402:2
2003 and 2005 amendments, 2-402:4
Risk of loss
absent breach of contract, 2-509:1 et seq.
agreement of parties, 2-509:2
allocation, 2-509:1 et seq.
brack of contract, 2-510:1, 2-510:2 to 2-510:3
buyer’s rejection of conforming goods, 2-510:2
conforming goods, tender or delivery, failure, 2-510:1
nonconforming goods, tender or delivery, 2-510:1
categories of contracts, 2-509:2
destination contracts, 2-509:3
goods in possession of bailees, 2-509:3
parties with control over goods, 2-509:1
sale on approval, 2-509:4
sale or return
generally, 2-509:4
seller as merchant, 2-509:3
seller as nonmerchant, 2-509:3
shipment contracts, 2-509:3
SALES—Cont’d
Risk of loss—Cont’d
2003 and 2005 amendments, 2-509:5, 2-510:3
Sale on approval
acceptance, special incidents, 2-327:1
creditor’s rights, 2-326:2
definition, 2-326:2
risk of loss, 2-509:4
special incidents, 2-327:1
2003 and 2005 amendments, 2-326:4, 2-327:3
Sale or return
creditor’s rights, 2-326:3
definition, 2-326:3
risk of loss, 2-509:4
special incidents, 2-327:2
2003 and 2005 amendments, 2-326:4, 2-327:3
Sample, express warranty, 2-313:3
Scope
generally, 2-102:1
federal law, 2-102:6
goods, 2-102:2
limitations, 2-102:4, 2-102:5
price, 2-304:1
regulatory statutes, 2-102:5
securities transactions, 2-102:4
transactions in goods, 2-102:2
Security interests
generally, 9-113:1, 9-113:2
bulk sales, comparison, 6-103:10 [Rev]
debtors’ possession, 9-110:1 [Rev], 9-113:3
perfection, 9-302:10
priorities, 9-113:4
Sellers, definition, 2-103:1
Shipment contracts
Convention on International Sale of Goods, 2-504:1
documents required, tender, 2-504:1
notice requirements, 2-504:1
SALES—Cont’d
Shipment contracts—Cont’d
proper arrangements, necessity, 2-504:1
responsibilities of sellers, 2-504:1
sellers’ noncompliance, consequences, 2-504:2
tender of delivery, 2-504:1
Shipments under reservation effect, 2-505:2
improper, 2-505:2
security interests, creation, 2-505:1, 2-505:2
Shipping contracts
documents required, tender, 2-504:1
notice requirements, 2-504:1
proper arrangements, necessity, 2-504:1
responsibilities of sellers, 2-504:1
risk of loss, 2-509:3
sellers noncompliance, 2-504:2
tender of delivery, 2-504:1
2003 and 2005 amendments, 2-504:3
destination contracts, risk of loss, 2-509:3
shipments under reservation effect, 2-505:2
improper, consequences, 2-505:2
security interests, creation, 2-505:1, 2-505:2
2003 and 2005 amendments, 2-505:3
Shipping terms
generally, 2-319:1, 2-322:1
bills of lading, international shipments, 2-323:1
C. & F., 2-320:3
delivery ex ship, 2-322:2

SALES—Cont’d
Shipping terms—Cont’d
ex ship, 2-322:2
F.A.S., 2-319:3
F.O.B., 2-319:2
2003 and 2005 amendments, 2-319:4, 2-322:3
Short title, 2-101
Statute of limitations generally, 2-725:1
causes of action accrual, 2-725:2
characterization, 2-725:3
Convention on International Sale of Goods, 2-725:1
estoppel, 2-725:4
tolling, 2-725:4
2003 and 2005 amendments, 2-725:5
Stoppage in transit, bailee excused from delivery, 7-403:4 [Rev]
Tender of delivery, nonconforming goods, effect, 2-725:2
Tender of payments delivery concurrent conditions, 2-507:1
conditional, 2-507:2
2003 and 2005 amendments, 2-507:3
Time market price, measure of damages, 2-708:1, 2-723:1 to 2-723:3
tender of delivery, 2-503:2
Title better, power to transfer, 2-403:1
goods to be moved completion of physical delivery, 2-401:3
vesting, 2-401:4
SALES—Cont’d
Title—Cont’d
sale of goods
Convention on International
Sale of Goods, 2-401:1
goods to be moved, comple-
tion of physical delivery,
2-401:3
identification, 2-401:2
passing, 2-401:2
relationship to buyer and
seller rights, 2-401:1
2003 and 2005 amendments,
2-401:6
vesting
goods not to be moved,
2-401:4
goods to be moved, 2-401:3
refusal by buyers, 2-401:5
rejection by buyers, 2-401:5
revocation of acceptance,
2-401:5
voidable
cash sale, 2-403:3
fraud, 2-403:3
identity of seller, deceit
concerning, 2-403:3
payments by checks, 2-403:3
power to transfer, 2-403:2
Title of goods
Convention on International
Sale of Goods, 2-401:1
identification, 2-401:2
passing, 2-401:2
refusal by buyers, 2-401:5
rejection by buyers, 2-401:5
relationship to buyer and seller
rights, 2-401:1
revocation of acceptance,
2-401:5
2003 and 2005 amendments,
2-401:6
vesting, 2-401:3, 2-401:4
voidable, 2-403:2 to 2-403:5
warranties, 2-312:1 et seq.

SALES—Cont’d
2003 and 2005 amendments
definitions, contract, agreement,
contract for sale, sale, pre-
sent sale, conforming to
contract, termination,
cancellation, 2-106:5
definitions, good affixed to real
estate, 2-107:5
definitions, goods, future goods,
lot or commercial unit,
2-105:5
definitions, merchants, between
merchants and financing
agency, 2-104:4
definitions and index of defini-
tions, 2-103:5
overview, 2-101:2
scope, 2-102:7
statute of frauds, 2-201:10
Uniform laws
Sales Act
estoppel, 2-403:1
fraudulent retention of pos-
session, 2-402:1
specific performance, avail-
ability, 2-716:1
2003 and 2005 amendments,
2-402:4, 2-403:5
voidable title doctrine,
2-403:1
Vesting title
goods not to be moved, 2-401:4
goods to be moved, 2-401:3
Voidable title
cash sale, 2-403:3
delivery procured through
fraud, 2-403:3
identity of seller, deceit
concerning, 2-403:3
payments by checks, 2-403:3
power to transfer, 2-403:2
transfers to bona fide purchasers
for value, 2-403:1
Vouching, 2-607:6

Master Index-492
SALES—Cont’d
Warranties
breach
consequential damages of buyers, 2-715:3
damages, 2-714:2
disclaimers, 2-316:1 to 2-316:6
Express Warranties, this index
Implied Warranties, this index
lemon laws, 2-608:5
Magnuson-Moss Warranty Act, 2-316:5
title, causes of action, accrual, 2-725:2
2003 and 2005 amendments, 2-316:6
Warranty of title, 2-312:1 et seq.
Words and phrases
adequate assurance of performance doctrine, 2-609:1
cancellation, 2-703:3
commercial unit, 2-601:3
consequential damages, 2-710:1
cover, 2-712:1
delivery, 2-401:4
identification, 2-501:1
incidental damages, 2-710:1
insolvency, 2-702:1
installment contract, 2-612:1
person in position of seller, 2-707:1
reasonable grounds for insecurity, 2-609:2
tender of delivery, 2-503:1, 2-503:2

SALES AND SALES FINANCING LAW
Construction and interpretation, 1-103:10 [Rev]

SALES LAW
Construction and interpretation, 1-103:3 [Rev]
Good faith, 1-304:1 [Rev]

SATELLITES
Cape Town Convention space protocol, ICC 9:3

SATISFACTION
Acceptance of collateral, 9-505:8
Accord and satisfaction, deduction of damages compared, 2A-508:4
Admissions, 2A-201:7
Contracts between parties, 2A-201:6
Defenses, 3-603:4 to 3-603:6
Discharge of adverse claims
indemnification, 3-603:6
injunctive relief, 3-603:6
lack of notice, 3-603:4
notice, 3-603:5
Discharge of instrument, 3-603:2
Letters of confirmation, 2A-201:6
Memorandum, 2A-201:4, 2A-201:5
Model Tribal Secured Transactions Act, this index
Obligations
acceptance of collateral, 9-505:8
tender, 9-506:6
Part performance, 2A-201:8
Payments, 3-603:1
Reservation of rights, 1-308:2 [Rev]
Statute of frauds
admissions, 2A-201:7
contracts between parties, 2A-201:6
letters of confirmation, 2A-201:6
memorandum, 2A-201:4, 2A-201:5
part performance, 2A-201:8
tape recordings, 2A-201:5
Surrender of instrument, rights of payors, 3-603:3
Tape recordings, 2A-201:5
SATISFACTION—Cont’d
Tender, 9-506:6

SAVINGS BONDS
ECCHO error resolution rules,
transmission of images for redemption, NONUCCPY 5:22

SAVINGS CLAUSE
Article 2A, 2A-604

SAVINGS PROVISIONS
Generally, 10-102:1
Statute of limitations, 2A-506:5

SCOPE
Price, 2-304

SCOPE AND TERMS OF ACT
Generally, UETA 3:1
Additional state exclusions, UETA 3:1
Anti-UCITA Statutes, this index
Framework and Goals of Act, this index
Governing Law in Absence of UCITA, this index
Ideas of UCITA and law revision, UCITA 103:17
International developments, UETA 3:4
Limitation of actions, UCITA 805:1
Official comment, UETA 3
Opting in or out of UCITA coverage, UCITA 103:16
Statutory scope, definitions primarily relating to, UCITA 102:3 to 102:7.50
Statutory text, UETA 3

SEALS
Effect, 2A-203, 2A-203:1
Ineffective, 2-203
Inoperative, 2A-203
2003 and 2005 amendments, 2-203:2

SEARCHES
Searches of International Registry.
Cape Town Convention, this index

SEASONABLENESS
Reasonable Time and Seasonability, this index

SECONDARY OBLIGORS
Discharge of negotiable instruments
burden of persuasion, 3-605:9 [Rev]
burden of proof, 3-605:15 [Rev]
consent, 3-605:9 [Rev]
defenses, 3-605:10 [Rev]
estoppel, 3-605:16 [Rev]
extensions of time, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:13 [Rev]
impairment of collateral, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:18 [Rev]
modifications, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:14 [Rev]
releases, 3-605:9 [Rev], 3-605:11 [Rev], 3-605:12 [Rev]
reservation of rights, 3-605:17 [Rev]
2002 Official Amendments, 3-605:9 [Rev] et seq
waiver, 3-605:16 [Rev]
Indorsers, 3-605 [Rev]

SECTION CAPTIONS
Generally, 1-107 [Rev]

SECURED PARTIES
Acceptance of collateral, satisfaction of obligation, 9-505:8
Accounting to debtors, surpluses, 9-502:4
Actions, 9-503:4

Master Index-494
SECURED PARTIES—Cont’d

Addresses, financing statements, 9-402:11

Assigned accounts, duty on assignor debtors’ demand, 9-209:1 [Rev]

Assignments, security interests, 9-405:1 et seq.

Chattel paper, treatment, 9-103:10

Collection rights
generally, 9-502:1
obligations, 9-502:3
standard of care, 9-502:3

Commercial reasonableness, determining whether conduct met standard
generally, 9-627 [Rev], 9-627:1 [Rev]
advance approval, 9-627:3 [Rev]
dispositions meeting standard, 9-627:2 [Rev]
effect of disposition method or timing, 9-627:4 [Rev]

Continuation of security interest after disposition by debtor, 9-306:2

Contract liability, 9-317:1, 9-402:1 [Rev]

Control
deposit accounts, duties, 9-208:1 [Rev]
duty to relinquish, 9-208:1 [Rev]
electronic chattel paper, duties, 9-208:1 [Rev]
investment property, duties, 9-208:1 [Rev]
letter-of-credit rights, duties, 9-208:1 [Rev]
rights and duties, 9-207:1 [Rev]

Conversion, 9-503:3

Default of debtors
noncompliance with provisions, 9-507:1

SECURED PARTIES—Cont’d

Default of debtors—Cont’d

variation of duties, 9-501:9
waiver of duties, 9-501:9

Deficiency judgments, bar, 9-507:7

Definitions, 9-105:14, 9-402:9

Disposal of collateral
advanced confirmations, 9-507:10
commercially reasonable, 9-504:4, 9-507:8 to 9-507:10
distribution of proceeds, 9-504:3
effect, 9-504:11
holding prior, 9-504:6

notices
contents, 9-504:9
debtors’ receipt, exceptions, 9-504:7
other secured parties, 9-504:8
reasonable, 9-504:9
state retail installment sales act requirements, 9-504:9
preapproval, 9-507:10
private sales, 9-504:10
public sales, 9-504:10

Duties, 9-601:5 [Rev], 9-601:6 [Rev]

Duties after default, 9-501:6
Election of remedies, default of debtors, 9-501:7

Expenses, 9-207:1

Intent, 9-102:1

Interest in proceeds, 9-203:13

Liability
imposition, 9-507:5
losses, 9-501:8
noncompliance with default provisions, 9-507:3

Multiple, 9-402:9

© 2018 Thomson Reuters, 12/2018 Master Index-495
SECURED PARTIES—Cont’d
Name in financing statement amendments of 2010, 9-503:11 [Rev]
generally, 9-503:9 [Rev]
representative of one or more, 9-503:10, 9-503:10 [Rev]
Names, 9-402:8
changing after filing, 9-402:10
multiple, 9-402:9
Noncompliance
burden of proof, 9-507:7
default provisions
consumers’ remedies, 9-507:6
damages, 9-507:3
deficiency judgments, 9-507:7
liability, 9-507:3, 9-507:5
redemption as remedy, 9-507:4
nondebtor owners’ rights to proceed against, 9-112:6
remedies
generally, 9-625 [Rev], 9-625:1 [Rev]
actual damages, 9-625:3 [Rev]
injunctive relief, 9-625:2 [Rev]
reduction of deficiency, 9-625:4 [Rev]
statutory damages, 9-625:6 [Rev]
Obligations, debtors acts or omissions, 9-317:1, 9-402:1 [Rev]
Options
fixtures covered, 9-604:2 [Rev], 9-604:3 [Rev]
real and personal property both collateral, 9-604:1 [Rev]
Payments from account debtors, 9-502:2
Perfection of security interests, compliance with statutes, 9-302:15

SECURED PARTIES—Cont’d
Persons liable, 9-504:12
Possession
accidental loss or damage risk, 9-207:1 [Rev]
commingling of fungible collateral, 9-207:1 [Rev]
consumer goods, 9-207:1 [Rev]
perfection of security interests, 9-302:3
profits from use, 9-207:1 [Rev]
reasonable care, 9-207:1, 9-207:1 [Rev], 9-207:2 [Rev]
insurers or chattel paper, 9-207:1 [Rev]
reasonable expenses, 9-207:1 [Rev]
repledge to third parties, 9-207:1 [Rev]
rights and duties, 9-207 [Rev]
Priorities, lien creditors, 9-301:4, 9-301:5
Proceeds
claims, insolvency proceedings, 9-306:5
rights, 9-203:10
Proposals, strict foreclosures, 9-505:4
Protection, 9-103:4
Reasonable care
generally, 9-207:1 et seq.
contents of collateral, 9-207:3
instruments, 9-207:3
Redemption rights
generally, 9-506:3
time limitations, 9-506:4
waiver, 9-506:5
Remedies
generally, 9-501:5
default, 9-501:1
Reperfection of security interests, 9-103:6
Repossession
generally, 9-503:1
SECURED PARTIES—Cont’d
Repossession—Cont’d
bankruptcy, 9-503:7
breach of peace, effect, 9-503:3
consumer protection statutes, 9-503:7
physical violence, 9-503:3
rights and duties, 9-207:1 [Rev]
self-help generally, 9-503:3
alternatives, 9-503:4
Requests, noncompliance, 9-112:3
Retention of collateral, 9-112:4
Rights
bankruptcy of debtor, 9-504:2
collateral
debtors assembling, 9-503:5
disposal, 9-503:6, 9-504:2
possession, 9-207:1
disposal of collateral, 9-503:6, 9-504:2
foreclosures, 9-501:11
personal property, 9-501:10
real property, 9-501:10
repossessed goods, 9-306:7
returned goods, 9-306:7
security agreements covering property, 9-501:10
Secondary obligors generally, 9-618 [Rev], 9-618:1 [Rev]
assignments of collateral not subject to 9-618, 9-618:4 [Rev]
receipt of assignment of secured obligation, 9-618:3 [Rev]
subrogation to rights of secured parties, 9-618:2 [Rev]
transfer of collateral an assumption of secondary obligor duties, 9-618:4 [Rev]

SECURED PARTIES—Cont’d
Secured party of record generally, 9-511 [Rev], 9-511:1 [Rev]
assignment of powers generally, 9-514 [Rev], 9-514:1 [Rev]
noted after initial filing, 9-514:3 [Rev]
security interest in fixture covered by mortgage, 9-514:4 [Rev]
time of initial filing, 9-514:2 [Rev]
Standard of care generally, 9-501:8
commercially reasonable sales, 9-507:8 to 9-507:10
disposition of collateral, 9-504:4, 9-504:5
holding collateral prior to disposition, 9-504:6
Strict foreclosures involuntarily, 9-505:9
objections, 9-505:7
proposals notices, 9-505:5
notices to other secured parties, 9-505:6
Tort liability, 9-317:1, 9-402:1 [Rev]
Unknown debtor or obligor generally, 9-605 [Rev], 9-605:1 [Rev]
lien filed against unknown debtor, protection of secured party, 9-605:3 [Rev]
protection of secured party, 9-605:2 [Rev]
Use of collateral, 9-207:1

SECURED TRANSACTIONS
See also Collateral; Consignments; Continuation Statements; Debtors; Documents
SECURED TRANSACTIONS
—Cont’d
of Title; Equipment; Farm Products; Financing Statements; Fixtures; Foreclosures; Goods; Lien Creditors; Liens; Notices; Priorities; Purchase Money Security Interests; Secured Parties; Security Agreements; Security Interests

Acceleration clauses
defenses, 9-501:3
debs, notices, 9-501:4
insecurity clauses, 9-501:4

Accessions
after-acquired property, 9-204:3
attachment, 9-204:3
certificate of title, 9-335:3 [Rev]
definition, 9-204:3, 9-314:1, 9-335:1 [Rev]
priorities, 9-314:2, 9-335:2 [Rev], 9-335:3 [Rev]
problems, 9-314:3
removability after affixation, effect, 9-335:1 [Rev]
removal, 9-314:1
reimbursement, 9-335:3 [Rev]
rules, 9-335:3 [Rev]
requests for statements, 9-208:1
contract rights distinguished, 9-106:2
definition, 9-102:3 [Rev], 9-106:1, 9-318:2
financers’ priorities and rights, returned and repossessed goods, 9-306:9
locatoin, 9-103:9
nonfinancing, excluded transactions, 9-104:7
purchasers, priorities, 9-301:7
sales, Article 9 transactions, 9-101:1
surpluses, 9-502:4

Account debtors
claims against assignees, 9-206:1
defenses against assignees, 9-206:1
definition, 9-102:4 [Rev], 9-105:2

discharge by payment to assignor
free alienability rules of 9-406 and 9-408, 9-406:3 [Rev], 9-408:2 [Rev]
timing, 9-406:1 [Rev]
general intangibles, 9-105:2
liability, 9-318:1
notices of assignment, 9-404:1 [Rev]
payments to secured parties, 9-502:2
secured party assignees
duty on assignor debtors’ demand, 9-209:1 [Rev]

Accounts and accounting assignments
free alienability rules of 9-406 and 9-408, 9-406:3 [Rev]
perfection of security interests, 9-302:10
restrictions, ineffectiveness, 9-406:2 [Rev]
collateral, 9-103:9
requests for statements, 9-208:1
contract rights distinguished, 9-106:2
definition, 9-102:3 [Rev], 9-106:1, 9-318:2
financers’ priorities and rights, returned and repossessed goods, 9-306:9
location, 9-103:9
nonfinancing, excluded transactions, 9-104:7
purchasers, priorities, 9-301:7
sales, Article 9 transactions, 9-101:1
surpluses, 9-502:4

Master Index-498
SECURED TRANSACTIONS
—Cont’d
Accounts and accounting—Cont’d
transferees’ priorities and rights,
returned and repossessed
goods, 9-306:9
Actions
definition, 9-503:4
return of property, 9-503:4
Advertisements, collateral, dispo-
sition, 9-504:5
After acquired property
generally, 9-108:1, 9-204 [Rev],
9-204:1 [Rev]
accessions, 9-204:3
accounts, 9-204:1 [Rev]
Bankruptcy Code provisions,
9-108:3, 9-204:4, 9-204:4
[Rev]
clauses
amendments to Code,
9-204:2
Bankruptcy Code, 9-204:4
Section 547, 9-204:4,
9-204:4 [Rev]
Section 552, 9-204:4,
9-204:4 [Rev]
benefits, 9-204:1
effective date, 9-204:3
effectiveness, 9-108:3
exceptions, 9-204:3 [Rev]
limitations, 9-204:1, 9-204:3
exceptions, 9-204:3
provisions, 9-204:1
termination, 9-204:4
commercial tort claims, 9-204:3
[Rev]
consumer goods, 9-204:3
crops, 9-204:3, 9-204:3 [Rev]
debtors’ rights, 9-203:12,
9-203:12 [Rev]
description
generally, 9-203:10
problems, 9-110:6, 9-203:6
[Rev]

MASTER INDEX

SECURED TRANSACTIONS
—Cont’d
After acquired property—Cont’d
inventory, 9-204:1 [Rev]
transfers, 9-108:3, 9-204:4
Agreements
control agreement, banks’ right
to refuse, 9-342:1 [Rev]
definition, 9-105:13, 9-201:2,
9-207:2, 9-316:1
obligatory disbursement, defini-
tion, 9-105:12
standards
generally, 9-603 [Rev],
9-603:1 [Rev]
breach of peace, inapplicabil-
ity, 9-603:2 [Rev]
Agricultural liens
attachment prerequisite,
9-203:2 [Rev]
defined, 9-102:5 [Rev]
financing statements, incorrect
information, 9-338:1 [Rev]
Food Security Act, 9-315:1
[Rev]
investment property, 9-308:2
[Rev]
perfection
generally, 9-308:1 [Rev]
continuity, 9-308:3 [Rev]
Priorities
generally, 9-308:1 [Rev]
conflicts, 9-322:3 [Rev],
9-322:4 [Rev]
text and proposed comment
amendments, 9-322:4
[Rev]
rights to payment, 9-308:2
[Rev]
security interests, unperfected,
9-317:2 [Rev]
supporting obligations, 9-308:2
[Rev]
Alienation of collateral
generally, 9-311:1
SECURED TRANSACTIONS
—Cont’d
Alienation of collateral—Cont’d
debtors’ rights, 9-311:1, 9-401:1 [Rev]
priority rules, 9-311:1
title to collateral, relevancy, 9-311:1
voluntary, 9-311:1

Amendments
amendments or 2010, 9-521:4 [Rev]
authorization by less than all secured parties, 9-510:4 [Rev]
continuation statements distinguished, 9-403:3
financing statements generally, 9-402:1, 9-402:14, 9-512 [Rev], 9-512:1 [Rev]
adding collateral, 9-509:1 [Rev]
adding debtor, 9-509:1 [Rev]
amendments of 2010, 9-509:5 [Rev], 9-512:5 [Rev]
effective date, 9-512:3 [Rev]
expiration, 9-512:3 [Rev]
ineffective amendments, 9-512:4 [Rev]
not adding collateral or debtor, 9-509:4 [Rev]
reinstatement of collateral, 9-406:1
safe harbor forms, 9-521:3 [Rev]
uniform forms, 9-521:3 [Rev]

Antecedent debts
generally, 9-108:1, 9-108:2
after acquired collateral, security interest, 9-108:1 et seq.
definition, 9-301:6

SECURED TRANSACTIONS
—Cont’d
Applicability, 9-109 [Rev], 9-110 [Rev]

Article 3
conflicts, 3-102:6 [Rev]
negotiable instruments, holder in due course rights, priorities, 9-331:1 [Rev]

Article 2, security interests arising under, 9-110:1 [Rev], 9-203:2 [Rev], 9-309:5 [Rev]

Article 4, security interests arising under, 9-203:2 [Rev]

Article 5, security interests arising under, 9-203:2 [Rev]

Article 7, negotiable document of title duly negotiated, priorities, 9-331:1 [Rev]

Article 8, protected securities purchaser, priorities, 9-331:1 [Rev]

Article 2A, security interests arising under, 9-110:1 [Rev], 9-203:2 [Rev], 9-309:5 [Rev]

Artisan’s liens
excluded transactions, 9-104:4
priorities, 9-104:4, 9-310:1, 9-310:2

Assignees
claims against consumer rules, 9-403:4 [Rev]
waiver, 9-206:2, 9-403:1 [Rev]
defenses
generally, 9-206:1
waiver, 9-206:2, 9-318:2
rights, 9-206:1, 9-318:1

Waiver of defense clauses
generally, 9-403:1 [Rev]
conditions of enforceability, 9-403:3 [Rev]
consumer rules, 9-403:4 [Rev]
SECURED TRANSACTIONS
—Cont’d
Assignees—Cont’d
Waiver of defense clauses
—Cont’d
test of enforceability, 9-403:2 [Rev]
Assignment for benefit of creditors, perfection, 9-309:7 [Rev]
Assignments
accounts
amendments of 2010, 9-406:4 [Rev]
excluded transactions, 9-104:7
free alienability rules of 9-406 and 9-408, 9-406:3 [Rev]
perfection of security interests, 9-302:10
restrictions, ineffectiveness, 9-406:2 [Rev]
amendments of 2010, 9-406:4 [Rev]
beneficial interests, perfection of security interests, 9-302:5
benefit of creditors, perfection of security interests, 9-302:12
chattel paper
amendments of 2010, 9-406:4 [Rev]
free alienability rules of 9-406 and 9-408, 9-406:3 [Rev]
restrictions, ineffectiveness, 9-406:2 [Rev]
claims against assignors, 9-318:1
contracts
payments, 9-318:1
rights, 9-318:3
defenses against assignors, 9-318:1

SECURED TRANSACTIONS
—Cont’d
Assignments—Cont’d
excluded transactions, 9-104:7, 9-104:8
filing, 9-403:3
free alienability rules of 9-406 and 9-408, 9-406:3 [Rev], 9-408:2 [Rev]
general intangibles
assignment of rights under structured settlements, 9-408:3 [Rev]
free alienability rules of 9-406 and 9-408, 9-406:3 [Rev], 9-408:2 [Rev]
restrictions, ineffectiveness, 9-408 [Rev], 9-408:1 [Rev]
good faith, 9-206:3
health-care-insurance receivables
free alienability rules of 9-406 and 9-408, 9-406:3 [Rev]
restrictions, ineffectiveness, 9-408:1 [Rev]
identification and proof of assignment, 9-406:1 [Rev]
insurance policies, excluded transactions, 9-104:8
judgments, 9-104:9
letters-of-credit rights
restrictions, ineffectiveness, 9-409:1 [Rev]
notices, 9-318:2, 9-406:1 [Rev]
account debtors, 9-318:3, 9-404:1 [Rev]
adecacy, 9-406:2 [Rev]
original, perfection of security interests, 9-302:12
SECURED TRANSACTIONS
—Cont’d
Assignments—Cont’d
  payment intangibles
    amendments of 2010,
      9-406:4 [Rev], 9-408:4 [Rev]
  assignment of rights under structured settlements,
      9-408:3 [Rev]
  free alienability rules of 9-406 and 9-408,
      9-406:3 [Rev], 9-408:2 [Rev]
  restrictions, ineffectiveness,
      9-408:1 [Rev]
  perfected agricultural lien,
      9-310:3 [Rev]
  perfected security interests,
      9-302:13, 9-310:3 [Rev]
  promissory notes
    amendments of 2010,
      9-406:4 [Rev]
    free alienability rules of 9-406 and 9-408,
      9-406:3 [Rev]
    restrictions, ineffectiveness,
      9-408:1 [Rev]
  restrictions, ineffectiveness,
      9-406:2 [Rev]
  security interests, 9-405:1
    filing, 9-405:2
    statements, 9-405:3
  statements, filing, 9-405:2
  failure, 9-405:3
  proof, 9-407:1
  wages, excluded transactions,
      9-104:5
Attachments
  generally, 9-203:3 [Rev]
  accessions, 9-204:3, 9-314:2
  crops, after-acquired property clauses, 9-204:3
  fixtures, 9-313:3
  occurrence, 9-103:4

SECURED TRANSACTIONS
—Cont’d
Attachments—Cont’d
  security agreements, signatures,
      9-203:4
  security interests
    generally, 9-203:1, 9-203:3,
    9-203:3 [Rev], 9-303:1
  debtor’s rights in collateral,
      9-203:12
  proceeds, 9-315:2 [Rev]
  Bailments, perfection of security interests, 9-305:4, 9-313:4 [Rev]
  Bankruptcy
    preference, 9-312:5
  proceeds, claims, 9-306:5
  repossessions of collateral, 9-503:7
  security interests
    effect on duration, 9-403:5
    perfection, tolling of four month rule, 9-103:5
  trustees, 9-301:6
  unperfected security interests
    amendments of 2010,
      9-317:4 [Rev]
    priorities, 9-317:3 [Rev]
  Bankruptcy Code
    automatic stay
      generally, 9-504:2
    proposals of strict foreclosures, 9-505:4
  redemption of collateral,
      9-506:7
  section 362
    generally, 9-504:2
    proposals of strict foreclosures, 9-505:4
  Section 544, 9-301:6
  Section 545, 9-306:5
  Section 547
    generally, 9-108:3, 9-306:5,
      9-312:5

Master Index-502
SECURED TRANSACTIONS
—Cont’d
Bankruptcy Code—Cont’d
Section 547—Cont’d
after acquired property clauses, 9-204:4
Section 552, after-acquired property clauses, 9-204:4
Banks and banking deposit accounts
generally, 9-104:13
right of recoupment, 9-340:1 [Rev]
right of set-off, 9-340:1 [Rev]
rights and duties, 9-341:1 [Rev]
liens, 9-104:10
right to refuse, control agreement, 9-342:1 [Rev]
setoffs, 9-104:10
Bulk transfers
definitions, 9-111:1, 9-301:7
security interests, 9-111:1
Burden of proof
preferences, 9-204:4
secured parties, 9-507:7
Categories, 9-109:2 [Rev]
Certificates
issuance by filing officers, 9-407:1
title
goods covered, 9-103:6
jurisdiction change, four month rule, 9-303:2 [Rev]
movement, 9-103:7
protection of nonmerchant buyers, 9-103:8
purchase money security interest
motor vehicles, 9-309:2 [Rev]
security interests
priorities, 9-337:1 [Rev]

SECURED TRANSACTIONS
—Cont’d
Certificates—Cont’d
title—Cont’d
state statutes
governing law change, 9-316:3 [Rev]
security interest notation, 9-311:1 [Rev]
Chattel paper
assignments
free alienability rules of 9-406 and 9-408, 9-406:3 [Rev]
restrictions, ineffectiveness, 9-406:2 [Rev]
definition, 9-105:3, 9-304:2, 9-308:2
duty of inquiry, 9-308:2
excluded transactions, 9-104:7
holder in due course, protection, 9-309:1
interest in more than mere proceeds of paper, 9-308:2
perfection, 9-304:2
special rules, 9-312:1 [Rev], 9-312:2 [Rev]
priorities of purchasers, 9-308:1, 9-308:2
proceeds
amendments of 2010, 9-330:6 [Rev]
priorities, 9-330:4 [Rev], 9-330:5 [Rev]
purchasers, holders in due course, protection, 9-309:1
reasonable care, 9-207:3
returned or repossessed, 9-306:8
transferees’ rights and priorities, 9-306:8
security interests
generally, 9-103:10
interest in more than proceeds, 9-308:2

© 2018 Thomson Reuters, 12/2018
SECURED TRANSACTIONS
—Cont’d
Chattel paper—Cont’d
security interests—Cont’d
nonpossessory perfected,
9-308:2
priorities, 9-330:1 [Rev],
9-330:2 [Rev]
treatment, 9-103:10
Choice of law
agricultural liens
perfection, 9-302:1 [Rev]
priorities, 9-302:1 [Rev]
certificate of title goods
perfection of security interests, 9-303:1 [Rev]
priorities of security interests, 9-303:1 [Rev]
debtor location
amendments of 2010,
9-307:2 [Rev]
perfection of security interests, 9-307:1 [Rev]
priorities of security interests, 9-307:1 [Rev]
deposit accounts
perfection of security interests, 9-304:1 [Rev]
priorities of security interests, 9-304:1 [Rev]
investment property
perfection of security interests, 9-305:1 [Rev]
priorities of security interests, 9-305:1 [Rev]
letters-of-credit
perfection of security interests, 9-306:1 [Rev]
priorities of security interests, 9-306:1 [Rev]
perfection
generally, 9-301 [Rev]
perfection of security interests, 9-301:2 [Rev]

SECURED TRANSACTIONS
—Cont’d
Choice of law—Cont’d
priorities
generally, 9-301 [Rev]
Claims
assignees subject, 9-318:2
contracts between assignors and account debtors, 9-318:1
deficiency judgments, barring,
9-507:7
torts, transfers, 9-104:12
waiver, 9-206:2
conditions of enforceability,
9-403:3 [Rev]
test of enforceability, 9-403:2
[Rev]
Collateral
acceptance by secured party,
satisfaction of obligation,
9-505:8
accounts, 9-103:9, 9-208:1
after-acquired, 9-108:2,
9-108:3, 9-203:10,
9-204:1, 9-204:1 [Rev],
9-204:5
alienation of debtors’ rights,
9-311:1, 9-401:1 [Rev]
antecedent obligations, after-acquired property,
9-204:1,
9-204:5
assembling by debtors,
9-503:5
categories, 9-103:1
character
changes, 9-401:7, 9-401:8
filing financing statements,
proper place, 9-401:7
chattel paper, returned or reposessed, 9-306:8
claims, trustees in bankruptcy,
9-301:6
classifications
generally, 9-106:3
filing financing statements,
proper place, 9-401:7

Master Index-504
SECURED TRANSACTIONS
—Cont’d
Collateral—Cont’d
conflicts, priorities
generally, 9-312:1, 9-312:2
future advances, 9-312:8
contents, reasonable care of
secured parties, 9-207:3
continuation of security interest
after disposition by debtor
generally, 9-306:2
buyer in ordinary course of
business, protection,
9-307:2
proceeds, 9-306:3
continuation of security
interests, 9-315:1 [Rev]
control
deposit accounts, 9-208:1
[Rev]
duty to relinquish, 9-208:1
[Rev]
secured parties, 9-207:1
[Rev]
convertible debentures, failure
to convert, 9-207:3
crops
generally, 9-109:4
description of land, 9-110:5
debtors’ rights, 9-203:12,
9-203:12 [Rev]
definition, 9-105:4
description
after-acquired property,
9-203:10
financing statements,
9-110:2, 9-402:13
location, 9-203:9, 9-203:9
[Rev]
parol evidence, 9-203:8
permissible breadth, 9-203:7
proceeds, 9-203:10
purposes, 9-110:2
real estate, 9-203:9

SECURED TRANSACTIONS
—Cont’d
Collateral—Cont’d
description—Cont’d
signed security agreements,
9-203:5, 9-203:6
statute of frauds, 9-203:8
sufficiency, 9-110:1
disposition
generally, 9-205 [Rev],
9-205:1 [Rev], 9-504:1
advanced confirmations,
9-507:10
advertisements, 9-504:5
commercially reasonable,
9-504:4
compulsory, 9-505:2
continuation of security inter-
est, 9-306:2, 9-306:3,
9-307:2
improper, damages, 9-507:3
modification, 9-505:3
notices, state retail install-
ment sales act require-
ments, 9-504:9
renunciation, 9-505:3
effect, 9-504:11
total, acceptance as partial
satisfaction of obligation,
9-505:8
equipment, disposal without
removal, 9-503:6
floating lien, 9-205:1 [Rev]
forfeiture, 9-503:7
general intangibles, 9-103:9
goods, classification, 9-109:1
holding prior notices
contents, 9-504:9
debtors’ receipt, 9-504:7
preapproval, 9-507:10
private sales, 9-504:10
proceeds, order of distribu-
tion, 9-504:3
protection of purchasers for
value, 9-504:11

© 2018 Thomson Reuters, 12/2018

Master Index-505
SECURED TRANSACTIONS
—Cont’d
Collateral—Cont’d
holding prior notices—Cont’d
public sales, 9-504:10
reasonable, 9-504:9
secured parties, 9-504:2,
9-504:8, 9-507:3
security interests, continuation,
9-306:2
without accounting, 9-205:1
without removal, 9-503:6
indication in financing statement
generally, 9-504 [Rev], 9-504:1 [Rev]
safe harbor by description,
9-504:2 [Rev]
safe harbor by supergeneric
description, 9-504:3
[Rev]

SECURED TRANSACTIONS
—Cont’d
Collateral—Cont’d
ownership, nondebtor, 9-112:1 et seq.
partial redemptions, 9-506:6
partial releases, 9-406:1
perfection by delivery, 9-313:2 [Rev]
perfection by possession,
9-313:1 [Rev], 9-313:2 [Rev]
perfection by security interests
choice of law rules, 9-301:2 [Rev]
debtors’ location, law,
9-301:2 [Rev]
permissible debtor actions,
9-205:1 [Rev]
tangible and intangible property,
9-301:2 [Rev]
portions, acceptance as satisfaction
of obligations, 9-505:8
possession
accidental loss or damage risk,
9-207:1 [Rev]
agreement, secured parties
and debtors, reasonable
care definition, 9-207:2 [Rev]
expenses, 9-207:1, 9-207:1 [Rev]
perfection of security interests,
9-302:3, 9-305:2
secured parties rights and
duties, 9-207:1 [Rev]
secured parties’ rights and
duties, 9-207:1
priorities
conflicts in security interests,
9-312:6, 9-322:3 [Rev]
investment property, 9-312:9
purchase money security
interests, 9-312:5
purchasers, 9-307:6

insurance
generally, 9-207:1
failure to maintain, 9-207:1 [Rev]
right to proceed, 9-207:1 [Rev]
inventory, purchase money
security interests, 9-107:6,
9-324:1 [Rev]
last event test, 9-103:2
leases, secured parties’ rights
after default, 9-504:2
lists, requests for statements,
noncompliance, 9-208:1
livestock, 9-109:4
location
generally, 9-103:2, 9-110:5
security agreements, 9-203:9
mobile goods, 9-103:2
movement, 9-103:2
nongoods, 9-109:1
noninventory, purchase money
security interests, 9-107:6
SECURED TRANSACTIONS
—Cont’d
Collateral—Cont’d

proceeds
generally, 9-110:6
conflicts in security interests,
priorities, 9-312:7
payments under government
programs constituting,
9-203:13
text and proposed comment
amendments, 9-322:4
[Rev]
purchase money security
interests, exceptions,
9-301:5
purchasers for value, protection,
9-504:11
purchasers’ priorities, 9-307:6
real estate
description in financing state-
ments, 9-402:13
removal, debtor’s default,
9-313:7
redemption
generally, 9-112:5, 9-506:1
Bankruptcy Code provisions,
9-506:7
debtors’ rights, 9-506:2
partial, 9-506:6
rights, waiver, 9-506:5
secured parties’ rights,
9-506:3
time limitations, 9-506:4
releases, partial, 9-406:1
repossession
generally, 9-503:1, 9-504:12
self-help, 9-503:3
requests for statements
generally, 9-208:2
non-compliance, 9-210:1
[Rev], 9-210:2 [Rev]
written, necessity, 9-210:2
[Rev]
residual tests, 9-103:2

SECURED TRANSACTIONS
—Cont’d
Collateral—Cont’d

retention rights of secured par-
ties, 9-112:4, 9-505:8
rights
acquisitions, 9-107:3
debtor’s
alienation, 9-311:1
redemption, 9-506:2
secured parties, 9-112:4,
9-504:2, 9-506:3
subordination, unperfected
security interest,
9-301:1 et seq.
transfers, 9-203:12
waiver, 9-506:5
sales, secured parties’ rights
after default, 9-504:2
secured parties in possession,
reasonable care standard,
9-207:2 [Rev]
security interests
continuation, 9-306:2,
9-315:1 [Rev]
perfection
30-day rule, 9-103:4
four-month rule, 9-103:5
last event test, 9-103:3
transfer of obligation, effect,
9-203:16 [Rev]
unperfected, subordination of
rights, 9-301:1 et seq.
strict foreclosures
generally, 9-505:1
objections, 9-505:7
proposals
notices, 9-505:5, 9-505:6
secured parties, 9-505:4
timber, description of land,
9-110:5
title, 9-202:1, 9-202:2
transfers
generally, 9-504:12

© 2018 Thomson Reuters, 12/2018
SECURED TRANSACTIONS
—Cont’d
Collateral—Cont’d
transfers—Cont’d
after acquired property clauses, 9-108:3
types, 9-102:2, 9-102:6,
9-103:1, 9-109:4 [Rev]
use
generally, 9-205 [Rev], 9-205:1 [Rev]
secured parties, 9-207:1
without accounting, 9-205:1
Collecting banks
definition, 9-302:10
security interests, 9-203:2,
9-302:10
Collection
secured parties’ rights, 9-502:1
breach of peace, effect, 9-502:3
deficiencies, 9-502:4
payments from account debtors, 9-502:2
proceeds, distribution, 9-502:5
standard of care, 9-502:3
surpluses, 9-502:4
Collection rights
deficiencies, 9-502:4
payments from account debtors, 9-502:2
proceeds, distribution, 9-502:5
secured parties, 9-502:1
standard of care, 9-502:3
surpluses, 9-502:4
Commingling
goods, 9-207:1
defined, 9-336:1 [Rev]
distinguished from accessions, 9-336:1 [Rev]
priorities, 9-315:1
security interests, continuation, 9-315:1
SECURED TRANSACTIONS
—Cont’d
Commingling—Cont’d
goods, 9-207:1—Cont’d
security interests, prior,
9-336:1 [Rev]
proceeds, 9-306:5
Conflicting security interests,
priorities, 9-322:4 [Rev]
Conflict of laws, security interests, perfection, 9-103:1 et seq.
Consignments
generally, 9-109:3 [Rev]
application, 9-105:13
defaults, 9-114:5
determinations, 9-102:5
filing, 9-408:2
financing statements, 9-102:5
financing statements, 9-102:5,
9-114:3
intent, 9-102:5
priorities, steps, 9-114:4
problems, 9-114:1, 9-114:2,
9-114:5
protection of consignors,
9-102:5, 9-114:2, 9-114:3,
9-114:4
rights of consignees, 9-319:1
[Rev]
rights of consignors, 9-319:1
[Rev]
security interests, perfection,
9-408:1
true, 9-114:1
Constitutional law, repossessions
without notice, 9-503:2
Consumer credit contracts
notices, 9-206:4, 9-403:4 [Rev]
waiver of defense clauses,
9-206:4, 9-403:4 [Rev]
Consumer goods, purchase-money
security interest
fixtures, 9-309:2 [Rev]
motor vehicles, 9-309:2 [Rev]
SECURED TRANSACTIONS—Cont’d
Continuation statements
amendments distinguished, 9-403:3
effectiveness, 9-510:5 [Rev]
filing, 9-403:3, 9-403:4
financing statements
bankruptcy, 9-403:5
distinguished, 9-403:3
requirements, 9-403:3
signatures, 9-403:3
Contracts
assignments, 9-318:1, 9-318:3
debtors’ acts or omissions, 9-402:1 [Rev]
disposition of collateral, damages, 9-507:3
extension agreements, financing statements, 9-403:2
modification of assigned contracts, 9-405:1 [Rev]
participation agreements, 9-402:9
payments, 9-318:1
rights
accounts distinguished, 9-106:2
assignments, 9-318:1, 9-318:3
definition, 9-106:1, 9-106:2
substitution for assigned contract, 9-405:1 [Rev]
Control
collateral, duty to relinquish, 9-208:1 [Rev]
electronic chattel paper, 9-105:1 [Rev]
investment property, 9-106:1 [Rev], 9-106:2 [Rev], 9-309:4 [Rev]
letter of credit right, 9-107:1 [Rev]
secured parties, duty to relinquish, 9-208:1 [Rev]
SECURED TRANSACTIONS—Cont’d
Conversion, secured parties, 9-503:3
Costs and expenses
debtor’s liability, 9-207:1
filing fees, financing statements, 9-403:1
secured parties, 9-207:1
Creditors, setoffs, 9-104:10
Crops
after-acquired property clauses, 9-204:3
collateral, description of land, 9-110:5, 9-402:13
department of Agriculture entitlement payments as proceeds, 9-306:1
location, 9-203:9
security interests, priorities, 9-312:3
Damages
alternatives, redemption, 9-507:4
consumers’ remedies, 9-507:6
disposition of collateral, 9-507:3
measurement
secured parties’ noncompliance with default provisions, 9-507:3, 9-507:6
measurement, secured party’s noncompliance with default provisions, 9-507:3, 9-507:6
Debtors
addresses, financing statements, 9-402:11
after-acquired property rights, 9-203:12
alienation, 9-401:1 [Rev]
amendments of 2010, 9-307:2 [Rev]
bankruptcy, repossession of collateral, 9-503:7

© 2018 Thomson Reuters, 12/2018
SECURED TRANSACTIONS
—Cont’d
Debtors—Cont’d
codebtors
  right of redemption, 9-506:2
collateral
  assemblage, 9-503:5
  repossession, 9-503:7
  rights, 9-203:12, 9-311:1
consumers, 9-507:6
default
generally, 9-501:1, 9-501:2
removal of fixtures, 9-313:7
rights
  variation, 9-501:9
  waiver, 9-501:9
secured parties
  election of remedies, 9-501:7
noncompliance with provisions, 9-507:1
deficiencies, liability, 9-502:4
deficiency judgments, barring claims, 9-507:7
disposition of collateral, protection, 9-505:2
guarantors
  right of redemption, 9-506:2
  rights, 9-504:9
husband and wife, 9-402:6
interest in collateral, sale account, 9-318:1 [Rev]
chattel paper, 9-318:1 [Rev]
payment intangible, 9-318:1 [Rev]
promissory note, 9-318:1 [Rev]
lawful possession, 9-113:3
liability
deficiencies, 9-502:4
imposition on secured parties, 9-507:5

SECURED TRANSACTIONS
—Cont’d
Debtors—Cont’d
location, 9-103:9, 9-307:1 [Rev]
multiple generality, 9-105:5
husband and wife, 9-402:6
name in financing statement generally, 9-503 [Rev], 9-503:1 [Rev]
decedents’ estates, 9-503:3 [Rev]
individuals, 9-503:5 [Rev]
multiple debtors, 9-503:8 [Rev]
applicability of Part 5 rules, 9-520:4 [Rev]
organizations other than registered, 9-503:6 [Rev]
registered organizations, 9-503:2 [Rev]
trade names, 9-503:7 [Rev]
trusts, 9-503:4 [Rev]
names
business entities, 9-402:5
changes after filing, 9-402:7
registrations, 9-402:5
financing statements containing, 9-402:3 to 9-402:7
individuals, 9-402:4
partnerships, 9-402:5
sole proprietorships, 9-402:4
trade names, 9-402:4
partial redemptions, 9-506:6
place of business, 9-307:1 [Rev]
possession, 9-113:3
redemption rights generally, 9-506:2
Bankruptcy Code provisions, 9-506:7
partial redemptions, 9-506:6
time limitations, 9-506:4

Master Index-510
SECURED TRANSACTIONS
—Cont’d
Debtors—Cont’d
redemption rights—Cont’d
waiver, 9-506:5
remedies, default, 9-501:8
requests, 9-112:3
rights
alienation, 9-311:1
default, 9-501:8
modification, 9-505:3
renunciation, 9-505:3
secured parties’ obligations,
9-317:1
security agreements, new debtor
provisions, 9-203:15 [Rev]
security agreements, signatures,
9-203:5
security interests, new debtor
amendments of 2010,
9-326:2 [Rev]
priorities, 9-326:1 [Rev]
signatures, 9-203:5
spouses, 9-402:6
strict foreclosures
agreements, 9-505:3
involuntary, 9-505:9
objections, 9-505:7
Decedent’s estates, perfection,
assignment of beneficial
interest in estate, 9-309:8
[Rev]
Defaults
generally, 9-501:1
collection rights, 9-502:1 et
seq.
consignees, 9-114:5
debtors
generally, 9-501:1, 9-501:2
duties of secured parties,
9-501:9
remedies, 9-501:8
removal of fixtures, 9-313:7
repossession of collateral,
9-503:1

SECURED TRANSACTIONS
—Cont’d
Defaults—Cont’d
debtors—Cont’d
rights, 9-501:8, 9-501:9
secured parties’ actions
remedies of debtors,
9-507:1
remedies of secured creditors,
9-507:1
secured parties’ actions, rem-
edies, 9-507:1
variation of rights, 9-501:9
waiver of rights, 9-501:9
disposal of collateral
commercially reasonable,
9-504:4, 9-507:8 to
9-507:10
compulsory, 9-505:1 et seq.
secured parties’ rights,
9-504:2
subsequent, 9-504:1 et seq.
duties of secured parties,
9-501:6
foreclosure, 9-501:11
forfeited collateral, 9-503:7
fulfillment of obligations prior
to redemption, 9-506:6
insecurity clauses, 9-501:4
redemption rights
generally, 9-506:1 et seq.
fulfillment of obligations
prior, 9-506:6
time limitations, 9-506:4
remedies of secured parties,
9-501:5
repossession
generally, 9-501:5
notices, 9-503:2
rights, 9-503:1 et seq.
rights of secured parties,
9-501:5, 9-501:10
secured parties’ noncompliance
with provisions
consumer remedies, 9-507:6
SECURED TRANSACTIONS
—Cont’d

Defaults—Cont’d
secured parties’ noncompliance
with provisions—Cont’d
damages, 9-507:3
deficiency judgments, bar-
ing, 9-507:7
imposition of liability,
9-507:5
injunctive relief, 9-507:2
redemption as remedy,
9-507:4
secured party’s noncompliance
with provisions
consumers’ remedies,
9-507:6
damages, 9-507:3
deficiency judgments, bar,
9-507:7
imposition of liability,
9-507:5
injunctive relief, 9-507:2
redemption as remedy,
9-507:4
strict foreclosures, 9-505:1 et
seq.

Defenses
assignees, 9-206:1, 9-318:2
contracts between assignors and
account debtors, 9-318:1
estoppel, acceleration clauses,
prevention of use, 9-501:3
secured transactions
types, 9-206:2
waiver, 9-206:2 to 9-206:4,
9-318:2
types, 9-206:2
waiver, 9-206:2 to 9-206:4,
9-318:2
conditions of enforceability,
9-403:3 [Rev]
test of enforceability, 9-403:2
[Rev]

SECURED TRANSACTIONS
—Cont’d

Deposit accounts
generally, 9-104 [Rev], 9-104:1
[Rev]
amendments of 2010, 9-104:3
[Rev]
banks
right of recoupment, 9-340:1
[Rev]
right of set-off, 9-340:1
[Rev]
rights and duties, 9-341:1
[Rev]
definition, 9-104:13, 9-105:6
perfection
governing law change, effect,
9-316:4 [Rev]
special rules, 9-312:9 [Rev]
security interests
perfection, 9-304:1 [Rev]
_priorities, 9-327:1 [Rev]
security interests, excluded
transactions, 9-104:13
transfers of funds, rights of
tranferees, 9-332:1 [Rev]

Descriptions
after-acquired property
problems, 9-110:6
validity, 9-203:10
after-acquired property, validity,
9-203:10

collateral
after-acquired property,
9-110:6, 9-203:10
financing statements,
9-402:13
location, 9-110:5, 9-203:9
parol evidence, 9-110:4,
9-203:8
permissible breadth, 9-110:3,
9-203:7
proceeds, 9-110:6, 9-203:10
real estate, 9-110:5, 9-203:9
requirement, 9-203:5
SECURED TRANSACTIONS—Cont’d
Descriptions—Cont’d
collateral—Cont’d
security agreements versus financing statements, 9-108:2 [Rev]
signed security agreements, 9-203:6
statute of frauds, 9-110:4, 9-203:8
incomplete, 9-203:8
land, signed security agreements, 9-203:6
parol evidence, 9-110:4, 9-203:8
problems
incorporation by reference, 9-108:3 [Rev]
parol evidence rule, 9-110:4, 9-203:8 [Rev]
real estate, 9-110:5, 9-203:9 [Rev]
security agreements, 9-203:6
proceeds, 9-110:6, 9-203:10
property, 9-110:5
purposes, 9-110:2
real estate, 9-110:5, 9-203:9
requirements, 9-110:1, 9-203:5

SECURED TRANSACTIONS—Cont’d
Descriptions—Cont’d
security agreements, problems, 9-203:6
sufficiency
security agreements versus financing statements, 9-110:2, 9-203:6 [Rev]
Documents, definition, 9-105:7
Documents of title
definition, 9-304:3
mobility, 9-103:2
perfection of security interests, 9-103:2
financing statements, filing, 9-304:3
four-month rule, 9-103:5
last event test, 9-103:3
possession of goods, 9-304:5
third parties, 9-304:6
temporary, 9-304:7
Duration
financing statements, 9-403:2
redemption, 9-506:4
security interests
bankruptcy, 9-403:5
perfection, 9-305:5
Duties of banks, deposit accounts, 9-341:1 [Rev]
Election of remedies, default of debtors, 9-501:7
Electronic chattel paper
generally, 9-105 [Rev], 9-105:1 [Rev]
amendments of 2010, 9-105:2 [Rev]
control, 9-105:1 [Rev]
Electronic transaction acts, signed writing requirement, 9-101:2 [Rev]
SECURED TRANSACTIONS
—Cont’d
Enforcement
prerequisites, 9-203:3 [Rev]
security agreements
authentication, 9-203:5 [Rev]
repossession of collateral,
9-503:1
signatures, 9-203:4
security interests, 9-203:3,
9-301:2
debtors’ rights in collateral,
9-203:12
value given prior, 9-203:11
Equipment
classification
generally, 9-109:1
farming, 9-109:3
problems, 9-109:3
definition, 9-109:3
disposal without removal,
9-503:6
farming
classification, 9-109:3
protection of buyers, 9-307:5
purchase money security
interests, perfection, 9-302:9
goods included, 9-109:3
Estoppel
acceleration clauses, 9-501:3
defaults, 9-501:3
Excluded transactions, 9-109:5
[Rev]
Exclusions
generally, 9-104:1
amendments of 2010, 9-109:18
[Rev]
artisan’s liens, 9-104:4, 9-109:8
[Rev]
assignment for collections
accounts, nonfinancing,
9-309:3 [Rev]
chattel paper, 9-109:11 [Rev]
SECURED TRANSACTIONS
—Cont’d
Exclusions—Cont’d
assignment for collections
—Cont’d
payment intangibles, 9-309:3
[Rev]
promissory note, 9-109:11
[Rev]
chattel paper transfers, 9-104:7
financing intent, effect
accounts, nonfinancing,
9-109:11 [Rev]
chattel paper, 9-109:11 [Rev]
payment intangibles, 9-309:3
[Rev]
promissory notes, 9-109:11
[Rev]
governmental transfers,
9-104:6, 9-109:10,
9-109:10 [Rev]
insurance policy transfers,
9-109:12 [Rev]
insurance premium refunds,
9-104:8
judgments, 9-109:13 [Rev]
landlord’s liens, 9-104:3,
9-109:7 [Rev]
nonfinancing accounts, 9-104:7
performance-related transfer
accounts, nonfinancing,
9-109:11 [Rev]
chattel paper, 9-109:11 [Rev]
payment intangible, 9-109:11
[Rev]
promissory note, 9-109:11
[Rev]
real estate, 9-104:11
rights represented by judg-
ments, 9-104:9
secured transactions, 9-104:1
security interests
copyrights, patents and
trademarks, 9-109:6
[Rev]
SECURED TRANSACTIONS
—Cont’d
Exclusions—Cont’d
security interests—Cont’d
deposit accounts, 9-104:13,
9-109:17 [Rev]
federal statutes, 9-104:2
set-off rights, 9-104:10,
9-109:14 [Rev]
statutory liens, 9-109:8 [Rev]
tort claim transfers, 9-109:16
[Rev]
transfers
insurance policies, 9-104:8
tort claims, 9-104:12
wage assignments, 9-104:5,
9-109:9 [Rev]
Farmers, proceeds, Department of
Agriculture entitlement pay-
ments, 9-306:1
Farm products
buyers, priorities, 9-301:7
classification, 9-109:1
livestock, 9-109:4
problems, 9-109:4
definition, 9-307:3
Department of Agriculture
entitlement payments as
proceeds, 9-306:1
Food Security Act of 1985 pro-
visions, 9-109:4
central filing system, 9-307:3
livestock, 9-109:4
Department of Agriculture
entitlement payments as
proceeds, 9-306:1
purchasers, protection, 9-307:3
Fees
filing, 9-525:1 [Rev]
search, 9-525:2 [Rev]
Filed records effectiveness
generally, 9-510 [Rev], 9-510:1
[Rev]
amendments
amendments of 2010,
9-510:5 [Rev]
SECURED TRANSACTIONS
—Cont’d
Filing—Cont’d
financing statements—Cont’d
consignments, 9-102:5
consignors, 9-114:5, 9-408:1
contents required, 9-502:1 [Rev]
debtor authorization
actual, 9-509:2 [Rev]
deemed, 9-509:3 [Rev]
debtors’ names, 9-402:3 to 9-402:7
duration, 9-403:2
electronic, 9-402:1
errors, minor, 9-402:14
errors or omissions, 9-506:1 et seq.
exceptions, 9-302:1, 9-302:3 et seq.
fees, 9-403:1
lapses, 9-403:6
length of effectiveness, 9-403:2
lessors, 9-408:1
maturity, extension, 9-403:2
misfiling, 9-401:9
names, 9-402:3 to 9-402:10
debtors, 9-402:3 to 9-402:7
secured parties, 9-402:8 to 9-402:10
notice system, 9-502:1 [Rev]
ocurrence, 9-403:1
particular forms
generally, 9-402:1
UCC-1, 9-402:1
UCC-2, 9-402:1
UCC-3, 9-402:1

SECURED TRANSACTIONS
—Cont’d
Filing—Cont’d
financing statements—Cont’d
persons entitled to file
amendments, other, 9-509:4 [Rev]
amendments adding collateral, 9-509:1 [Rev]
amendments adding debtor, 9-509:1 [Rev]
amendments of 2010, 9-509:5 [Rev]
initial statement, 9-509:1 [Rev]
alternatives, 9-401:3 to 9-401:5
precautionary, 9-505:2 [Rev]
preamption
amendments of 2010, 9-311:3 [Rev]
statute, regulation or treaty, 9-311:2 [Rev]
presentment, 9-403:1
proof, 9-407:1
proper place, 9-401:7
protection of consignors, 9-114:3
purchase money security interests, motor vehicles, 9-302:8
requirements, 9-403:1
secured parties’ names, 9-402:8 to 9-402:10
signature requirements, 9-402:12
single central office, 9-501:2 [Rev]
special rules
real estate related collateral, 9-501:3 [Rev]
SECURED TRANSACTIONS
—Cont’d
Filing—Cont’d
financing statements—Cont’d
special rules—Cont’d
transmitting utilities, 9-501:4 [Rev]
termination, 9-404:1 et seq.
time requirements, 9-402:1
tradenames, use, 9-402:5
transmitting utilities, 9-401:6
wrong place, 9-401:9
fixtures, definition, 9-313:4
food Security Act of 1985, 9-307:3
Form UCC-11, 9-407:1
leases, 9-102:4, 9-408:3
officers
acceptance of financing statements, 9-403:1
certificates, 9-407:1
errors, liability, 9-407:1
information, 9-407:1
participation agreements, 9-402:9
purchase money security interests, 9-107:6
records
mandatory acceptance, 9-520:3 [Rev]
mandatory refusal
failure to refuse, effect, 9-520:2 [Rev]
security agreements, 9-402:2
statements
assignments, 9-405:2,
9-405:3, 9-407:1
releases, proof, 9-407:1
termination statements, proof, 9-407:1
transitional requirements,
11-104:1, 11-105:1, 11-106:1
Filing office
authority to destroy filed records, 9-522:2 [Rev]

SECURED TRANSACTIONS
—Cont’d
Filing office—Cont’d
central filing office, 9-501:2 [Rev]
delay, 9-524:1 [Rev]
duties
generally, 9-519 [Rev], 9-519:1 [Rev]
acknowledging filing of records, 9-523:2 [Rev]
excuses for delay, 9-524:1 [Rev]
file number assignment, 9-519:2 [Rev]
indexing and retrieval of information
generally, 9-519:3 [Rev]
real-property-related records, 9-519:4 [Rev]

making records available in bulk, 9-523:4 [Rev]
mandatory acceptance, 9-520:3 [Rev]
mandatory refusal, 9-520:1 [Rev], 9-520:2 [Rev]
performance, 9-524:1 [Rev]
providing information
generally, 9-523 [Rev], 9-523:1 [Rev]
acknowledging filing of records, 9-523:2 [Rev]
making records available in bulk, 9-523:4 [Rev]
search results, 9-523:3 [Rev]

errors, effect, 9-517:1 [Rev]
fees
filing, 9-525:1 [Rev]
search, 9-525:2 [Rev]
filing officer, duty to report, 9-527:1 [Rev]
SECURED TRANSACTIONS — Cont’d
Filing office — Cont’d
maintenance of records
generally, 9-522 [Rev],
9-522:1 [Rev]
after lapse of financing state-
ments, 9-522:3 [Rev]

rules
harmonization of rules
International Association
of Corporate
Administrators model
rules, 9-526:2 [Rev]
other jurisdictions filing
offices, 9-526:2 [Rev]

Financing statements
addresses, 9-402:11
amendments
generally, 9-402:1, 9-512
[Rev], 9-512:1 [Rev]
amendments of 2010,
9-512:5 [Rev], 9-515:5
[Rev]
effective date, 9-512:3 [Rev]
effect of lapse, 9-515:4 [Rev]
efficiency
change of debtor’s name,
9-507:2 [Rev]
new debtor, 9-508:1 [Rev]
post-filing changes, other,
9-507:3 [Rev]
text and proposed comment
amendments, 9-507:4
[Rev]
transfer of collateral by
debtor, 9-507:1 [Rev]
effect of lapse, 9-515:4 [Rev]
efficiency
extension agreements, 9-403:2

application, property subject
to statutes, 9-302:10,
9-302:16
character of collateral,
changes, 9-401:8
consignments, 9-102:5
consignors, 9-114:3
deemed, 9-507:2 [Rev]
debtor authorization
actual, 9-509:2 [Rev]
duration, 9-403:2
electronic, 9-402:1
efficiency
application, property subject
to statutes, 9-302:10,
9-302:16
character of collateral,
changes, 9-401:8
consignments, 9-102:5
consignors, 9-114:3
deemed, 9-507:2 [Rev]
debtor authorization
actual, 9-509:2 [Rev]
duration, 9-403:2
electronic, 9-402:1
errors and omissions
generally, 9-506 [Rev],
9-506:1 [Rev]
real estate, 9-110:5
crop lands, 9-402:13
duration of effectiveness
generally, 9-515 [Rev],
9-515:1 [Rev]
elonger period for certain
transactions, 9-515:2
[Rev]

description
collateral, releases, 9-406:1
consignors, 9-114:3
contents required
generally, 9-520:2 [Rev]
amendments of 2010,
9-502:4 [Rev]
real estate related filings,
9-502:3 [Rev]
continuations, 9-515:3 [Rev]
continuation statements
distinguished, 9-403:3
definition, 9-402:1
descriptions
collateral, 9-110:2, 9-402:13
property, 9-110:5
SECURED TRANSACTIONS
—Cont’d
Financing statements—Cont’d
filing—Cont’d
errors and omissions
—Cont’d
amendments of 2010,
9-506:5 [Rev]
describing collateral,
9-506:4 [Rev]
name of debtor, 9-506:2
[Rev]
name of secured party,
9-506:4 [Rev]
new debtor, 9-506:3 [Rev]
exceptions
generally, 9-302:1, 9-302:3
et seq., 9-309:1 [Rev]
Article 2A security
interests, 9-309:1
[Rev]
Article 5 issuer or
nominated person,
9-309:3 [Rev]
Article 2 security interests,
9-309:5 [Rev]
Article 4 security interests,
9-309:1 [Rev]
assignment for benefit of
creditors, 9-309:7
[Rev]
assignment of accounts,
9-309:1 [Rev],
9-309:5 [Rev]
assignment of beneficial
interest in decedent’s
estate, 9-309:8 [Rev]
assignment of payment
intangibles, 9-309:3
[Rev]
beneficial interests in
trusts, 9-309:1 [Rev]
benefit of creditors, assign-
ment, 9-309:1 [Rev]
collecting bank, 9-309:5
[Rev]
investment property,
9-309:4 [Rev]
payment intangibles sales,
9-309:1 [Rev]
promissory notes sales,
9-309:1 [Rev]
purchase-money security
interests, 9-309:2
[Rev]
receivables sales, 9-309:6
[Rev]
fees, 9-403:1
indication of collateral
generally, 9-504 [Rev],
9-504:1 [Rev]
safe harbor by description,
9-504:2 [Rev]
safe harbor by
supergeneric description,
9-504:3 [Rev]
lapses, 9-403:6
length of effectiveness,
9-403:2
lessors, 9-408:1
maturity, extension, 9-403:2
misfiling, 9-401:9
name of debtors
generally, 9-503 [Rev],
9-503:1 [Rev]
decedents’ estates, 9-503:3
[Rev]
individuals, 9-503:5 [Rev]
SECURED TRANSACTIONS
—Cont’d
Financing statements—Cont’d
filing—Cont’d
name of debtors—Cont’d
multiple debtors, 9-503:8 [Rev]
organizations other than registered, 9-503:6 [Rev]
registered organizations, 9-503:2 [Rev]
trade names, 9-503:7 [Rev]
names of debtors, 9-402:3 to 9-402:7
secured parties, 9-402:8 to 9-402:10
occurrence, 9-403:1
particular forms
UCC-1, 9-402:1
UCC-2, 9-402:1
UCC-3, 9-402:1
perfection of security interests, 9-302:2, 9-310:1 [Rev]
assignment of accounts, 9-302:10
assignments for benefit of creditors, 9-302:12
chattel paper, 9-304:2
collecting banks, 9-302:10
documents of title, 9-304:3
exceptions, 9-302:3 et seq.
investment securities, 9-302:10
negotiable documents, 9-304:3
noneffective, 9-302:14
necessity, 9-302:14
property subject to statute, 9-302:10
sales, 9-302:10

SECURED TRANSACTIONS
—Cont’d
Financing statements—Cont’d
filing—Cont’d
perfection of security interests, 9-302:2, 9-310:1 [Rev]—Cont’d
third party possession of goods, 9-304:5, 9-304:6
transfers by assignees under original assignments, 9-302:12
persons can file amendments not adding collateral, 9-509:4 [Rev]
amendments not adding debtor, 9-509:4 [Rev]
amendments of 2010, 9-509:5 [Rev]
persons entitled to file amendments adding collateral, 9-509:1 [Rev]
amendments adding debtor, 9-509:1 [Rev]
initial statement, 9-509:1 [Rev]
place, 9-401:1, 9-401:2, 9-401:7, 9-401:9
alternatives, 9-401:3 to 9-401:5
post-filing changes, 9-507:2 [Rev], 9-507:3 [Rev]
precautionary generally, 9-505 [Rev], 9-505:1 [Rev]
bailor of goods, 9-505:1 [Rev]
consignors, 9-505:1 [Rev]
lessors, 9-505:1 [Rev]
licensors, 9-505:1 [Rev]
transactions outside the scope of Article 9, 9-505:2 [Rev]
SECURED TRANSACTIONS
—Cont’d
Financing statements—Cont’d
filing—Cont’d
preemption
amendments of 2010, 9-311:3 [Rev]
statute, regulation or treaty, 9-311:2 [Rev]
presentment, 9-403:1
proof, 9-407:1
proper place, 9-401:7
protection of consignors, 9-114:3
purchase money security interests, motor vehicles to be registered, 9-302:8
requirements, 9-403:1
secured party’s name generally, 9-503:9 [Rev]
amendments of 2010, 9-503:11 [Rev]
representative of one or more, 9-503:10 [Rev]
representative of one or more secured party, 9-503:10
termination, 9-404:1 et seq.
time requirements, 9-402:1
tradenames, use, 9-402:5
transmitting utilities, 9-401:6
wrong place, 9-401:9
filing office
authority to destroy original filings, 9-522:2 [Rev]
maintenance of records generally, 9-522 [Rev], 9-522:1 [Rev]
after lapse, 9-522:3 [Rev]
fixtures, 9-402:2
Food Security Act of 1985, 9-307:3
incorrect information priorities, 9-338:1 [Rev]

SECURED TRANSACTIONS
—Cont’d
Financing statements—Cont’d
information obtaining, 9-208:2
requests, 9-208:1
lapses, 9-403:6
lessors’ filing, 9-408:1
location of collateral, 9-110:5
maturity dates, 9-403:2
minor errors, amendments, 9-402:14
names debtors, 9-402:3 to 9-402:7
secured parties, 9-402:8 to 9-402:10
purpose, 9-110:2
safe harbor forms, 9-521:2 [Rev]
security agreements distinguished, 9-110:2, 9-402:2
signature requirements, 9-402:12
sufficiency of description, 9-108:2 [Rev]
termination failure, 9-404:2
mandatory, 9-404:3
methods, 9-404:1
uniform forms, 9-521:2 [Rev]

Fixtures
application, 9-313:3
attachment, 9-313:3
1962 Code, 9-313:3
1972 Code, 9-313:4
code rules, 9-313:2
default, 9-313:7
definition, 9-313:4
filing definitions, 9-302:7, 9-313:4
financing, 9-313:1 et seq.
financing statements, 9-402:2
goods, 9-302:7
SECURED TRANSACTIONS
—Cont’d
Fixtures—Cont’d
priorities, 9-313:3 to 9-313:5
removal, debtor’s default,
9-313:7
requirements, 9-313:2
security interests, 9-313:1 et seq.
tests, 9-313:4
transactions included, 9-104:11
Food Security Act of 1985
generally, 9-109:4
farm product exception,
reversal, 9-306:2, 9-307:3
perfected security interest, farm products priority, 9-101:2 [Rev]
protection, 9-320:3 [Rev]
provisions, 9-306:2, 9-307:3, 9-320:3 [Rev]
Foreclosures
nondebtor owners’ rights,
9-112:4
secured parties’ rights, 9-501:11
strict
agreement of debtors, 9-505:3
bankruptcy of debtor, 9-505:4
involuntary, 9-505:9
liens, 9-505:10
limitations, 9-505:1
notices
objections, 9-505:7
persons entitled, 9-505:5
proposals, 9-505:4 to 9-505:6
subordinate security interests, 9-505:10
Forms
generally, 9-109:2 [Rev]
UCC-1, 9-402:1
UCC-2, 9-402:1
UCC-3, 9-402:1

SECURED TRANSACTIONS
—Cont’d
Forms—Cont’d
UCC-11, 9-407:1
Fungible goods, 9-207:1 [Rev]
Future advances
generally, 9-204 [Rev], 9-204:1 [Rev]
clauses
absence, effect, 9-204:5 [Rev]
amendments to Code, 9-204:2
limitations, 9-204:1
effectiveness, 9-204:5, 9-204:5 [Rev]
lien priority, 9-301:8
limitations, 9-204:5
extensions of credit, 9-204:5, 9-204:5 [Rev]
legislative, 9-204:5, 9-204:5 [Rev]
renewal of loans, 9-204:5, 9-204:5 [Rev]
same class rule, 9-204:5, 9-204:5 [Rev]
priorities
generally, 9-307:6
competing claims against same collateral, 9-204:5 [Rev]
conflicting security interests in same collateral, 9-312:8
federal tax lien, 9-323:3 [Rev]
lien creditors, 9-301:8, 9-323:3 [Rev]
between lien creditors, 9-301:3
purchasers of collateral, 9-323:2 [Rev]
same class rule, 9-204:1 [Rev], 9-204:5, 9-204:5 [Rev]
SECURED TRANSACTIONS
—Cont’d
Future advances—Cont’d
security interests
federal tax lien, 9-323:3 [Rev]
lien creditors, 9-323:3 [Rev]

General intangibles
account debtors, 9-105:2
assignments
free alienability rules of 9-406 and 9-408, 9-406:3 [Rev], 9-408:2 [Rev]
restrictions, ineffectiveness, 9-408 [Rev], 9-408:1 [Rev]
rights under structured settlements, 9-408:3 [Rev]
definition, 9-102:9 [Rev], 9-106:1, 9-106:3
location, 9-103:9
purchasers, priorities, 9-301:7

General partnerships, assignments, 9-408:2 [Rev]

Good faith
assignments, 9-206:3
waiver of defenses
conditions of enforceability, 9-403:3 [Rev]
test of enforceability, 9-403:3 [Rev]
buyers in ordinary course of business, 9-307:2
definitions, 9-206:3, 9-501:4
financing statements, improper filing, 9-401:9
standards, 9-501:4
tests, 9-206:3, 9-501:4

Goods
accessions, 9-314:1

SECURED TRANSACTIONS
—Cont’d
Goods—Cont’d
bailments, perfection of security interests, 9-305:4
borderline transactions, 9-103:4
buyers
priorities, 9-301:7
protection, 9-307:1
generally, 9-320 [Rev], 9-320:1 [Rev]
consumer goods, 9-307:4, 9-320:4 [Rev]
extracted oil, gas or other minerals, 9-320:5 [Rev]
farm equipment, 9-307:5
farm products, 9-307:3, 9-320:3 [Rev]
Food Security Act, 9-320:3 [Rev]
ordinary course of business, 9-307:2, 9-320:2 [Rev]
wellhead or minehead purchases, 9-320:5 [Rev]
certificates of title
generally, 9-103:6
protection of nonmerchant buyers, 9-103:8
classification
consumer goods, 9-109:1, 9-109:2
equipment, 9-109:1, 9-109:3
farm products, 9-109:1, 9-109:4
inventory, 9-109:1, 9-109:5
mutually exclusive, 9-109:1
use, 9-109:1
commingling, 9-207:1, 9-315:1, 9-336:1 [Rev]
consumer
after-acquired property clauses, 9-204:3
SECURED TRANSACTIONS
—Cont’d
Goods—Cont’d
consumer—Cont’d
classifications, 9-109:1,
9-109:2
definitions, 9-109:2, 9-302:6
fixtures, purchase money
security interests,
9-302:7
perfection of security
interests, motor vehicles
to be registered, 9-302:8
protection of buyers,
qualifications, 9-307:4
purchase money security
interests, perfection,
9-302:6
waiver of defenses, 9-206:4
definitions
generally, 9-105:9
distinctions, 9-105:1
fixtures, 9-302:7
fungible, 9-207:1
mobile, 9-103:2, 9-103:9
motor vehicles, perfection of
security interests, 9-302:8
movement
certificates of title, 9-103:7
30-day rule, 9-103:4
perfection of security interests
bailees holding, 9-305:4
subordinate rights of certain
buyers, 9-103:8
possession by third parties,
perfection of security
interests
not possessing negotiable
documents of title,
9-304:6
possessing negotiable doc-
ments of title, 9-304:5
protection of buyers, qualifi-
cations, 9-307:4
reclamation, 9-203:12

SECURED TRANSACTIONS
—Cont’d
Goods—Cont’d
security interests
generally, 9-113:1, 9-113:2
debtors’ possession, 9-113:3
repossessed, 9-315:5 [Rev]
returned, 9-315:5 [Rev]
third party possession
goods covered by documents,
9-312:6 [Rev]
perfection of security
interests, 9-304:5,
9-304:6
Governing law change
certificates of title, 9-316:3
[Rev]
perfection, effect
generally, 9-316 [Rev],
9-316:1 [Rev]
four-month grace period,
9-316:1 [Rev]
Guarantors, right of redemption,
9-506:2
Health-care-insurance receivables
assignments
amendments of 2010,
9-406:4 [Rev]
free alienability rules of
9-406 and 9-408,
9-406:3 [Rev]
restrictions, ineffectiveness,
9-408:1 [Rev]
History of code, 1-101:1 [Rev]
Index of definitions, 9-105:16
Insecurity clauses
construction, 9-501:4
provisions, 9-501:4
Instruments
definition, 9-304:4, 9-308:3
definitions, 9-105:10, 9-304:4,
9-308:3
mobility, 9-103:2
nonpossessory purchase money
security interests, 9-308:3
SECURED TRANSACTIONS — Cont’d

Instruments—Cont’d

perfection of security interests, 9-103:2, 9-304:4
four-month rule, 9-103:5
last event test, 9-103:3
special rules, 9-312:4 [Rev]
temporary, 9-304:7
priorities
possessors, 9-309:1
purchasers, 9-308:1
proceeds amendments of 2010, 9-330:6 [Rev]
priorities, 9-330:5 [Rev]
protection
purchasers, 9-308:5, 9-309:1, 9-331:1 [Rev]
1962 Code, 9-308:5
reasonable care, 9-207:3
security interests priorities, 9-330:1 [Rev], 9-330:3 [Rev]
tests, 9-105:10

Insurance

collateral, 9-207:1
failure to maintain, 9-207:1 [Rev]
right to proceeds, 9-207:1 [Rev]
exclusion exceptions
health-care-insurance receivables, 9-109:12 [Rev]
refund entitlement, 9-109:12 [Rev]
premium refunds, excluded transactions, 9-104:8
proceeds, 9-207:1, 9-306:1
transfer of policies, excluded transactions, 9-104:8
International commercial conventions and U.C.C. Article 9

SECURED TRANSACTIONS — Cont’d

compared. Cape Town Convention, this index

Inventory
classifications, 9-109:1
problems, 9-109:5
requirements, 9-109:5
collateral, purchase money security interests, 9-107:6
definitions, 9-109:5, 9-307:2
interest, 9-114:4
purchase money security interests, priorities, 9-312:4, 9-324:1 [Rev]

Investment property
generally, 9-106 [Rev], 9-106:1 [Rev]
control, 9-203:14 [Rev]
prior law, 9-106:2 [Rev]

perfection

governing law change, effect, 9-316:4 [Rev]
special rules, 9-312:1 [Rev], 9-312:8 [Rev]

security interests

generally, 9-305 [Rev], 9-305:1 [Rev]
operation of law, 9-203:14 [Rev]
perfection, 9-305:1 [Rev]
without control, 9-203:14 [Rev]
priorities, 9-305:1 [Rev], 9-328:1 [Rev]

Investment securities

purchasers
security interest, 9-309:1
security interests
perfection, 9-302:10

Judgments

assignments, 9-104:9
deficiencies, barring claim, 9-507:7
transfer of rights, 9-104:9

© 2018 Thomson Reuters, 12/2018
SECURED TRANSACTIONS
—Cont’d
Jurisdiction
- goods covered by certificates of title, 9-103:6, 9-103:7
- location of debtors, 9-103:9
- mobile goods, 9-103:4
- movement of goods, 9-103:5

Leases
- generally, 9-109:3 [Rev]
- application, 9-105:13
- collateral, secured parties’ rights after default, 9-504:2
determinations, 9-102:4
filing, 9-102:4
1962 Code, 9-408:4
landlord’s liens, 9-104:3
liens
- landlord’s, 9-104:3
- option of creditor, 9-102:4
- perfection by filing, 9-408:3
- personal property
  - generally, 9-102:4
  - tenants’, provisions, 9-104:3
- problems, 9-114:1
- secured transactions, option of creditor, 9-102:4
- security interests
  - debtors’ possession, 9-110:1 [Rev]
defined, 9-102:3, 9-102:4
definition, 9-102:3, 9-102:4
filing, 9-408:1
- restrictions on creation or enforcement, 9-407:1 [Rev]
tenants’ personal property, provisions, 9-104:3
tenant’s personal property, provisions, 9-104:3
- true, 9-114:1
types, 9-102:4

Lessees, rights, ordinary course of business, 9-321:1 [Rev]

SECURED TRANSACTIONS
—Cont’d
Letters of credit
- assignments, restrictions, ineffectiveness, 9-409:1 [Rev]
- perfection
  - governing law change, effect, 9-316:4 [Rev]
  - special rules, 9-312:9 [Rev]
- security interests
  - perfection, 9-309:5 [Rev]
  - priorities, 9-306:1 [Rev], 9-329:1 [Rev]

Liability
- secured parties
  - imposition, 9-507:5
  - losses, 9-501:8
  - noncompliance with default provisions, 9-507:3

Licensees rights, ordinary course of business, 9-321:1 [Rev]

Lien creditors
- definition, 9-301:4
- Internal Revenue Service, 9-301:4
- method of becoming, 9-301:4
- priorities, 9-301:4, 9-301:5
- between future advances, 9-301:8
- qualifications, 9-301:4
- subordination of unperfected security interests, 9-301:4
- exceptions, 9-301:5
- trustees in bankruptcy, 9-301:6

Liens
- artisan’s, 9-109:8 [Rev], 9-333:1 [Rev]
- banks, 9-104:10
- excluded transactions, 9-104:3
- execution, relation back provisions, 9-501:11
- floating, 9-108:1
- innkeeper’s, 9-109:7 [Rev]
- landlord’s, 9-104:3, 9-109:7 [Rev]
SECURED TRANSACTIONS
—Cont’d
Liens—Cont’d
priorities
generally, 9-310:2
materialman’s, 9-313:4
mechanic’s, 9-313:4
statutory, 9-109:8 [Rev]
strict foreclosures, 9-505:10
supplier’s, 9-109:8 [Rev]
wage assignments, 9-109:9 [Rev]
Limitation of actions, 9-507:3
Limited liability companies, payment intangibles, 9-408:2 [Rev]
Limited liability partnerships, payment intangibles, 9-408:2 [Rev]
Loans
extension of maturity, 9-403:2
renewal, future advances limitations, 9-204:5
Truth in Lending Simplification Act disclosures, 9-204:3
Minerals
perfection of security interests, 9-103:11
treatment, 9-203:1
Model Tribal Secured Transactions Act (MTSTA), this index
Money
definition, 9-304:4
perfection
security interests, 9-304:4
special rules, 9-312:5 [Rev]
transfers
rights of transferees, 9-332:1 [Rev]
Mortgages
construction
definition, 9-313:4
priorities, 9-313:4, 9-313:6
definition, 9-105:11

SECURED TRANSACTIONS
—Cont’d
Multiple state transactions
30-day rule, 9-103:4
priorities, 9-103:12
Names
debtors
business entities, 9-402:5
changes after filing, 9-402:7
corporations, 9-402:5
financing statements, 9-402:3
to 9-402:7, 9-503:1 [Rev]
financing statements containing
individuals, 9-402:4
multiple, 9-402:6
partnerships, 9-402:5
sole proprietorships, 9-402:4
trade names, 9-402:4
secured parties
generally, 9-402:8
changes after filing, 9-402:10
changing after filing, 9-402:10
multiple, 9-402:9
Negligence concepts, 9-207:2
Negotiable documents
perfection, special rules, 9-312:1 [Rev], 9-312:3 [Rev]
priorities of possessors, 9-309:1
protection of purchasers,
9-309:1, 9-331:1 [Rev]
Nondebtor owners
generally, 9-112:1
losses, right to recover, 9-112:3
notice rights, 9-112:3
proceeding against noncomplying secured parties,
9-112:6
redemption rights, 9-112:5, 9-506:2
SECURED TRANSACTIONS — Cont’d

Nondebtor owners — Cont’d
secured parties’ noncompliance,
right to proceed against,
9-112:6
strict foreclosure rights, 9-112:4
surplus rights, 9-112:2

Notice and notices
acceleration of debts, 9-501:4
assignments, 9-318:2, 9-318:3,
9-404:1 [Rev]
adequacy, 9-406:2 [Rev]
identification and proof of
assignment, 9-406:1 [Rev]
claims, 9-206:3, 9-206:4
collateral
disposition, 9-504:7 to
9-504:10
repossession, 9-503:2
conflicting security interests,
9-312:4
consumer credit contracts,
9-206:4
defenses, 9-206:3, 9-206:4
disposal of collateral
private sales, 9-504:10
public sales, 9-504:10
state retail installment sales
act requirements,
9-504:9
guarantor, status of debtor,
9-504:9
nondebtor owners’ rights,
9-112:3
objections to strict foreclosures,
9-505:7
payments to secured parties,
9-502:2
repossession, 9-503:2
secured parties giving
disposal of collateral, 9-504:8
contents, 9-504:9
exceptions, 9-504:7

SECURED TRANSACTIONS
— Cont’d

Notice and notices — Cont’d
secured parties giving — Cont’d
disposal of collateral, 9-504:8
— Cont’d
reasonableness, 9-504:9
strict foreclosures, 9-505:5,
9-505:6
standards, 9-206:3
strict foreclosures
objections, 9-505:7
other parties receiving,
9-505:5
proposals, 9-505:5
other secured parties
receiving, 9-505:6

Ordinary goods
movement, 9-103:2
perfection of security interests
four-month rule, 9-103:5
last event test, 9-103:3

Parol evidence
admissibility
collateral, specification,
9-110:4
intended collateral, 9-203:8
description of collateral,
9-108:3 [Rev], 9-203:8,
9-203:8 [Rev]

Payment intangibles
assignments
amendments of 2010,
9-406:4 [Rev], 9-408:4
[Rev]
free alienability rules of
9-406 and 9-408,
9-406:3 [Rev], 9-408:2
[Rev]
restrictions, ineffectiveness,
9-406:2 [Rev]
rights under structured settle-
ments, 9-408:3 [Rev]

Payments
account debtors to secured par-
ties, 9-502:2

Master Index-528
SECURED TRANSACTIONS – Cont’d
Payments – Cont’d
credits, assignments, 9-318:1
   direct, 9-502:2
   indirect, 9-502:2
Payor banks, definition, 9-302:10
PEB Commentary 2 on UCC § 9-301(4), PEB Com 2
PEB Commentary 3 on UCC § 9-306(2), PEB Com 3
PEB Commentary 3 on UCC § 9-402, PEB Com 3
PEB Commentary 4 on UCC § 8-207, PEB Com 4
PEB Commentary 5 on UCC § 9-306(5), PEB Com 5
PEB Commentary 6 on UCC § 9-301(1), PEB Com 6
PEB Commentary 7 on UCC § 9-309, PEB Com 7
PEB Commentary 7 on UCC § 9-312, PEB Com 7
PEB Commentary 8 on UCC § 9-308, PEB Com 8
PEB Commentary 9 on UCC § 9-306(1), PEB Com 9
PEB Commentary 12 on UCC § 9-302, PEB Com 12
PEB Commentary 14 on UCC § 9-102(1)(b), PEB Com 14
Perfection – Cont’d
generally, 9-304:1
   automatic, 9-309:1 [Rev]
certificates of title, notation, 9-103:6 to 9-103:8
   chattel paper, filing financing statements, 9-304:2
   continuity, 9-303:2, 9-308:3 [Rev]
   control
certificated security, 9-314:1 [Rev]
collateral, 9-308:1 [Rev]

PECOMMENTS
PEB Commentary 2 on UCC § 9-301(4), PEB Com 2
PEB Commentary 3 on UCC § 9-306(2), PEB Com 3
PEB Commentary 3 on UCC § 9-402, PEB Com 3
PEB Commentary 4 on UCC § 8-207, PEB Com 4
PEB Commentary 5 on UCC § 9-306(5), PEB Com 5
PEB Commentary 6 on UCC § 9-301(1), PEB Com 6
PEB Commentary 7 on UCC § 9-309, PEB Com 7
PEB Commentary 7 on UCC § 9-312, PEB Com 7
PEB Commentary 8 on UCC § 9-308, PEB Com 8
PEB Commentary 9 on UCC § 9-306(1), PEB Com 9
PEB Commentary 12 on UCC § 9-302, PEB Com 12
PEB Commentary 14 on UCC § 9-102(1)(b), PEB Com 14

Perfection – Cont’d
deposit accounts, 9-314:1
   electronic chattel paper, 9-314:1 [Rev]
   investment property, 9-314:1 [Rev]
   letter-of-credit rights, 9-314:1 [Rev]
   security entitlement, 9-314:1 [Rev]
   uncertificated security, 9-308:1 [Rev]
delivery of collateral, types covered, 9-313:1 [Rev], 9-313:2 [Rev]
deposit accounts, governing law change effect, 9-316:4 [Rev]
documents of title exceptions, 9-304:7
   filing financing statements, 9-304:3
duration, 9-305:5
   filing financing statement, 9-308:1 [Rev]
goods held by bailees, 9-305:4, 9-313:4 [Rev]
goods held by third parties, 9-304:5, 9-304:6
governing law change effect generally, 9-316 [Rev], 9-316:1 [Rev]
four-month grace period, 9-316:1 [Rev]
   instruments, 9-304:4
   investment property governing law change, effect, 9-316:4 [Rev]
   letters-of-credit governing law change, effect, 9-316:4 [Rev]
SECURED TRANSACTIONS
—Cont’d
Perfection—Cont’d
money, 9-304:4
negotiable documents
exceptions, 9-304:7
filing financing statements, 9-304:3
possession
generally, 9-305:1 et seq.
 begins, 9-313:5 [Rev]
collateral, 9-308:1 [Rev], 9-313:1 et seq.
possession or delivery
ends, 9-313:5 [Rev]
proceeds, 9-306:4
security interests
generally, 9-304:1
amendments of 2010, 9-301:4 [Rev]
assignments, 9-302:13
accounts, 9-302:10
beneficial interest in trust or estate, 9-302:5
benefit of creditors, 9-302:12
chattel paper, 9-304:2
collateral
debtors’ location, 9-301:2 [Rev]
collecting banks, 9-302:10
continuity, 9-303:2
documents of title
 exceptions, 9-304:7
filing financing statements, 9-304:3
duration, 9-305:5
farm equipment, 9-302:9
filing of financing statements, 9-310:1 [Rev]
financing statements, filing, 9-302:2
fixtures, 9-302:7
goods held by bailees, 9-305:4

SECURED TRANSACTIONS
—Cont’d
security interests—Cont’d
goods held by third parties, 9-304:5, 9-304:6
instruments, 9-304:4
money, 9-304:4
motor vehicles, 9-302:8
negotiable documents
exceptions, 9-304:7
filing financing statements, 9-304:3
possession, 9-302:3, 9-305:1 et seq.
proceeds, 9-306:4, 9-306:11
property subject to statute, 9-302:10
purchase money, 9-302:6 to 9-302:9
sales transaction, investment securities, 9-302:10
temporary, 9-302:4, 9-303:2, 9-304:7
temporary continuation, 9-304:8
time, 9-303:1
special rules
generally, 9-312 [Rev], 9-312:1 [Rev]
chattel paper, 9-312:1 [Rev], 9-312:2 [Rev]
deposit accounts, 9-312:1 [Rev], 9-312:9 [Rev]
foods covered by document third-party possession, 9-312:6 [Rev]
instruments, 9-312:1 [Rev], 9-312:4 [Rev]
investment property, 9-312:8 [Rev]
letter-of-credit rights, 9-312:1 [Rev], 9-312:9 [Rev]
SECURED TRANSACTIONS
—Cont’d
Perfection—Cont’d
special rules—Cont’d
money, 9-312:1 [Rev], 9-312:5 [Rev]
negotiable documents, 9-312:1 [Rev], 9-312:3 [Rev]
temporary perfection, 9-312:1 [Rev], 9-312:7 [Rev]
temporary, 9-303:2, 9-304:7
temporary continuation, 9-304:8
time, 9-303:1
transfers, 9-204:4
Perfection of transfers, 9-204:4
Personal property
leases, 9-102:4
secured parties’ rights, 9-501:10
servicing as security, 9-102:2
Place
collateral, 9-110:5
debtors, 9-103:9
filing financing statements, 9-401:1, 9-401:2
alternatives, 9-401:3 to 9-401:5
changes
subsequent, 9-401:8
character of collateral, 9-401:7
transmitting utilities, 9-401:6
wrong place, 9-401:9
security agreements, 9-203:9
Pledges
reasonable care
generally, 9-207 [Rev], 9-207:1 [Rev], 9-207:2 [Rev]
pledgees, 9-207:2
repledgees, 9-207:1

SECURED TRANSACTIONS
—Cont’d
Possession
bailee with notification of interest, perfection, 9-305:4
collateral
perfection of security interests, 9-302:3, 9-305:2
secured parties’ rights and duties, 9-207:1
debtors, 9-113:3
goods, perfection of security interests
bailee’s possession, 9-305:4
third party possession, 9-304:5, 9-304:6
lawful, 9-113:3
perfection of security interests, 9-305:1, 9-305:3
security interests, 9-203:4
third parties, perfection of security interests, 9-304:5, 9-304:6
time, perfection of security interests, 9-305:5
Preferences, 9-108:3
burden of proof, 9-204:4
elements, 9-108:1, 9-204:4
transfers, time limitations, 9-204:4
Priorities
accessions, security interests, 9-314:2, 9-314:3
accounts financers, returned and repossessed goods, 9-306:9
agricultural liens
incorrect information in financing statements, 9-338:1 [Rev]
artisan’s liens
SECURED TRANSACTIONS
—Cont’d
Priorities—Cont’d
artisan’s liens—Cont’d
  possession as determinative, 9-310:2
chattel paper
  amendments of 2010, 9-330:6 [Rev]
  duty of inquiry, 9-308:2
  holder in due course, 9-309:1
  proceeds, 9-308:4, 9-330:4
    [Rev], 9-330:5 [Rev]
collateral
  noninventory, 9-312:5
  purchasers, 9-306:10
commingled goods, 9-315:1
  timing of perfection, 9-336:1 [Rev]
conflicting security interests
  amendments of 2010, 9-322:4 [Rev]
  Code rules, 9-322:2 [Rev]
  crops, 9-312:3
  proceeds, 9-312:7, 9-322:4
    [Rev]
  same collateral, 9-312:2,
    9-322:3 [Rev]
conflicts, 9-114:4
consignors, steps, 9-114:4
construction mortgages, 9-313:4, 9-313:6
creditors, 9-306:10
  crops, 9-334:1 [Rev], 9-334:5
    [Rev]
double debtor problem
  transferred collateral, 9-325:1
    [Rev]
exceptions, 9-316:1
fixtures
  generally, 9-334 [Rev],
    9-334:1 [Rev], 9-334:4
    [Rev]
financers, 9-313:3 to 9-313:5

SECURED TRANSACTIONS
—Cont’d
Priorities—Cont’d
fixtures—Cont’d
  purchase money security interests, 9-313:5
future advances
  conflicting security interests
    in same collateral, 9-312:8
  federal tax lien, 9-323:3
    [Rev]
  lien creditors, 9-323:3 [Rev]
  purchasers of collateral, 9-323:2 [Rev]
  tax liens, 9-301:8
goods covered by certificates of title, security interests, 9-337:1 [Rev]
inventory
  instruments
    amendments of 2010, 9-330:6 [Rev]
    proceeds, 9-308:4, 9-330:4
      [Rev], 9-330:5 [Rev]
    security interests, 9-330:1
      [Rev], 9-330:3 [Rev]
  inventory financers, 9-306:9
  lien creditors, 9-301:4, 9-301:8
  exceptions, 9-301:5
liens arising by operation of law, 9-310:2
materialman’s liens, 9-313:4
mechanic’s liens, 9-313:4
multiple state transactions, 9-103:12
nonbuyers in ordinary course of business, 9-307:6
perfected security interests, 9-301:3
processed goods, 9-315:1
purchase money security interests, 9-107:6
  holders, fixtures, 9-313:5
  inventory, 9-312:4

Master Index-532
SECURED TRANSACTIONS
—Cont’d
Priorities—Cont’d
  purchasers
    chattel paper, 9-308:2, 9-308:4
    collateral, 9-307:6
    documents, 9-309:1
    farm products, 9-301:7
    goods, 9-301:7
    instruments, 9-309:1
    perfected, nonpossessory security interests in chattel paper or instruments, 9-308:1
    securities, 9-309:1
    repossessed goods, 9-306:6 et seq.
  returned goods, 9-306:6 et seq.
  reversal of rules, 9-316:1
  rights of protected purchasers, security entitlements, 9-331:1 [Rev]
  rights of purchasers, negotiable documents of title, 9-331:1 [Rev]
  sale of goods, 9-113:4
  secured parties
    future advances, 9-307:6
    lien creditors, 9-301:5
    perfected, nonpossessory security interests in chattel paper or instruments, 9-308:1
  security interests
    amendments of 2010, 9-326:2 [Rev]
    chattel paper, 9-330:1 [Rev], 9-330:2 [Rev]
    conflicts, same collateral, 9-312:6, 9-322:3 [Rev]
    deposit accounts, 9-327:1 [Rev]
    fixtures, 9-313:3

SECURED TRANSACTIONS
—Cont’d
Priorities—Cont’d
  security interests—Cont’d
    incorrect information in financing statements, 9-338:1 [Rev]
    investment property, 9-312:9, 9-328:1 [Rev], 9-328:2 [Rev]
    new debtor, 9-326:1 [Rev]
    same collateral, 9-312:1, 9-312:6
    transferred collateral, 9-325:1 [Rev]
    subordination agreements, 9-316:1, 9-339:1 [Rev]
    transferees
      bulk, 9-301:7
      chattel paper, returned or repossessed, 9-306:8
      trustees in bankruptcy, 9-301:6
    unperfected security interests, 9-301:2
    buyers not in ordinary course of business, 9-301:7
    conflicts, 9-301:3
    purchasers
      accounts, 9-301:7
      general intangibles, 9-301:7
      transferees in bulk, 9-301:7
  Proceeds
    amendments of 2010, 9-330:6 [Rev]
    cash, 9-306:1, 9-306:11
    claims, 9-110:6
      insolvency proceedings, categories, 9-306:5
    collateral, 9-110:6
      noninventory, 9-312:5
SECURED TRANSACTIONS
—Cont’d
Proceeds—Cont’d
collateral, 9-110:6—Cont’d
payments under government programs constituting, 9-203:13
subsequent to disposition, distribution order, 9-504:3
subsequent to disposition, distribution orders, 9-504:3
commingling, reclamation, 9-306:5
definitions, 9-110:6, 9-203:10, 9-502:4, 9-306:1
Department of Agriculture entitlement payments to farmers, 9-306:1
descriptions, 9-110:6, 9-203:10
distribution, 9-502:5
farmers, Department of Agriculture entitlement payments, 9-306:1
government program payments constituting, 9-203:13
[Rev]
identifiable perfection, continuation
20-day rule, 9-315:3 [Rev]
insolvency proceedings, 9-306:5
insurance, 9-306:1
investment property, payments or distribution, 9-308:4
received on or before delivery of inventory, 9-312:4
reclamation, insolvency proceedings, 9-306:5
rights generally, 9-203:13, 9-203:13 [Rev]

SECURED TRANSACTIONS
—Cont’d
Proceeds—Cont’d
rights—Cont’d
secured parties, 9-203:10
security interests
generally, 9-203:13 [Rev]
cash, perfection, 9-306:11
conflicts, priorities, 9-312:7
continuation, 9-306:3, 9-315:2 [Rev]
continuous perfection, 9-306:4
insolvency proceedings, 9-315:4 [Rev]
temporary perfection, 9-306:4
setoff rights, 9-306:5
Processed goods
priorities, 9-315:1
security interests, continuation, 9-315:1
Promissory notes, assignments
free alienability rules of 9-406 and 9-408, 9-406:3 [Rev]
restrictions, ineffectiveness, 9-408:1 [Rev]
Protection
buyers of goods, 9-307:1
consumer goods, 9-307:4, 9-320:4 [Rev]
farm equipment, 9-307:5
farm products, 9-307:3, 9-320:3 [Rev]
ordinary course of business, 9-307:2, 9-320:2 [Rev]
wellhead or minehead purchases, 9-320:5 [Rev]
consignors, 9-102:5, 9-114:2, 9-114:4
financing statements, 9-114:2
debtor, disposition of collateral, 9-505:2
nonmerchant buyers, 9-103:8

Master Index-534
SECURED TRANSACTIONS
—Cont’d
Protection—Cont’d
purchasers, 9-309:1, 9-309:2
purchasers for value, 9-504:11
secured parties, 9-103:4
Public policy, 9-109:2 [Rev]
Purchase money security interests
generally, 9-103 [Rev], 9-103:1
[Rev]
actual use of value, 9-103:4
[Rev]
certificates of title
motor vehicles, 9-309:2
[Rev]
chattel paper as proceeds,
9-308:4
collateral
noninventory, 9-107:6
proceeds, 9-312:5
rights, 9-103:3 [Rev],
9-107:3
consolidation, 9-103:5 [Rev],
9-107:5
consumer goods
fixtures, 9-309:2 [Rev]
perfection of security
interests, 9-302:6
30-day rule, 9-103:4
definition, 9-103:4
direct, 9-107:1
enabling, 9-103:1 [Rev],
9-103:6 [Rev], 9-107:1
exceptions, avoidance of prefer-
ential transfers, 9-301:6
farm equipment, 9-302:9
filing, 9-107:6
grace periods, 9-301:6
fixtures
consumer goods, perfection
of security interests,
9-302:7
priorities, 9-313:5
floating lien on inventory,
9-103:5 [Rev]

SECURED TRANSACTIONS
—Cont’d
Purchase money security interests
—Cont’d
grace periods, 9-107:6, 9-301:6
history, 9-107:1
impact, 9-107:6
instruments
nonpossessory, 9-308:3
proceeds, 9-308:4
inventory
collateral, 9-107:6, 9-324:1
[Rev]
priorities, 9-312:4, 9-324:1
[Rev]
proceeds, 9-312:4
motor vehicles, 9-302:8
negative equity and Bankruptcy
Code’s hanging paragraph,
9-103:7 [Rev]
noninventory collateral, 9-324:2
[Rev]
preferential status, 9-103:1
[Rev]
present value requirement,
9-103:2 [Rev], 9-107:2
priorities
collateral other than inven-
tory, 9-312:5
rules, 9-107:6
problems, 9-107:1
refinancing, 9-103:5 [Rev],
9-107:5
securing future advances,
9-103:5 [Rev]
treatment, 9-107:6
ture or direct PMSI, 9-103:6
[Rev]
types, 9-107:1
value
actual use, 9-107:4
requirements, 9-203:11
Purchasers
goods, protection, 9-307:1 et
seq.
SECURED TRANSACTIONS
—Cont’d
Purchasers—Cont’d
nonmerchants, protection, 9-103:8
not in ordinary course of business, definition, 9-301:7
ordinary course of business definition, 9-301:7, 9-307:2
protection
purchase collateral with perfected security interests, 9-307:2
qualifications, 9-307:2
Real estate
description, 9-110:5, 9-203:9
financing statements, 9-402:13
description, signed security agreements, 9-203:6
excluded transactions, 9-104:11
financing statements, 9-402:2, 9-402:13
mortgage, financing statement, 9-402:1
secured parties’ rights, 9-501:10
Reasonable care
chattel paper, 9-207:3
conversion of debentures, failure, 9-207:3
definition in agreement, 9-207:2
failure to convert debentures, 9-207:3
negligence concepts, 9-207:2
negotiable instruments, 9-207:3
pledges, 9-207:2
repledges, 9-207:1
secured parties, 9-207:1 et seq.
contents of collateral, 9-207:3
instruments, 9-207:3
Records
corrections statements
amendments of 2010, 9-518:5 [Rev]

SECURED TRANSACTIONS
—Cont’d
Records—Cont’d
corrections statements—Cont’d
criteria necessary, 9-518:3 [Rev]
effect, 9-518:4 [Rev]
need for correction statements, 9-518:1 [Rev]
statutory authority, 9-518:2 [Rev]
effectiveness of filed generally, 9-516 [Rev], 9-516:1 [Rev]
amendments
authorization, less than all secured parties, 9-510:4 [Rev]
unauthorized, 9-510:2 [Rev]
authorization exceeded, 9-510:3 [Rev]
financing statements, 9-510:1 [Rev]
unauthorized, 9-510:2 [Rev]
multiple debtors, 9-520:4 [Rev]
filing office
authority to destroy originals, 9-522:2 [Rev]
maintenance
generally, 9-522 [Rev], 9-522:1 [Rev]
after lapse of financing statements, 9-522:3 [Rev]
filing office duties
generally, 9-519 [Rev], 9-519:1 [Rev]
file number assignment, 9-519:2 [Rev]
indexing and retrieval of information
generally, 9-519:3 [Rev]
SECURED TRANSACTIONS
—Cont’d
Records—Cont’d
filing office duties—Cont’d
indexing and retrieval of information—Cont’d
real property related records, 9-519:3 [Rev]
mandatory acceptance, 9-520:3 [Rev]
mandatory refusal failure to refuse, effect, 9-520:2 [Rev]
filing office errors effect, 9-517:1 [Rev]
multiple debtors, 9-520:4 [Rev]
reasons for refusal to accept generally, 9-516:2 [Rev]
amendments of 2010, 9-516:4 [Rev]
inadequate information, 9-516:3 [Rev]
Recoupments, banks’ rights, deposit accounts, 9-340:1 [Rev]
Redemption alternative to damages, 9-507:4
Bankruptcy Code provisions, 9-506:7
codebtors, right, 9-506:2
collateral, 9-112:5, 9-506:1
conditions, fulfillment of all obligations, 9-506:6
damages alternatives, 9-507:4
debtors’ rights, 9-506:2
duration, 9-506:4
guarantors, right, 9-506:2
nondebtor owners’ rights, 9-112:5, 9-506:2
partial, 9-506:6
secured parties’ rights, 9-506:3
time limitations, 9-506:4, 9-506:5
waiver, 9-506:5

SECURED TRANSACTIONS
—Cont’d
Redemption—Cont’d
waiver, 9-506:5
Releases
collateral, amendments, 9-406:1
partial, 9-406:1
statements, filing, proof, 9-407:1
Remedies
consumers, secured parties’ noncompliance with default provisions, 9-507:6
consumers, secured party’s noncompliance with default provisions, 9-507:6
debtors default, 9-501:8
defaults, 9-501:8
secured parties’ actions, 9-507:1
elections
secured parties, default of debtor, 9-501:7
elections, secured parties, 9-501:7
reclamation of proceeds, 9-306:5
secured creditors
secured parties’ actions, 9-507:1
secured parties, defaults, 9-501:5, 9-501:11, 9-502:1 et seq., 9-507:1
Repossession
bankruptcy, 9-503:7
collateral, enforcement of security agreements, 9-503:1
conversion, 9-503:3
notices
lack, constitutionality, 9-503:2
prior, 9-503:2
secured parties
bankruptcy of debtors, 9-503:7
SECURED TRANSACTIONS
—Cont’d
Repossession—Cont’d
secured parties—Cont’d
breach of peace, effect,
9-503:3
consumer protection laws,
9-503:7
physical violence, 9-503:3
self-help, 9-503:3
alternatives, 9-503:4
Requests
debtors, 9-112:3
statements
accounts of collateral,
9-210:1 [Rev]
lists of collateral, 9-208:1,
9-210:1 [Rev]
noncompliance, 9-208:2,
9-210:2 [Rev]
proper parties, 9-208:2
written, necessity, 9-208:2,
9-210:2 [Rev]
Returned and repossessed goods
account financers’ rights and
priorities, 9-306:9
chattel paper
financers’ rights and priori-
ties, 9-306:8
transferees’ rights and priori-
ties, 9-306:8
creditors, priorities, 9-306:10
inventory financers’ rights,
9-306:7
priorities
interests, 9-306:6 et seq.
purchasers, 9-306:10
secured parties, rights, 9-306:7
secured parties’ rights, 9-306:7
Rights
banks, deposit accounts,
9-341:1 [Rev]
banks refusal, control agree-
ment, 9-342:1 [Rev]

SECURED TRANSACTIONS
—Cont’d
Rights—Cont’d
debtors, 9-505:3
after-acquired property,
9-203:12
collateral, 9-203:12
defaults, 9-501:8, 9-501:9
proceeds, 9-203:13 [Rev]
repossession, 9-503:1 et seq.
secured parties
defaults, 9-501:5, 9-501:10
retention of collateral,
9-112:4
Sales
collateral
commercially reasonable,
9-507:8 to 9-507:10
secured parties’ rights after
default, 9-504:2
conditional on approval, defini-
tion, 9-114:2
disposal of collateral
private, 9-504:10
public, 9-504:10
security interests
generally, 9-113:1, 9-113:2
debtors’ possession, 9-110:1[
[Rev], 9-113:3
perfection, 9-302:10
priorities, 9-113:4
Satisfaction of obligations
acceptance of collateral,
9-505:8
tender, 9-506:6
Scope, 9-109 [Rev], 9-109:2
[Rev]
Secured parties
acceptance of collateral, satis-
faction of obligation,
9-505:8
accounting to debtors,
surpluses, 9-502:4
actions, 9-503:4

UNIFORM COMMERCIAL SERIES
Master Index-538
SECURED TRANSACTIONS
—Cont’d
Secured parties—Cont’d
addresses, financing statements, 9-402:11
assigned accounts, duty on
assignor debtors’ demand, 9-209:1 [Rev]
assignments, security interests, 9-405:1 et seq.
chattel paper, treatment, 9-103:10
collection rights, 9-502:1
obligations, 9-502:3
standard of care, 9-502:3
continuation of security interest
after disposition by debtor, 9-306:2
contract liability, 9-317:1, 9-402:1 [Rev]
control
deposit accounts
duties, 9-208:1 [Rev]
duty to relinquish, 9-208:1 [Rev]
electronic chattel paper
duties, 9-208:1 [Rev]
investment property
duties, 9-208:1 [Rev]
letter-of-credit rights
duties, 9-208:1 [Rev]
rights and duties, 9-207:1 [Rev]
conversion, 9-503:3
default of debtors
noncompliance with provisions, 9-507:1
variation of duties, 9-501:9
waiver of duties, 9-501:9
deficiency judgments, bar, 9-507:7
definitions, 9-105:14, 9-402:9
disposal of collateral
advanced confirmations, 9-507:10

SECURED TRANSACTIONS
—Cont’d
Secured parties—Cont’d
disposal of collateral—Cont’d
commercially reasonable, 9-504:4, 9-507:8 to 9-507:10
distribution of proceeds, 9-504:3
effect, 9-504:11
holding prior, 9-504:6
notices
contents, 9-504:9
debtors’ receipt, exceptions, 9-504:7
other secured parties, 9-504:8
reasonable, 9-504:9
state retail installment sales act requirements, 9-504:9
preapproval, 9-507:10
private sales, 9-504:10
public sales, 9-504:10
duties after default, 9-501:6
election of remedies, default of
debtors, 9-501:7
expenses, 9-207:1
intent, 9-102:1
interest in proceeds, 9-203:13
liability
imposition, 9-507:5
losses, 9-501:8
noncompliance with default provisions, 9-507:3
multiple, 9-402:9
name in financing statement
generally, 9-503:9 [Rev]
representative of one or more, 9-503:10, 9-503:10 [Rev]
secured party’s name, 9-503:11 [Rev]
names, 9-402:8
changing after filing, 9-402:10
SECURED TRANSACTIONS
—Cont’d
Secured parties—Cont’d
names, 9-402:8—Cont’d
multiple, 9-402:9
noncompliance
  burden of proof, 9-507:7
  default provisions
  consumers’ remedies,
  9-507:6
  damages, 9-507:3
deficiency judgments,
  9-507:7
liability, 9-507:3, 9-507:5
redemption as remedy,
  9-507:4
nondebtor owners’ rights to
  proceed against, 9-112:6
obligations, debtors’ acts or
  omissions, 9-317:1,
  9-402:1 [Rev]
payments from account debtors,
  9-502:2
perfection of security interests,
  compliance with statutes,
  9-302:15
persons liable, 9-504:12
possession
  accidental loss or damage
  risk, 9-207:1 [Rev]
  commingling of fungible col-
  lateral, 9-207:1 [Rev]
consumer goods, 9-207:1
  [Rev]
profits from use, 9-207:1
  [Rev]
reasonable care, 9-207:1
  [Rev], 9-207:2 [Rev]
  instruments or chattel
  paper, 9-207:1 [Rev]
reasonable expenses, 9-207:1
  [Rev]
repledge to third parties,
  9-207:1 [Rev]
SECURED TRANSACTIONS
—Cont’d
Secured parties—Cont’d
possession—Cont’d
rights and duties, 9-207
  [Rev], 9-207:1 [Rev]
perfection of security
interests, 9-302:3
reasonable care, 9-207:1
priorities, lien creditors,
  9-301:4, 9-301:5
proceeds
  claims, insolvency proceed-
  ings, 9-306:5
  rights, 9-203:10
  proposals, strict foreclosures,
  9-505:4
protection, 9-103:4
reasonable care, 9-207:1 et seq.
  contents of collateral,
  9-207:3
  instruments, 9-207:3
  redemption rights, 9-506:3
time limitations, 9-506:4
waiver, 9-506:5
remedies, 9-501:5
default, 9-501:1
reperfection of security
interests, 9-103:6
repossession, 9-503:1
bankruptcy, 9-503:7
breach of peace, effect,
  9-503:3
consumer protection statutes,
  9-503:7
physical violence, 9-503:3
rights and duties, 9-207:1
  [Rev]
self-help, 9-503:3
  alternatives, 9-503:4
requests, noncompliance,
  9-112:3
retention of collateral, 9-112:4
SECURED TRANSACTIONS
—Cont’d
Secured parties—Cont’d
rights
bankruptcy of debtor, 9-504:2
collateral
debtors assembling, 9-503:5
disposal, 9-503:6, 9-504:2
possession, 9-207:1
defaults, 9-501:1, 9-501:5
disposal of collateral, 9-503:6, 9-504:2
foreclosures, 9-501:11
personal property, 9-501:10
real property, 9-501:10
repossessed goods, 9-306:7
returned goods, 9-306:7
security agreements covering property, 9-501:10
secured party of record generally, 9-511 [Rev], 9-511:1 [Rev]
assignment of powers generally, 9-514 [Rev], 9-514:1 [Rev]
noted after initial filing, 9-514:3 [Rev]
security interest in fixture covered by mortgage, 9-514:4 [Rev]
time of initial filing, 9-514:2 [Rev]
standard of care, 9-501:8
commercially reasonable sales, 9-507:8 to 9-507:10
disposition of collateral, 9-504:4
advertisements, 9-504:5
holding collateral prior to disposition, 9-504:6
strict foreclosures involuntary, 9-505:9

SECURED TRANSACTIONS
—Cont’d
Secured parties—Cont’d
strict foreclosures—Cont’d
objections, 9-505:7
proposals notices, 9-505:5
notices to other secured parties, 9-505:6
tort liability, 9-317:1, 9-402:1 [Rev]
use of collateral, 9-207:1
Securities
priorities of possessors, 9-309:1
protection of purchasers, 9-309:1, 9-331:1 [Rev]
Security agreements generally, 9-201 [Rev]
acceleration clauses, 9-501:3
after-acquired property, 9-203:10
antecedent obligations, 9-204:1, 9-204:5
clauses, 9-204:1
antecedent obligations, 9-204:1
applicability of other law, 9-201:3 [Rev]
attachment, signatures, 9-203:4
contents, descriptions collateral, 9-203:6 et seq.
land, 9-203:6
contract rights, defined, 9-106:1, 9-106:2
contractual base, 9-201:2
definitions, 9-105:13, 9-201:2, 9-201:2 [Rev]
description collateral, 9-110:5, 9-203:6 et seq.
property, 9-110:5
real estate, 9-110:5
determinations, 9-203:5
effectiveness, 9-201:1, 9-201:1 [Rev]
SECURED TRANSACTIONS
—Cont’d
Security agreements—Cont’d
enforcement, 9-203:3 [Rev]
authentication, 9-203:5 [Rev]
repossession of collateral, 9-503:1
filing
1962 Code, 9-408:4
financing statements, 9-402:2
time requirements, 9-402:1
financing statements distinguished, 9-110:2, 9-402:2
future advance clauses, 9-204:1
multiple documents, 9-110:4
new debtor provisions, 9-203:15 [Rev]
other law, applicability, 9-201:3 [Rev]
proceeds, rights, 9-203:13, 9-203:13 [Rev]
requirements, 9-203:5, 9-203:5 [Rev]
signatures, 9-203:4, 9-203:5
statute of frauds, 9-110:4
sufficiency of description, 9-108:2 [Rev]
validity, 9-201:1, 9-201:1 [Rev]
written, purposes, 9-203:5
Security interests
generally, 9-206 [Rev], 9-206:1 [Rev]
accessions, priorities, 9-314:2
accounts, nonfinancing, 9-109:11 [Rev]
after acquired property, 9-204:1 [Rev]
agricultural liens
Food Security Act, 9-315:1 [Rev]
perfection, 9-302:1 [Rev]
priorities, 9-302:1 [Rev], 9-317:2 [Rev]
SECURED TRANSACTIONS
—Cont’d
Security interests—Cont’d
Article 2, arising under, 9-110:1 [Rev], 9-203:2 [Rev], 9-309:5 [Rev]
Article 4, arising under, 9-203:2 [Rev]
Article 5, arising under, 9-203:2 [Rev]
Article 2A, arising under, 9-110:1 [Rev], 9-203:2 [Rev], 9-309:5 [Rev]
artisan’s liens, priorities, 9-333:2 [Rev]
assignments, 9-405:1 et seq.
attachment, 9-108:1, 9-203:1 et seq., 9-301:2, 9-303:1
accessions, 9-204:3
consumer goods, 9-204:3
debtors’ rights in collateral, 9-203:12
proceeds, 9-315:2 [Rev]
three elements necessary, 9-308:1 [Rev]
brokers lien, 9-206:1 [Rev]
bulk transfers, 9-111:1
certificates of title
goods covered
jurisdiction change, 9-303:2 [Rev]
perfection, 9-303:1 [Rev]
priorities, 9-303:1 [Rev]
certificates of title, notation as condition of perfection, 9-103:6 to 9-103:8
chattel paper, 9-103:10, 9-109:11 [Rev]
nonpossessory perfected, 9-308:2
priorities, 9-330:2 [Rev]
collateral
after-acquired property, antecedent obligations, 9-204:1, 9-204:5

Master Index-542
SECURED TRANSACTIONS
—Cont’d
Security interests—Cont’d
collateral—Cont’d
continuation, 9-306:2
priorities, 9-312:1, 9-312:2, 9-312:6
transfer of obligation, effect, 9-203:16 [Rev]
collecting banks, 9-201:2
commingled goods
continuation, 9-315:1
priorities, 9-315:1
conflicts
notice, 9-312:4
priorities
amendments of 2010, 9-322:4 [Rev]
Code rules, 9-322:2 [Rev]
future advances, 9-312:8
proceeds, 9-322:4 [Rev]
same collateral, 9-312:1, 9-312:2, 9-312:6
continuation in collateral, 9-306:2, 9-315:1 [Rev]
continuity, 9-308:3 [Rev]
control, arising by, 9-203:4 [Rev]
crops
generally, 9-204:3
priorities, 9-312:3, 9-322:3 [Rev], 9-334:1 [Rev]
debtors’ rights in collateral
requirement, 9-203:12 [Rev]
definitions, 9-102:3, 9-105:13, 9-113:1, 9-114:1
delivery, arising by, 9-203:4 [Rev]
deposit accounts
excluded transactions, 9-104:13
governing law change, effect, 9-316:4 [Rev]
perfection, 9-304:1 [Rev]

SECURED TRANSACTIONS
—Cont’d
Security interests—Cont’d
deposit accounts—Cont’d
priorities, 9-304:1 [Rev], 9-327:1 [Rev]
description requirements, 9-203:1 [Rev]
double debtor problem, priorities, 9-325:1 [Rev]
duration, bankruptcy, 9-403:5
enforcement
generally, 9-203:2 [Rev], 9-203:3, 9-203:3 [Rev], 9-301:2
debtors’ rights in collateral, 9-203:12
exceptions, 9-203:4
requisites, 9-203:1 et seq.
signed security agreements, 9-203:5
values given prior, 9-203:11
exemptions, 9-203:2
federal preemption
generally, 9-109:6 [Rev]
copyrights, patents and trademarks, 9-109:6 [Rev]
federal statutes, excluded transactions, 9-104:2
financial assets, 9-206:1 [Rev]
financing statements, filing, 9-310:1 [Rev], 9-310:2 [Rev]
future advances
generally, 9-204 [Rev], 9-204:1 [Rev]
federal tax lien, 9-323:3 [Rev]
lien creditors, 9-323:3 [Rev]
goods
protection of buyers, 9-307:1 et seq.
SECURED TRANSACTIONS — Cont’d
Security interests — Cont’d
goods — Cont’d
repossessed, 9-315:5 [Rev]
returned, 9-315:5 [Rev]
goods covered by certificates of title, priorities, 9-337:1 [Rev]
governmental transfers, 9-109:10, 9-109:10 [Rev]
health care insurance
receivables, assignment of right to payment, 9-109:12 [Rev]
leasers, priorities, 9-330:1 [Rev], 9-330:3 [Rev]
inventory, 9-306:9
investment property
governing law change, effect, 9-316:4 [Rev]
Hague Securities Convention, 9-305:2 [Rev]
perfection, 9-305:1 [Rev]
priorities, 9-305:1 [Rev], 9-328:1 [Rev]
investment securities, 9-206:1 [Rev]
law governing change, effect generally, 9-316 [Rev], 9-316:1 [Rev]
four-month grace period, 9-316:1 [Rev]
lease of goods
debtors’ possession, 9-110:1 [Rev]
priorities, 9-110:2 [Rev]
leases, restrictions on creation or enforcement, 9-407:1 [Rev]
lessees in ordinary course of business, rights, 9-321:1 [Rev]

SECURED TRANSACTIONS — Cont’d
Security interests — Cont’d
letters of credit
governing law change, effect, 9-316:4 [Rev]
perfection, 9-306:1 [Rev], 9-309:5 [Rev]
priorities, 9-306:1 [Rev], 9-329:1 [Rev]
licensees in ordinary course of business, 9-321:1 [Rev]
location of debtor, 9-307:1 [Rev]
minerals, 9-103:11
new debtor
amendments of 2010, 9-326:2 [Rev]
priorities, 9-326:1 [Rev]
nonpossessory, instruments, 9-308:3
payment intangibles, 9-109:11 [Rev], 9-309:3 [Rev]
perfection
generally, 9-103:2, 9-304:1, 9-308 [Rev], 9-308:1 [Rev]
amendments of 2010, 9-301:4 [Rev]
assignments
generally, 9-302:13
beneficial interests in trusts or estates, 9-302:5
attachment as prerequisite, 9-203:3
certificates of title, notation, 9-103:6 to 9-103:8
chattel paper, financing statements, filing, 9-304:2
collateral, debtors’ location, 9-301:2 [Rev]
commingled goods, timing, 9-336:1 [Rev]
compliance with statutes, consequences, 9-302:15
SECURED TRANSACTIONS
—Cont’d
Security interests—Cont’d
perfection—Cont’d
continuity, 9-303:2
30-day rule, 9-103:4
documents of title
exceptions, 9-304:7
filing financing statements, 9-304:3
duration, 9-305:5
exceptions
collecting banks, security interest favoring, 9-302:10
investment securities, 9-302:10
sales, 9-302:10
financing statements, filing generally, 9-302:1, 9-302:2
application, property subject to statutes, 9-302:10, 9-302:16
assignment of accounts, 9-302:10
assignments for benefit of all creditors, 9-302:12
exceptions, 9-302:3 et seq.
farm equipment, 9-302:9
noneffective, 9-302:14
nonnecessity, 9-302:14
place, 9-401:1
transfers by assignees under original assignments, 9-302:12
four-month rule, 9-103:5
goods held by bailees, 9-305:4
goods held by third parties, 9-304:5, 9-304:6
instruments, 9-304:4
last event test, 9-103:3
money, 9-304:4
negotiable documents exceptions, 9-304:7

SECURED TRANSACTIONS
—Cont’d
Security interests—Cont’d
negotiable documents
—Cont’d
filing financing statements, 9-304:3
possession generally, 9-305:1, 9-305:3
collateral, 9-302:3
particular collateral, 9-305:2
priorities, 9-301:3
proceeds, 9-306:4
requirements, 9-301:2
temporary, 9-302:4, 9-303:2, 9-304:7
temporary continuation, 9-304:8
time, 9-303:1
possession, arising by, 9-203:4 [Rev]
possessory, control of collateral, 9-316:2 [Rev]
preemption by federal statute generally, 9-109:6 [Rev]
copyrights, patents and trademarks, 9-109:6 [Rev]
prior interest, commingled goods, 9-336:1 [Rev]
priorities
artisan’s liens, 9-310:1, 9-310:2
chattel paper as proceeds, 9-308:4
crops, 9-334:5 [Rev]
instruments as proceeds, 9-308:4
investment property, 9-312:9
SECURED TRANSACTIONS
—Cont’d
Security interests—Cont’d
priorities—Cont’d
    location of debtor, 9-307:1 [Rev]
multiple state transactions, 9-103:12
processed goods, 9-315:1
subordination agreements, 9-339:1 [Rev]
proceeds
    generally, 9-203:13 [Rev]
    conflicts, priorities, 9-312:7
    continuation, 9-306:3, 9-315:2 [Rev]
insolvency proceedings, 9-306:5, 9-315:4 [Rev]
perfection, 9-306:4
perfection, continuation, 9-315:3 [Rev]
processed goods, 9-315:1
promissory notes, 9-109:11 [Rev]
purchase of financial asset, arising under, 9-203:2 [Rev]
purchase of security, arising under, 9-203:2 [Rev]
real estate, 9-109:15 [Rev]
relationships, creation, 9-102:4
perfection, 9-103:6
reposessed goods, 9-306:6 et seq.
returned goods, 9-306:6 et seq.
sale of goods
    generally, 9-113:1, 9-113:2
    debtors’ possession, 9-110:1 [Rev], 9-113:3
    priorities, 9-110:2 [Rev], 9-113:4
    securities intermediary, 9-206:1 [Rev]
    security intermediaries, 9-203:2 [Rev]
    shelter provisions, 9-301:7

SECURED TRANSACTIONS
—Cont’d
Security interests—Cont’d
strict foreclosures, 9-505:10
transferred collateral, priorities, 9-325:1 [Rev]
unextracted minerals, 9-203:1 [Rev]
unperfected
    conflicts, 9-301:3
dealer’s sale
    account, 9-318:1 [Rev]
    chattel paper, 9-318:1 [Rev]
definition, 9-301:2
    priorities, 9-301:2, 9-301:3
    accounts purchasers, 9-301:7
    bulk transferees, 9-301:7
    buyers not in ordinary course of business, 9-301:7
    buyers of farm products, 9-301:7
    general intangibles
        purchasers, 9-301:7
    shelter principle, 9-301:3
    shelter provisions, 9-301:3
    subordination, 9-301:1 et seq.
unperfected, effectiveness amendments of 2010, 9-317:4 [Rev]
bankruptcy considerations, 9-317:3 [Rev]
buyers
    generally, 9-317 [Rev], 9-317:1 [Rev]
    accounts, 9-317:1 [Rev]
    electronic chattel paper, 9-317:1 [Rev]
    general intangibles, 9-317 [Rev], 9-317:1 [Rev]
    goods, instruments, documents, 9-317:1 [Rev]
SECURED TRANSACTIONS
—Cont’d
Security interests—Cont’d
unperfected, effectiveness
—Cont’d
buyers—Cont’d
investment property, 9-317:1 [Rev]
security certificates, 9-317:1 [Rev]
tangible chattel paper, 9-317:1 [Rev]
lessees of goods, 9-317:1 [Rev]
licensees
accounts, 9-317:1 [Rev]
electronic chattel paper, 9-317:1 [Rev]
general intangibles, 9-317 [Rev], 9-317:1 [Rev]
investment property, 9-317:1 [Rev]
lien creditors, 9-317:1 [Rev]
other secured parties, 9-317:1 [Rev]
validity
amendment changes, 9-203:1
disposition of collateral, 9-205:1
requisites, 9-203:1
exceptions, 9-203:2
use of collateral, 9-205:1
value, 9-203:11
value-giving requirement, 9-203:11 [Rev]
Setoffs
banks’ rights, deposit accounts, 9-340:1 [Rev]
creditors, 9-104:10
excluded transactions, 9-104:10
rights
commingled proceeds, 9-306:5
perfected security interests, 9-306:5

SECURED TRANSACTIONS
—Cont’d
Signatures
continuation statements, 9-403:3
debtors, 9-203:5, 9-402:12
definitions, 9-203:5
electronic filing, 9-402:12
financing statements, 9-402:12
intent, 9-203:5
secured parties, 9-402:12
security agreements, 9-203:5
Standard of care
commercially reasonable, 9-504:4, 9-507:8 to 9-507:10
secured parties, 9-501:8
collecting intangible claims, 9-502:3
collection of intangible claims, 9-502:3
commercially reasonable, 9-507:8 to 9-507:10
determination, 9-507:8 to 9-507:10
sales, 9-507:8 to 9-507:10
disposition of collateral, 9-504:4, 9-504:4 to 9-504:6
advertisements, 9-504:5
holding collateral prior, 9-504:6
Statements
assignments
proof, 9-407:1
security interests, 9-405:2, 9-405:3
releases, proof, 9-407:1
requests
accounts of collateral, 9-208:1, 9-210:1 [Rev]
lists of collateral, 9-208:1, 9-210:1 [Rev]
noncompliance, 9-208:1, 9-210:2 [Rev]
SECURED TRANSACTIONS
—Cont’d
Statements—Cont’d
termination, proof of filing, 9-407:1
State statutory rules, 9-109:2
[Rev]
Statute of frauds
description of collateral, 9-203:8
security agreements, 9-108:3
[Rev], 9-110:4, 9-203:8
Statutes
compliance, 9-203:14
consequences, 9-302:15
federal, security interests,
excluded transactions, 9-104:2
Food Security Act of 1985 provi-
sions
central filing system, 9-307:3
future advances limitations, 9-204:5
perfection of security interests,
financing statements, fil-
ing, 9-302:10, 9-302:16
persons protected, 9-203:14
Subordinated obligations, 1-310:1
[Rev]
Subordination
agreements
consideration, 9-316:1
considerations, 9-339:1
[Rev]
necessity, 9-316:1, 9-339:1
[Rev]
requirements, 9-316:1,
9-339:1 [Rev]
unperfected security interests,
9-301:1 et seq.
Summary, accession, 9-335:3
[Rev]
Supporting obligations, 9-203:13
[Rev]
secured transactions, 9-203:13
[Rev]

SECURED TRANSACTIONS
—Cont’d
Surpluses
nondetector owners’ rights, 9-112:2
secured parties’ obligations, 9-502:4
Tax liens
Federal Tax Lien Act provi-
sions, 9-301:8
priorities, 9-301:8
Termination
financing statements
failure, 9-404:2
mandatory, 9-404:3
methods, 9-404:1
Termination statements
generally, 9-513 [Rev], 9-513:1
[Rev]
mandatory termination
consumer goods collateral, 9-513:4 [Rev]
other collateral, 9-513:5
[Rev]
unauthorized financing state-
ments, 9-513:3 [Rev]
persons who may file, 9-513:2
[Rev]
proof of filing, 9-407:1
Time
collateral, characterization, 9-401:7
filing, continuation statements, 9-403:4
maturity, financing statements, 9-403:2
perfection of security interests, 9-303:1, 9-305:5
preferential transfers, making, 9-204:4
redemption, 9-506:4
signing security agreements, 9-203:5
Title
collateral, importance, 9-202:1

Master Index-548
SECURED TRANSACTIONS
—Cont’d
Title—Cont’d
definition, 9-102:4
importance, 9-202:2
[Rev]
diminution, 9-202:1, 9-202:1
relevancy, 9-202:1, 9-202:2
[Rev]
retention contracts, 9-102:3, 9-109:3 [Rev]
vesting clause, 9-203:12
Torts
debtors’ acts or omissions
secured parties’ liability, 9-402:1 [Rev]
improper disposition of collateral, damages, 9-507:3
transfer of claims, excluded transactions, 9-104:12
Transfers
accounts, excluded transactions, 9-104:7
after-acquired property, 9-204:4
attacking, 9-108:3
avoidance, bankruptcy trustees, 9-301:6
chattel paper, excluded transactions, 9-104:7
collateral, 9-504:12
after-acquired property clauses, 9-108:3
rights, 9-203:12
definition, 9-204:4
deposit account funds, rights of transferees, 9-332:1 [Rev]
excluded transactions, 9-104:7
governmental, excluded transactions, 9-104:6
insurance policies, excluded transactions, 9-104:8
interests in deposit accounts, excluded transactions, 9-104:13

SECURED TRANSACTIONS
—Cont’d
Transfers—Cont’d
judgments, 9-104:9
money, rights of transferees, 9-332:1 [Rev]
perfection, 9-204:4
preferences
bankruptcy trustee’s power to avoid, exceptions, 9-301:6
time limitations, 9-204:4
tort claims, excluded transactions, 9-104:12
Transmitting utilities
definition, 9-105:15, 9-401:6
filing financing statements, place, 9-401:6
Trustees
bankruptcy
lien creditors, 9-301:6
priorities, 9-301:6
2010 Text and Proposed Comment
Amendments to Article 9
[Rev]. App. C
Types, applicability of Article 9, 9-102:2
U.C.C. Article 9 compared. Cape Town Convention, this index
Uniform forms
safe harbor forms
generally, 9-521 [Rev], 9-521:1 [Rev]
amendments, 9-521:3 [Rev]
amendments of 2010, 9-521:4 [Rev]
financing statements, 9-521:2 [Rev]
Value
actual use, 9-107:4
giving
generally, 9-203:11 [Rev], 9-301:7
definition, 9-308:2
methods, 9-203:11

© 2018 Thomson Reuters, 12/2018
Master Index-549
SECURED TRANSACTIONS
—Cont’d
Value—Cont’d
giving—Cont’d
prior to attachment of security interests, 9-203:11
prior to enforcement, 9-203:11
timing, 9-203:11 [Rev]
purchase money security interests, 9-107:2, 9-203:11
requirements, 9-203:11, 9-206:3
Waivers
claims
generally, 9-206:2, 9-403 [Rev], 9-403:1 [Rev]
conditions of enforceability, 9-403:3 [Rev]
test of enforceability, 9-403:2 [Rev]
debtors’ rights after default, 9-501:9
defenses
generally, 9-206:2 to 9-206:4, 9-403 [Rev], 9-403:1 [Rev]
conditions of enforceability, 9-403:3 [Rev]
test of enforceability, 9-403:2 [Rev]
redemption periods, 9-506:5
secured parties’ duties after default of debtors, 9-501:9
Words and phrases
generally, 9-102 [Rev]
accession, 9-204:3, 9-314:1
account, 9-102:3 [Rev], 9-106:1, 9-318:2
account debtor, 9-102:4 [Rev], 9-105:2
action, 9-503:4
advance made pursuant to commitment, 9-105:12

SECURED TRANSACTIONS
—Cont’d
Words and phrases—Cont’d
agreement, 9-105:13, 9-201:2, 9-207:2, 9-316:1
agricultural lien, 9-102:5 [Rev]
ammendments of 2010, 9-102:19 [Rev]
antecedent debts, 9-301:6
bulk transfer, 9-111:1, 9-301:7
business arrangement, 9-206:4
buyer in ordinary course of business, 9-301:7, 9-307:2
buyer not in ordinary course of business, 9-301:7
collateral, 9-105:4
collecting bank, 9-302:10
commercial reasonableness, 9-504:4, 9-504:10
construction mortgage, 9-313:4
contract rights, 9-106:1, 9-106:2
definitional indices, 9-105:16
deposit accounts, 9-102:8 [Rev], 9-104:13, 9-105:6
document, 9-105:7
documents of title, 9-304:3
default of debtors, 9-105:4
document, 9-105:7
documents of title, 9-304:3
encumbrance, 9-105:8, 9-313:4
equipment, 9-102:10
farm products, 9-102:10, 9-307:3
financing statements, 9-402:1
fixture filing, 9-313:4
fixtures, 9-313:4
filing, 9-302:7
float, 9-204:1 [Rev]
general intangible, 9-102:9 [Rev], 9-106:1, 9-106:3

Master Index-550
 SECURED TRANSACTIONS — Cont’d
Words and phrases—Cont’d
giving value, 9-308:2
good faith, 9-206:3, 9-501:4
goods, 9-102:10, 9-102:10 [Rev], 9-105:9
hell-or-high-water clauses, 9-403:1 [Rev]
insider, 9-204:4
inventory, 9-102:10, 9-109:5, 9-307:2
investment property, 9-102:12 [Rev]
item, 9-302:10
licensee in ordinary course of business, 9-321:1 [Rev]
lien creditor, 9-301:4
money, 9-304:4
mortgage, 9-105:11
obligatory disbursement agreement, 9-105:12
organization, 9-402:4
payor bank, 9-302:10
person, 9-402:4
person entitled to notification, 9-507:5
possession, 9-313:3 [Rev]
private sale, 9-504:10
public sale, 9-504:10
purchase money loan transaction, 9-206:4
purchase-money obligation, 9-103:2 [Rev]
purchase money security interest, 9-103:1 [Rev], 9-103:4
pursuant to commitment, 9-102:14 [Rev], 9-105:12

 SECURED TRANSACTIONS — Cont’d
Words and phrases—Cont’d
received on or before delivery of inventory, 9-312:4
sale on approval, 9-114:2
secured party, 9-102:16 [Rev], 9-105:14, 9-402:9
security agreement, 9-102:15 [Rev], 9-105:13, 9-201:2
security interest, 9-102:3, 9-105:13, 9-114:1
signed, 9-203:5
surrendered, 9-103:6
title, 9-102:4
transfer, 9-204:4
transmitting utility, 9-102:17 [Rev], 9-105:15, 9-401:6
unperfected security interests, 9-301:2
value, 9-203:11 [Rev]

 SECURITIES
Definitions, 1994 revision, 8-102:1 [Rev]
Investment, relationship with bank deposits, 4-102:2
Issuance, security entitlement distinguished, 8-501:11 [Rev]
Negotiability, 8-103:5 [Rev], 8-105:1, 8-105:6
Priorities of possessors, 9-309:1
Protection of purchasers, 9-309:1, 9-331:1 [Rev]
Redemption, guaranty, 8-306:7 [Rev]
Treatment of particular interests, 8-103:1 [Rev]
Unitary approach, 1994 revision, 8-102:2 [Rev]

 SECURITIES ACCOUNTS
Definition, 8-102:4 [Rev], 8-501:2 [Rev]

© 2018 Thomson Reuters, 12/2018
SECURITIES ACCOUNTS
—Cont’d
Exclusions
brokerage asset management accounts, 8-501:4 [Rev]
deposit accounts, 8-501:3 [Rev]
mutual fund accounts, 8-501:5 [Rev]
SECURITIES ACT OF 1933
Definitions, 8-303:3
Restrictions on transfers, 8-204:2
SECURITIES EXCHANGE ACT
OF 1934
Brokers, 8-303:3
Dealers, 8-303:3
Definitions, 8-303:3
SECURITIES INTERMEDIARIES
Adverse claims liability
 collusion, 8-115:3 [Rev]
 conduit provisions, 8-115:2 [Rev]
 immunity, 8-115:3 [Rev]
 injunction order, violation, 8-115:3 [Rev]
 stolen certificate, knowledge, 8-115:3 [Rev]
 Custodial duties
distinguished from brokers’ duties, 8-507:4 [Rev]
Duties
comply with authorized orders, 8-504:1 [Rev]
Custodial duties distinguished from brokers’ duties, 8-507:4 [Rev]
enforcement, 8-504:2 [Rev]
exercise of entitlement holders’ directions, 8-504:1 [Rev]
relationship to other law, 8-509:1 [Rev]
Duty of payment and distribution, 8-505:1 [Rev]

SECURITIES INTERMEDIARIES—Cont’d
Duty to convert to available form of holding
standard for performance, 8-508:2 [Rev]
Duty to exercise rights
agreement, 8-506:4 [Rev]
due care, 8-506:4 [Rev]
standard for performance, 8-506:4 [Rev]
standard of performance, 8-508:2 [Rev]
Duty to maintain
financial assets, 8-504:3 [Rev]
form of holding, 8-504:5 [Rev]
prohibition against encumbering assets, 8-504:6 [Rev]
street name of holding, 8-504:5 [Rev]
timing, 8-504:4 [Rev]
Duty to obtain payment and distribution
agreement, 8-505:3 [Rev]
due care, 8-505:3 [Rev]
received payments, 8-505:2 [Rev]
standard for performance, 8-505:3 [Rev]
Entitlement orders, duty to comply
appropriate person, 8-507:2 [Rev]
conditions precedent, 8-507:3 [Rev]
standard for performance, 8-507:5 [Rev]
Financial assets, direct holding
standard for performance, 8-507:5 [Rev]
Financial assets, duty to maintain
agreement, 8-504:7 [Rev]
clearing corporation exception, 8-504:8 [Rev]
due care, 8-504:7 [Rev]
SECURITIES INTERMEDIARIES—Cont’d
Holding of financial assets, 8-503:2 [Rev]
Non-Code duties
commercial reasonableness, 8-509:3 [Rev]
other agreements, 8-509:4 [Rev]
prohibited actions, 8-509:5 [Rev]
statutory, 8-509:2 [Rev]
Payment and distribution duties received, 8-505:4 [Rev]
Purchaser immunity exceptions, collusion, 8-503:10
Purchasers for value, 8-116:1 [Rev]
Voting and related duties generally, 8-506:3 [Rev]
Wrongful transfer liability, 8-507:6 [Rev]

SECURITY
Lost or destroyed documents of title, 7-601:1 [Rev]

SECURITY AGREEMENTS
Generally, 9-201 [Rev]
Acceleration clauses, 9-501:3
After-acquired property, 9-203:10
antecedent obligations, 9-204:1, 9-204:5
clauses, 9-204:1
Antecedent obligations, 9-204:1
Applicability of other law, 9-201:3 [Rev]
Attachment, signatures, 9-203:4
Contents, descriptions collateral, 9-203:6 et seq.
land, 9-203:6
Contract rights, defined, 9-106:1, 9-106:2
Contractual base, 9-201:2
Definition, 9-201:2 [Rev]
Definitions, 9-105:13, 9-201:2

SECURITY ENTITLEMENTS
Acquisition, 8-501:7 [Rev]
SECURITY ENTITLEMENTS
—Cont’d
Adverse claims
    nature, 8-502:5 [Rev]
    notice, 8-502:3 [Rev], 8-502:4 [Rev]
    persons protected, 8-502:1 [Rev]
    protected purchasers, 8-510:3 [Rev]
    value, 8-502:1 [Rev]
Attachment, 8-112:1 [Rev]
Control
    consequences, 8-106:4 [Rev]
    requirements, 8-106:4 [Rev]
Conversion to alternative form of holding
    duty to make requested transfer, 8-508:1 [Rev]
    standard for performance, 8-508:2 [Rev]
Creditor’s legal process, 8-112:1 [Rev]
Definition, 8-102:2 [Rev]
Indirect holding systems
    acquisition distinguished from purchase, 8-510:2 [Rev]
Issuance of security distinguished, 8-501:11 [Rev]
Priorities among security interests and entitlement holders, 8-511:1 [Rev]
    control interests, 8-511:3 [Rev], 8-511:4 [Rev]
    noncontrol interests, 8-511:2 [Rev], 8-511:4 [Rev]
Property interest of entitlement holders
    enforcement
        generally, 8-503:5 [Rev]
        enforcement against intermediary, 8-503:6 [Rev]
        enforcement against purchaser from intermediary, 8-503:7 et seq.
SECURITY INTERESTS
Generally, 9-206 [Rev], 9-206:1 [Rev]
See also Purchase Money Security Interests
Accessions, priorities, 9-314:2
Accounts, nonfinancing, 9-109:11 [Rev]
Advances made against items, 4-208:4
After acquired property, 9-204:1 [Rev]
Agreements required, 7-209:2
Agricultural liens
    Food Security Act, 9-315:1 [Rev]
    perfection, 9-302:1 [Rev]
    priorities, 9-302:1 [Rev]
Agricultural liens, unperfected, rules of priority, 9-317:2 [Rev]
Amendments of 2010, 9-109:18 [Rev]
Article 2, arising under, 9-110:1 [Rev], 9-203:2 [Rev], 9-309:5 [Rev]
Article 4, arising under, 9-203:2 [Rev]
SECURITY INTERESTS—Cont’d
Article 5, arising under, 9-203:2 [Rev]
Article 2A, arising under, 9-110:1 [Rev], 9-203:2 [Rev], 9-309:5 [Rev]
Artisan’s liens, priorities, 9-333:2 [Rev]
Assignments, 9-405:1 et seq.
Attachment, 9-108:1, 9-203:1 et seq., 9-301:2, 9-303:1
accessions, 9-204:3
consumer goods, 9-204:3
debtors’ rights in collateral, 9-203:12
Attachments
proceeds, 9-315:2 [Rev]
three elements necessary, 9-308:1 [Rev]
Banks
enforcement, 4-208:2
holder in due course status, 4-209:1, 4-209:2
items deposited, 4-208:1 et seq.
Brokers lien, 9-206:1 [Rev]
Bulk sales, 6-103:10 [Rev]
Bulk transfers, 9-111:1
exemptions, 6-103:1 et seq.
remedies, 6-104:5, 6-104:6, 6-104:9 et seq.
Certificates of title
goods covered
jurisdiction change, 9-303:1 [Rev]
perfection, 9-303:1 [Rev]
priorities, 9-303:1 [Rev]
Certificates of title, notation as condition of perfection, 9-103:6 to 9-103:8
Chattel paper, 9-103:10, 9-109:11 [Rev]
nonpossessory perfected, 9-308:2
priorities, 9-330:2 [Rev]
SECURITY INTERESTS—Cont’d
Creation—Cont’d
certificated securities, 8-321:3
Government National Mortgage
Association (Ginnie Mae),
8-321:6
uncertificated securities
junior interests, 8-321:5
senior interests, 8-321:4
Creditors’ liens, 2A-307:1
Crops, 9-204:3
priorities, 9-312:3, 9-322:3
[Rev], 9-334:1 [Rev]
Debtors’ rights in collateral
requirement, 9-203:12 [Rev]
after-acquired property,
9-203:12 [Rev]
Definitions, 1-201 [Rev], 4-209:2,
9-102:3, 9-105:13, 9-113:1,
9-114:1
Delivery, arising by, 9-203:4
[Rev]
Deposit accounts
excluded transactions, 9-104:13
governing law change, effect,
9-316:4 [Rev]
perfection, 9-304:1 [Rev]
priorities, 9-304:1 [Rev],
9-327:1 [Rev]
Description requirements, 9-203:1
[Rev]
Documentary drafts, 4-504 [Rev],
4-504:1 [Rev]
Double debtor problem, priorities,
9-325:1 [Rev]
Duration, bankruptcy, 9-403:5
Enforceability of banks’ interests,
4-208:6
Enforcement
generally, 9-203:2 [Rev],
9-203:3, 9-203:3 [Rev],
9-301:2
debtors’ rights in collateral,
9-203:12
exceptions, 9-203:4
SECURITY INTERESTS—Cont’d
Enforcement—Cont’d
requisites, 9-203:1 et seq.
signed security agreements,
9-203:5
values given prior, 9-203:11
Exemptions, 9-203:2
Extent, deposited items, 4-208:1
et seq.
Federal preemption
copyrights, patents and
trademarks, 9-109:6 [Rev]
generally, 9-109:6 [Rev]
Federal statutes, excluded transac-
tions, 9-104:2
Financial assets, 9-206 [Rev],
9-206:1 [Rev]
Financing statements, filing,
9-310:1 [Rev], 9-310:2 [Rev]
Fixtures
generally, 9-313:1 et seq.
default and right to remove,
9-334:4 [Rev]
priorities, 9-313:3, 9-313:6,
9-334:4 [Rev]
Formal requisites, 9-203 [Rev]
Future advances
federal tax lien, 9-323:3 [Rev]
generally, 9-204 [Rev], 9-204:1
[Rev]
lien creditors, 9-323:3 [Rev]
Goods
certificates of title, priorities,
9-337:1 [Rev]
disposal, 4-504:1 [Rev]
protection of buyers, 9-307:1 et
seq.
repossessed, 9-315:5 [Rev]
representation by documentary
drafts, 4-504:2
returned, 9-315:5 [Rev]
storage, 4-504:1 [Rev]
Governmental transfers, 9-109:10,
9-109:10 [Rev]
SECURITY INTERESTS—Cont’d
Government National Mortgage Association (Ginnie Mae), 8-321:6
Health-care-insurance receivables, assignment of right to payment, 9-109:12 [Rev]
Holder in due course status, 3-302:5 [Rev]
Hybrid securities, 8-321:6
Instruments, priorities, 9-330:1 [Rev], 9-330:3 [Rev]
Inventory, 9-306:9
governing law change, effect, 9-316:4 [Rev]
Hague Securities Convention, 9-305:2 [Rev]
perfection, 9-305:1 [Rev]
priorities, 9-305:1 [Rev], 9-328:1 [Rev]
Investment securities, 9-206:1 [Rev]
Items deposited advances, 4-208:4, 4-210:4 [Rev]
conflicting secured interest, 4-208:6
credit availability, as of right, 4-208:3, 4-210:3 [Rev]
several items, 4-208:5, 4-210:5 [Rev]
withdrawal of funds, 4-208:2, 4-210:2 [Rev]
Junior, creation, 8-321:3
Law governing generally, 9-301 [Rev]
amendments of 2010, 9-301:4 [Rev]
change, effect generally, 9-316 [Rev], 9-316:1 [Rev]

SECURITY INTERESTS—Cont’d
Law governing—Cont’d
change, effect—Cont’d
four-month grace period, 9-316:1 [Rev]
Lease of goods
debtors’ possession, 9-110:1 [Rev]
priorities, 9-110:2 [Rev]
rejected goods, 2A-508:3
Leases, this index
Letters of credit
governing law change, effect, 9-316:4 [Rev]
perfection, 9-306:1 [Rev], 9-309:5 [Rev]
priorities, 9-306:1 [Rev], 9-329:1 [Rev]
Licensees in ordinary course of business, rights, 9-321:1 [Rev]
Lien
creditors, 2A-307:1
lessee in ordinary course of business, 2A-307:2
priority between future advances and lessee, 2A-307:4
Location of debtor, 9-307:1 [Rev]
amendments of 2010, 9-307:2 [Rev]
four-month rule, 9-307:1 [Rev]
Minerals, 9-103:11
Mortgages, bulk transfers, 6-103:3
New debtor, priorities, 9-326:1 [Rev], 9-326:2 [Rev]
Nonpossessor, instruments, 9-308:3
Payment intangibles, 9-109:11 [Rev], 9-309:3 [Rev]
Perfection
generally, 7-209:4, 8-321:1, 8-321:2, 9-103:2, 9-304:1, 9-308:1 [Rev]
assignments, 9-302:5, 9-302:13

© 2018 Thomson Reuters, 12/2018
SECURITY INTERESTS—Cont’d
Perfection—Cont’d
attachment as prerequisite, 9-203:3
certificated securities, 8-321:3
certificates of title, notation, 9-103:6 to 9-103:8
chattel paper, financing statements, filing, 9-304:2
collateral, debtors’ location, 9-301:2 [Rev]
commingled goods, timing, 9-336:1 [Rev]
compliance with statutes, consequences, 9-302:15
continuity, 9-303:2
30-day rule, 9-103:4
documents of title
exceptions, 9-304:7
filing financing statements, 9-304:3
duration, 9-305:5
exceptions
collecting banks, security interest favoring, 9-302:10
investment securities, 9-302:10
sales, 9-302:10
financing statements, filing
generally, 9-302:1, 9-302:2
application, property subject to statutes, 9-302:10, 9-302:16
assignment of accounts, 9-302:10
assignments for benefit of all creditors, 9-302:12
exceptions, 9-302:3 et seq.
farm equipment, 9-302:9
nongeneric, 9-302:14
necessity, 9-302:14
place, 9-401:1
transfers by assignees under original assignments, 9-302:12
SECURITY INTERESTS—Cont’d
Perfection—Cont’d
four month rule, 9-103:5
goods held by bailees, 9-305:4
goods held by third parties, 9-304:5, 9-304:6
instruments, 9-304:4
last event test, 9-103:3
money, 9-304:4
negotiable documents
exceptions, 9-304:7
filing financing statements, 9-304:3
possession
generally, 9-305:1, 9-305:3
collateral, 9-302:3
particular collateral, 9-305:2
priorities, 9-301:3
proceeds, 9-306:4
requirements, 9-301:2
temporary, 9-302:4, 9-303:2, 9-304:7
temporary continuation, 9-304:8
time, 9-303:1
uncertificated securities
junior interests, 8-321:5
senior interests, 8-321:4
Possession, arising by, 9-203:4 [Rev]
Possessor, control of collateral, 9-316:2 [Rev]
Preemption by federal statute
generally, 9-109:6 [Rev]
copyrights, patents and trademarks, 9-109:6 [Rev]
Presenting banks, liens, 4-504 [Rev], 4-504:1 [Rev]
Prior interest, commingled goods, 9-336:1 [Rev]
Priorities
artisan’s liens, 9-310:1, 9-310:2
chattel paper as proceeds, 9-308:4
SECURITY INTERESTS—Cont’d
Priorities—Cont’d
conflicts, same collateral, 9-322:3 [Rev]
crops, 9-334:5 [Rev]
future advances and lessee, 2A-307:4
instruments as proceeds, 9-308:4
investment property, 9-312:9
location of debtor generally, 9-307:1 [Rev]
amendments of 2010, 9-307:2 [Rev]
four month rule, 9-307:1 [Rev]
multiple state transactions, 9-103:12
processed goods, 9-315:1
subordination agreements, 9-339:1 [Rev]
Prior to Revised Article 9 effective date, 9-703:1 [Rev]
Proceeds generally, 9-203:13 [Rev]
conflicts, priorities, 9-312:7
continuation, 9-306:3, 9-315:2 [Rev]
insolvency proceedings, 9-306:5, 9-315:4 [Rev]
perfection, 9-306:4
perfection, continuation, 20-day rule, 9-315:3 [Rev]
Processed goods, 9-315:1
Promissory notes, 9-109:11 [Rev]
Protection, 7-503:1
Purchase of financial asset, arising under, 9-203:2 [Rev]
Purchase of security, arising under, 9-203:2 [Rev]
Real estate, 9-109:15 [Rev]
Rejected goods, 2A-508:3
Relationships, creation, 9-102:4

SECURITY INTERESTS—Cont’d
Reperfection, 9-103:6
Repossessed goods, 9-306:6 et seq.
Returned goods, 9-306:6 et seq.
Sale of goods generally, 9-113:1, 9-113:2
debtors’ possession, 9-110:1 [Rev], 9-113:3
priorities, 9-110:2 [Rev], 9-113:4
Securities intermediaries, 9-203:2 [Rev], 9-206:1 [Rev]
Shelter provisions, 9-301:7
Status after effective date where unperfected, prior, 9-704:1 [Rev], 9-704:2 [Rev]
Strict foreclosures, 9-505:10
Transferred collateral, priorities, 9-325:1 [Rev]
Unextracted minerals, 9-203:1 [Rev]
Unperfected conflicts, 9-301:3
debtor’s sale account, 9-318:1 [Rev]
chattel paper, 9-318:1 [Rev]
definition, 9-301:2
effectiveness amendments of 2010, 9-317:4 [Rev]
bankruptcy considerations, 9-317:3 [Rev]
buyers generally, 9-317 [Rev], 9-317:1 [Rev]
accounts, 9-317:1 [Rev]
electronic chattel paper, 9-317:1 [Rev]
general intangibles, 9-317 [Rev], 9-317:1 [Rev]
goods, instruments, documents, 9-317:1 [Rev]
investment property, 9-317:1 [Rev]
SECURITY INTERESTS—Cont’d
Unperfected—Cont’d
effectiveness—Cont’d
buyers—Cont’d
security certificates, 9-317:1 [Rev]
tangible chattel paper, 9-317:1 [Rev]
lessees of goods, 9-317:1 [Rev]
licensees
accounts, 9-317:1 [Rev]
electronic chattel paper, 9-317:1 [Rev]
genereal intangibles, 9-317 [Rev], 9-317:1 [Rev]
investment property, 9-317:1 [Rev]
lien creditors, 9-317:1 [Rev]
other secured parties, 9-317:1 [Rev]
priorities
generally, 9-301:2, 9-301:3
accounts purchasers, 9-301:7
bulk transferees, 9-301:7
buyers not in ordinary course of business, 9-301:7
buyers of farm products, 9-301:7
genereal intangibles purchasers, 9-301:7
shelter principle, 9-301:3
shelter provisions, 9-301:3
subordination, 9-301:1 et seq.
Validity
amendment changes, 9-203:1
disposition of collateral, 9-205:1
requisites, 9-203:1
exceptions, 9-203:2
use of collateral, 9-205:1
Value, 9-203:11
Value-giving requirement, 9-203:11 [Rev]
Warehousemen, 7-209:2

SECURITY INTERESTS—Cont’d
Warehouse receipts, 7-209:2 [Rev]

SECURITY PROCEDURE
Defined, UETA 2

SELF-AUTHENTICATION
Third parties, prima facie evidence, 1-307 [Rev]

SELF-HELP
Generally, UCITA 815:3
Cape Town Convention, debtor’s agreement, ICC 9:8, ICC 9:36 to 9:38
CISG, seller, ICC 10:73
Electronic Self-Help, this index
Remedies to be liberally administered, 1-305:5 [Rev]
Uniform Computer Information Transactions Act, this index

SEND
Definition, 1-201 [Rev]

SENDING
Time and place
generally, UETA 15:1
federal E-Sign, UETA 15:2
statutory text, UETA 15
2005 Convention, UETA 15:2
Uniform Electronic Transactions Act, this index

SEPARATE AGREEMENTS
Effect, 3-119:1, 3-119:2
Extrinsic evidence, 3-119:1
Holders in due course, 3-119:3
Same transaction tests, 3-119:2
Writing requirements, 3-119:2

SEQUENCE OF PREVIOUS CONDUCT
Course of performance, course of dealing, and usage of trade, 1-303:3 [Rev]
SERVICES
Exchange of goods for, 2-304:4

SETOFFS
Banks’ rights, deposit accounts, 9-340:1 [Rev]
Creditors, 9-104:10
Excluded transactions, 9-104:10
Letters of credit, 5-101:21 [Rev]
Negotiable instruments, 3-118:6 [Rev]
Repossession of leased goods, 2A-525:7
Rights commingled proceeds, 9-306:5
perfection security interests, 9-306:5

SETTLEMENTS
Accountability, bank, 4-213:6, 4-215:6 [Rev]
Agency status of collecting banks, 4-213:8
Allocation of loss, 4-215:8 [Rev]
Authorized forms, 4-211:2
Deferred posting, 4-301:3 [Rev]
Definition, 4-211:1
Demand items, 4-302:2
Duties, 4-202:6, 4-302:2 [Rev]
Expedited funds availability, 4-213:9
Final collecting bank’s insolvency, 4-214:5
determination, 4-201:4 [Rev], 4-213:3 [Rev], 4-215:5 [Rev]
effect, 4-201:4, 4-201:5
failure to receive, 4-212:1
payment, compare, 4-215:5 [Rev]
payor bank’s insolvency, 4-214:3
remittance cases, 4-211:4
Final payment distinguished, 4-213:2

SEVERABILITY
Generally, 1-105 [Rev]
Invalidity of provisions or clauses of Code, 1-105 [Rev]
Model Tribal Secured Transactions Act, RMTSTA 9-701
Official Code text and comments, 1-105 [Rev]
UCITA provisions, UCITA 901

SETTLEMENTS—Cont’d
Firming up provisional credits, 4-213:7
Forms authorized, 4-211:2
Media of remittance, 4-211:1
Medium, 4-213:1 [Rev]
Midnight deadline rules, 4-302:2
Ordinary care, 4-202:1 [Rev]
Provisional
generally, 4-201:5
automatic finality, 4-213:5
final payment by nonaction, 4-213:5
insolvency of banks, 4-214:4
revocation, 4-212:1, 4-301:4
withdrawal, availability, 4-201:2 [Rev], 4-213:9,
4-214:2 [Rev]
Refund, 4-202:5 [Rev]
Remittance
draft, 4-202:4 [Rev], 4-215:5 [Rev]
media, 4-211:1
methods, 4-211:2
timely action by collecting banks, 4-211:3
Reservation of rights, 1-308:2 [Rev]
Revocation, 4-214:2 [Rev], 4-301:5
Settle, definition, 4-104:5 [Rev], 4-213:3, 4-301:3, 4-302:2
Statutory requirements, 4-213:9
Time, 4-213:2 [Rev]
Transfer warranties, 4-207:12

© 2018 Thomson Reuters, 12/2018
Master Index-561
SHIPMENT CONTRACTS
Documents required, tender, 2-504:1
Notice requirements, 2-504:1
Proper arrangements, necessity, 2-504:1
Responsibilities of sellers, 2-504:1
Sellers' noncompliance, consequences, 2-504:2

SHIPMENTS UNDER RESERVATION
Effect, 2-505:2
Improper, 2-505:2
Security interests, creation, 2-505:1, 2-505:2

SHIPPER
Defined, 7-102:7 [Rev]

SHIPPERS LOAD AND COUNT
Bills of lading, 7-301:2

SHIPPERS WEIGHT, LOAD AND COUNT
Bills of lading, 7-301:2 [Rev]

SHIPPING
See also Delivery
C. & F. contracts generally, 2-320:3
2003 and 2005 amendments, 2-321:3
variances, 2-321:2
C.I.F. contracts generally, 2-320:2
2003 and 2005 amendments, 2-321:3
variances, 2-321:2
Contracts documents required, tender, 2-504:1
notice requirements, 2-504:1
proper arrangements, necessity, 2-504:1
responsibilities of sellers, 2-504:1

SHIPPING—Cont’d
Contracts—Cont’d
risk of loss, 2-509:3
sellers noncompliance, 2-504:2
2003 and 2005 amendments, 2-504:3
Delivery ex ship, 2-322:2
Destination contracts
no arrival, no sale, 2-324:2
risk of loss, 2-509:3
shipping terms, generally, 2-324:1
2003 and 2005 amendments, 2-324:3
Ex ship, 2-322:2
F.A.S., 2-319:3
F.O.B., 2-319:2
International shipments, bills of lading, sets, 2-323:3
Shipments under reservation effect, 2-505:2
improper, consequences, 2-505:2
security interests, creation, 2-505:1, 2-505:2
2003 and 2005 amendments, 2-505:3
Terms generally, 2-319:1, 2-321:1, 2-322:1
bills of lading, international shipments, 2-323:1
C. & F., 2-320:3
C.I.F., 2-320:2
delivery ex ship, 2-322:2
ex ship, 2-322:2
F.A.S., 2-319:3
F.O.B., 2-319:2
2003 and 2005 amendments, 2-320:4, 2-322:3

SHORT TITLES
Generally, UETA 1, 1-101 [Rev]
Defined, 9-101 [Rev]

Master Index-562
SHRINKWRAP AGREEMENTS
Terms of records, UCITA 208:4

SIGN
Defined, 7-102:11 [Rev]

SIGNATURES
See also Forgeries; Indorsements
Agency relationship
agents, agent’s name only, 3-403:7
authorization, 3-401:4 [Rev], 3-402:1 [Rev], 3-403:1
capacity of party signing instrument, 3-402:1
exculpatory agreements, 3-403:4
indications, 3-401:3
liability
agents, 3-403:2
exculpatory agreements, 3-403:3
principals, 3-403:1
representative, 3-402:2 [Rev], 3-403:4 [Rev]
represented party, 3-402:1 [Rev], 3-403:4 [Rev]
subsequent transferees, 3-403:1
location, 3-402:2 [Rev]
principals, 3-401:4 [Rev]
identification, 3-403:6
liability, 3-403:1
unnamed, 3-401:3
proof of authority, 3-403:1
representative capacity shown on instrument, 3-403:5
subsequent transferees, 3-403:4
warehouse receipts, 7-202:1 [Rev]
Allonge, 3-202:5, 3-204:3 [Rev], 3-401:5, 4-401:5
Ambiguous, 3-402:1
Assumption agreements, 3-401:2 [Rev], 3-401:4

SIGNATURES—Cont’d
Authenticity
burden of proof, 3-307:3, 3-307:4
estoppel, 3-404:3
preclusion, 3-404:3
verification, 3-308:2 [Rev], 3-308:4 [Rev] to 3-308:6 [Rev], 3-406:3, 3-417:11 [Rev]
Authority, 3-401:2
actual, 3-402:1 [Rev]
apparent, 3-402:1 [Rev]
 implied, 3-402:1 [Rev]
parol evidence, 3-402:1 [Rev]
preclusion, 3-402:1 [Rev], 3-402:2 [Rev]
proof, 3-402:1 [Rev]
Authorization to sign items, 4-401:2
Authorized representatives, 3-403:1 et seq.
Bearer instruments, 3-401:7
Capacity
agents, 3-401:4 [Rev], 3-402:1, 3-402:2 [Rev]
character references, 3-402:1
indications, 3-402:1
indorsements, 3-204:2 [Rev]
proof, 3-402:1
representatives, 3-403:2
indications, 3-403:5
witnesses, 3-402:1
Cape Town Convention, ICC 9:134
Continuation statements, 9-403:3
Countersignatures, 3-106:5
Custom, 3-204:2 [Rev]
Custom, capacity of party signing instrument, 3-402:1
Debtors, 9-203:5, 9-402:12
Definitions, 4-406:2, 8-102:3 [Rev], 8-308:1, 9-203:5
Denial of genuineness, pleading requirement, 3-307:2

© 2018 Thomson Reuters, 12/2018
SIGNATURES—Cont’d
Effectiveness, 3-308:4 [Rev], 8-208:1 [Rev], 8-208:2, 8-208:2 [Rev]
Electronic filing, 9-402:12
Electronic fund transfers, authentication, 4-401:2
Electronic signatures, 2A-222:2, 7-102:11 [Rev]
Electronic Signatures, this index
Electronic Signatures in Global and National Commerce Act (E-Sign), this index
Estoppel, 3-403:3 [Rev], 3-404:3
Facsimiles, 4-406:2
Federal E-Sign, this index
Financing statements, 9-402:12
Firm offers, 2A-205:4
Forgeries bad business practices, 3-406:11
banks’ subrogation rights, 4-407:3
charges to customers’ accounts, 4-401:3
drawers, 3-405:5
employer’s liability, 3-405:6
failure to report, 3-406:14
instruments issued by federal government, 3-405:7, 3-406:15
liability, 3-403:4 [Rev], 3-404:4, 4-103:2
local government instruments, 3-405:7
loss allocations, 3-405:1
negligence, 3-404:1 [Rev], 3-406:1 [Rev]
ordinary care, 3-404:1 [Rev], 3-404:3 [Rev]
ratification, 3-403:2 [Rev], 3-404:2
traveler’s checks, 3-106:5 [Rev]
unauthorized, compare, 3-406:1 [Rev]
warranties, 4-207:7, 4-207:14

SIGNATURES—Cont’d
Form, 3-104:5 [Rev], 3-401:4 [Rev], 3-401:9
Genuineness generally, 8-105:3
burden of proof, 8-105:4, 8-205:4
checks, 4-401:2
guarantees, 8-306:2 [Rev], 8-312:1
investment securities, 8-105:2
presumption, 3-308:4 [Rev]
transfers of negotiable instruments, 3-417:14
Guarantees generally, 8-312:1
collection, 3-419:14 [Rev]
instructions, 8-306:6 [Rev]
negotiable instruments, 3-401:4
prior to registration of transfers, 8-306:1 [Rev], 8-402:2
redemption directions, 8-306:7 [Rev]
separate, 3-401:2 [Rev]
Guarantor, enforcement, 8-306:9 [Rev]
Impostors, 3-405:7
Indorsements agents, 3-201:4 [Rev]
allonge, 3-204:3 [Rev]
anomalous, 3-205:1 [Rev]
appropriate person, 8-306:3 [Rev]
appropriate persons, 8-308:5
blank, 3-205 [Rev], 3-205:1 [Rev] to 3-205:4 [Rev]
capacity, 3-204:2 [Rev]
comparative negligence, 3-404:3 [Rev]
conditional, 3-206:3 [Rev]
fictitious payees, 3-404:2 [Rev]
fiduciaries, 8-308:5
impostors, payees’ names, 3-404:1 [Rev], 3-404:2 [Rev], 3-405:2
SIGNATURES—Cont’d
Indorsements—Cont’d
names, different, 3-401:4 [Rev]
necessity, 8-308:1
presumptions, 3-308:4 [Rev],
3-402:1
prohibitive, 3-206:4 [Rev]
restrictive, 3-205:3 [Rev],
3-206:1 [Rev], 3-206:2
[Rev], 3-206:4 [Rev] to
3-206:8 [Rev]
special, 3-201:4 [Rev], 3-205:1
[Rev], 3-205:2 [Rev],
3-206:4 [Rev]
Indorsements, this index
Inspections, 4-406:3
Instructions
originator, 8-306:6 [Rev]
Intent, 9-203:5
International commercial conventions
Cape Town Convention, ICC
9:134
Signature
U.S. treaty ratification, ICC
8:11
Investment securities
generally, 8-105:2, 8-105:3
presumptions, 8-205:4
share certificates, 8-205:2
unauthorized, 8-205:3
Irregularities, 4-401:2
Liability
generally, 3-401:1
agent’s name only, 3-403:7
subsequent transferees, 3-401:2
[Rev], 3-403:4
Location, 3-104:5 [Rev], 3-204:2
[Rev], 3-401:4 [Rev],
3-401:9
Mechanical check signing devices,
4-401:2
Missing, 4-406:8
Negligence
generally, 3-406:1
SIGNATURES—Cont’d
Negligence—Cont’d
defined, 3-406:6
estoppel
generally, 3-406:2
drawee or other payor,
3-406:3
holders in due course,
3-406:4
failure to report alteration or forgery, 3-406:14
hiring or supervision of employees, 3-406:12
proximate cause, 3-406:7
reasonable care, 3-406:8
Negotiable instruments
indorsements, 3-201:4 [Rev]
liability, 3-401 [Rev], 3-401:1
[Rev]
transfer warranties, 3-204:2
[Rev], 3-416:5 [Rev]
Parol evidence, 3-104:5 [Rev]
Personal money orders, 3-401:3
[Rev], 3-401:8
Preclusion, 3-404:3
Presenters, 3-417:7
Presentment warranty, 3-417:11
[Rev]
Presumptions, 8-105:3, 8-205:4
Proof, 3-104:5 [Rev], 3-308:1
[Rev], 3-401:4 [Rev],
3-401:9
Ratification
generally, 3-403:1
effectiveness, 3-403:2 [Rev]
express, 3-403:2 [Rev], 3-404:2
implied, 3-403:2 [Rev], 3-404:2
revocation, 3-404:2
Requirement, 3-104:8
Secured parties, 9-402:12
Security agreements, 9-203:5
Statute of frauds, 2A-201:4
Stock certificates, requirements,
8-205:2
Trade usage, 3-204:2 [Rev]
<table>
<thead>
<tr>
<th>SIGNATURES—Cont’d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfer warranties, [4-207:5] [Rev]</td>
</tr>
<tr>
<td>Traveler’s checks, [3-106:5] [Rev]</td>
</tr>
<tr>
<td>Two-signature requirement, [4-401:2]</td>
</tr>
<tr>
<td>Unauthorized generally, [3-401:2, 8-205:1, 8-205:4 [Rev]]</td>
</tr>
<tr>
<td>burden of proof, [4-406:7]</td>
</tr>
<tr>
<td>categorization, [8-205:3]</td>
</tr>
<tr>
<td>defenses, [3-301:11 [Rev], 8-205:3]</td>
</tr>
<tr>
<td>discovery, [4-406:6]</td>
</tr>
<tr>
<td>effect, [3-404:1]</td>
</tr>
<tr>
<td>effectiveness, [3-403 [Rev], 3-403:1 [Rev]]</td>
</tr>
<tr>
<td>estoppel, [3-403:3 [Rev], 3-404:3]</td>
</tr>
<tr>
<td>indorsements, [3-403:4 [Rev], 3-404:4]</td>
</tr>
<tr>
<td>investment securities, [8-105:5]</td>
</tr>
<tr>
<td>liability generally, [3-404:1, 3-404:4]</td>
</tr>
<tr>
<td>criminal, [3-403:1 [Rev], 3-403:2 [Rev], 3-403:4 [Rev], 3-404:2]</td>
</tr>
<tr>
<td>negligence estoppel, [3-406:2]</td>
</tr>
<tr>
<td>loss, [3-406:1]</td>
</tr>
<tr>
<td>preclusion, [3-404:1 [Rev], 3-404:3]</td>
</tr>
<tr>
<td>organization, [3-403:1 [Rev]]</td>
</tr>
<tr>
<td>properly payable, [4-401:1 [Rev]]</td>
</tr>
<tr>
<td>ratification, [3-403:2 [Rev], 3-404:2]</td>
</tr>
<tr>
<td>reporting, customer’s duties, [4-406:1 et seq., 4-207:7, 4-207:14]</td>
</tr>
<tr>
<td>Unauthorized signature defined, [1-201 [Rev]]</td>
</tr>
<tr>
<td>Uniform Electronic Transactions Act, this index Usage of trade, capacity of party signing instrument, [3-402:1]</td>
</tr>
</tbody>
</table>
SOVEREIGN IMMUNITY
—Cont’d
RMTSTA 9-102:1,
RMTSTA 9-117:1

SPACE PROTOCOL
Cape Town Convention, ICC 9:3

SPECIAL DAMAGES
Remedies to be liberally administered, 1-305 [Rev],
1-305:4 [Rev]

SPECIAL MANUFACTURING
Statute of frauds, 2A-201:3,
2-201:5

SPECIFIC PERFORMANCE
Action for rent, 2A-529:2
Changes in former U.C.C.
§ 2A:521, 2A-507A:1
Identification of goods, 2A-522:3
Inability to obtain cover, 2A-521:3
Insolvency of lessor
generally, 2A-522:1
identification of goods,
2A-522:3
keeping tender good, 2A-522:5
payment of rent and security,
2A-522:2
reclamation as exclusive remedy,
2A-522:7
third party rights, 2A-522:6
timing, 2A-522:4
Keeping tender good, 2A-522:5
Lessee’s right, 2A-521:1,
2A-521:2
Payment of rent and security,
2A-522:2
Reclamation as exclusive remedy,
2A-522:7
Remedies to be liberally administered, 1-305:2 [Rev]
Right, 2A-507A
Third party rights, 2A-522:6
timing, 2A-522:4
Uniqueness, 2A-521:3

SPECIFIC REFERENCES
Good faith, 1-304:1 [Rev]

SPECIFIC RELIEF
Remedies to be liberally administered, 1-305:2 [Rev]

SPECIFIC REPEAL
Generally, 10-102
Effective Date and Repealer, this index
State legislation, 10-102:2

STALENESS
Issuers’ defenses, 8-203:1,
8-203:1 [Rev]
Notice of adverse claims, 8-105:5
[Rev], 8-305:1, 8-305:2
Time, 8-203:2

STANDARD OF CARE
See also Reasonable Care
Bailees, good faith delivery,
7-404:1
Carriers
insurer status, 7-309:2
perishable goods, 7-309:1
Commercially reasonable,
9-504:4, 9-507:8 to 9-507:10
Funds transfers, 4A-204:3,
4A-304:5
Secured parties
generally, 9-501:8
collecting intangible claims,
9-502:3
collection of intangible claims,
9-502:3
commercially reasonable
determination, 9-507:8 to
9-507:10
sales, 9-507:8 to 9-507:10
disposition of collateral
generally, 9-504:4, 9-504:4
to 9-504:6
advertisements, 9-504:5
holding collateral prior,
9-504:6
STANDARD OF CARE—Cont’d
Warehousemen
  fire protection, 7-204:1
  inspections, 7-204:1
  security against theft, 7-204:1
  special treatment, 7-204:1

STANDARDS
  Breach of peace, inapplicability, 9-603:2 [Rev]
  Secured transactions
    generally, 9-603 [Rev], 9-603:1 [Rev]
    breach of peace, inapplicability, 9-603:2 [Rev]

STANDING TO SUE
  Absence of risk of loss, 2A-531:2
  Third party injuries to goods, 2A-531:1

STARE DECISIS DOCTRINE
  Construction and interpretation,
    1-103:8 [Rev], 1-103:10 [Rev]

STATE
  Definition, UETA 2, 1-201 [Rev]

STATE DECISIONS
  Construction and interpretation,
    1-103:6 [Rev]

STATE LEGISLATION
  Construction and interpretation,
    1-103:3 [Rev]

STATEMENT OF ACCOUNTS
  Duties, 4-406:3
  Examination
    credit cards, 4-406:1 [Rev]
    duty, 4-406:1 [Rev], 4-406:2 [Rev]
    electronic fund transfers, 4-406:1 [Rev]
    failure to receive, reconciliation, 4-406:4 [Rev]
    negligence, 4-406:5
  —Cont’d
    Examination—Cont’d
      time, 4-406:1 [Rev], 4-406:3, 4-406:4 [Rev]
    Failure to receive, 4-406:4 [Rev], 4-406:5
    Notice of forgeries, 4-406:5
    Reconciliation, dual controls, 4-406:4
    Risk of loss, 4-406:3

STATEMENTS
  Advances, warehouse receipts, 7-202:1 [Rev]
  Assignments
    proof, 9-407:1
    security interests, 9-405:2, 9-405:3
  Initial transaction
    categories of information, 8-408:2
    definition, 8-408:2
    1977 amendments, 8-408:2
  Periodic
    1977 amendments, 8-408:2
    requirements, 8-408:2
  Releases, proof, 9-407:1
  Requests
    accounts of collateral, 9-208:1, 9-210:1 [Rev]
    lists of collateral, 9-208:1, 9-210:1 [Rev]
    noncompliance, 9-208:1, 9-210:2 [Rev]
  Termination, proof of filing, 9-407:1
  Uncertificated securities, 8-401:2 [Rev]
  Uncertificated securities, 1977 amendments, 8-408:2

STATE STATUTES
  Scope of Article, 7-103:1
STATUTE OF FRAUDS
Generally, UCITA 201:1 to 201:3, 2A-201:1 et seq.
Admissions, 2A-201:7, 2-201:6, 8-319:7
Applicability, 8-113:1 [Rev]
Application, 8-319:2
Background, 8-319:1
Common law, 2-201
Contracts applicable, 8-319:2
Description of collateral, 9-203:8
Estoppel, 2A-201:9, 2-201:8, 8-319:8
Exempt contracts, 2-201:5
Letters of confirmation, 2A-201:6, 2-201:4
Limitations, 2A-201:2, 2A-201:3
Memorandum, 2A-201:4, 2A-201:5
Merchant confirmation, 2-201:4
Modified contracts, 2-209:3
1977 amendments, 8-319:10
Noncompliance, 2A-201:9, 2A-201:10, 2-201:9, 8-319:9
Overview, 2-201:1
Part performance, 2A-201:8, 2-201:7
Prerequisites, 8-319:2
Preservation of bargain, 2A-208:7
Purpose, 8-319:4
Requirement, 2A-201:4
Rights ownership transfers in computer programs, UCITA 501:8
Safeguard, 2A-208:6
Satisfaction
acceptance and receipt doctrine, 2-201:7
admissions, 2A-201:7, 2-201:6, 8-319:7
applicability, 2-201:2
contracts between parties, 2A-201:6, 2-201:3
delivery, 8-319:5

STATUTE OF FRAUDS—Cont’d
Satisfaction—Cont’d
exemptions, 2-201:5
letters of confirmation, 2A-201:6, 2-201:4
memorandum, 2A-201:4, 2A-201:5
part performance, 2A-201:8, 2-201:7
payments, 8-319:5
signed writings
generally, 2-201:3, 8-319:3
description, 8-319:4
price, 8-319:4
quantity, 8-319:4
tape recordings, 2A-201:5, 8-319:3
writing, 2-201:3
written confirmations, 8-319:6
Special manufacturing, 2A-201:3, 2-201:5
Tape recordings, 2A-201:5, 8-319:4
2003 and 2005 amendments, 2-201:10
Uniform Computer Information Transactions Act, this index
Uniform Sales Act, 2-201

STATUTE OF LIMITATIONS
Limitation of Actions, this index

STATUTES
See also Consumer Protection Statutes; Federal Bills of Lading Act (FBLA); Harter Act; Limitation of Actions; Uniform Bills of Lading Act (UBLA); Uniform Warehouse Receipts Act (UWRA); United States Warehouse Act
Airline acts, 7-103:1
Application of law, 7-103:1 [Rev]
STATUTES—Cont’d
Carmack Amendment to Interstate Commerce Act, 7-103:1 [Rev]
Carriage of Goods by Sea Act, 7-103:1 [Rev], 7-103:2
Competitive Equality Banking Act of 1987, 4-213:9
Compliance, 9-203:14, 9-302:15
Consumer Credit Act
other applicable law, 2A-104:1
unconscionability doctrine, 2A-108:1
Consumer Credit Code
default, 2A-501:4
lessor’s right to possession, 2A-525:10
other applicable law, 2A-104:1
repossession of goods, 2A-525:10
unconscionability doctrine, 2A-108:1
Consumer Leasing Act
applicable laws, 2A-104:1
definitions and index of definitions, 2A-103:2
finance lease, 2A-103:3
other applicable law, 2A-104:1
scope of Act, 2A-102:1
Effective Date and Repealer, this index
Electronic Funds Transfer Act
generally, 4A-108, 4A-108:1
consumer transactions, 4A-108:2
Electronic Signatures in Global and Electronic Commerce Act (E-Sign)
generally, 7-101:1, 7-103:2 [Rev]
legal recognition, 2A-222:2
Federal, security interests, excluded transactions, 9-104:2
Future advances limitations, 9-204:5
Harter Act, 7-103:1 [Rev], 7-103:2
Interstate Commerce Act, Carmack Amendment, 7-103:2
Lemon laws, revocation of acceptance, special regulatory legislation, 2A-517:9
Magnuson Moss Warranty Act
generally, 2-316:5
disclaimers of warranties, 2A-214:10
unconscionability doctrine, 2A-108:4
warranty disclaimers, 2-316:5
Non-UCC Payment Methods, this index
Not repealed, 10-104
Perfection of security interests, financing statements, filing, 9-302:10, 9-302:16
Persons protected, 9-203:14
Revised Sales Act, privity limitations, 2A-216:1
Sales
federal law, generally, 2-102:6
regulatory statutes, 2-102:5
Scope of Article, 7-103:1
State statutes, 7-103:1
UNCITRAL, 4A-102:1
Uniform Bills of Lading Act, 7-101:1 [Rev]
STATUTES—Cont’d
Uniform Electronic Transaction Act (UETA)
generally, UETA 1 et seq.,
7-103:2 [Rev]
bills of lading, 7-102:2 [Rev]
control of electronic document of title, 7-106:1 [Rev]
legal recognition, 2A-222:2
warehouse receipts, 7-102:3 [Rev]
Uniform Laws, this index
Uniform Sales Act, 7-101:1 [Rev]
Uniform Warehouse Receipts Act,
7-101:1 [Rev], 7-209:1 [Rev]
United States Warehouse Act
(USWA), 7-103:1 [Rev],
7-103:3
Unrepealed, 10-104

STATUTORY CONSTRUCTION
Bank deposits
conflicts with Article 3 provi-
sions, 4-209:3
interaction with Article 3 provi-
sions, 4-102:1
interaction with Article 8 provi-
sions, 4-102:2
Ordinary care, 4-101:5
Rules of construction, Article 4A,
4A-105:8

STATUTORY TERMS
Course of performance, course of
dealing, and usage of trade,
1-303:2 [Rev]

STOCK CERTIFICATES
Bearer form, 8-102:3
Legends, 8-401:2
Presentation, 8-401:2
Registered form, 8-102:3
Signature requirements, 8-205:2
Transfers, presentment, 8-401:2
Unauthorized signatures,
categorization, 8-205:3

STOLEN DOCUMENTS
Warehouse receipts and bills of
lading, delivery of goods,
7-601:1 [Rev]

STOPPAGE OF GOODS IN TRANSIT
Generally, 2A-526, 2A-526:1,
2A-526:2
Attornment, lessors, 2A-526:6
Goods held by carrier or bailee,
2A-526:3
Mechanics of stopping, 2A-526:9
Negotiation of documents of title,
2A-526:8
Receipt of goods by lessee,
2A-526:5
Reshipment, 2A-526:7
Termination of right
negotiation of documents of
title, 2A-526:8
receipt of goods by lessee,
2A-526:5
reshipment, 2A-526:7

STOP PAYMENT ORDERS
Bank branch, 4-107:1 [Rev]
Banking practices, variation by
agreement, 4-103:2
Bank payments over
burden of proof, 4-403:6 [Rev]
damages, 4-403:6 [Rev]
defenses, 4-403:6 [Rev]
interpleaders of parties, 4-407:4
liability, 4-303:3 [Rev]
position of holders in due
course, 4-407:2
prima facie case, 4-403:6 [Rev],
4-403:8
remedies, 4-407:5
subrogation rights, 4-403:6
[Rev], 4-407:1
third-party practice, 4-407:4
unjust enrichment of drawers,
4-407:2
Beneficiaries, 4-403:1
STOP PAYMENT ORDERS  
—Cont’d  
Branch bank, 4-106:1 et seq., 4-107:1 [Rev]  
place of giving, 4-403:3 [Rev], 4-403:4  
Cashier’s checks, 4-403:11  
Certified checks, 4-403:11  
Contents, 4-403:7  
Damages available, 4-403:10  
Death, drawer, 4-405:4 [Rev]  
Description of items, 4-403:3 [Rev], 4-403:7  
Duration, 4-403:4 [Rev]  
Effect, 4-403:5 [Rev]  
Exculpatory clauses  
— enforceability, 4-403:2  
— validity, 4-103:1  
Failure to honor, proof, 4-403:8  
Identity of customers’ problems, 4-403:3  
Joint tenants, 4-403:3  
Liability, 4-403 [Rev], 4-403:1 [Rev]  
Losses incurred by failure to honor, damages, 4-403:10  
MICR lines, 4-403:3 [Rev]  
Money orders, 4-403:13  
Notices, 4-406:5  
Oral, 4-403:1, 4-403:2, 4-403:3 [Rev], 4-403:4 [Rev], 4-403:5  
Place of giving, 4-403:4  
Policies underlying rights, 4-403:1  
Position of holders in due course, 4-407:2  
Postal money orders, 4-403:13  
Prima facie case, bank’s failure to honor, 4-403:6 [Rev], 4-403:8  
Recovery by holders of stopped checks, 4-403:9  
Renewal, 4-403:4 [Rev]  
Requirements, 4-403:3 [Rev]  

STOP PAYMENT ORDERS  
—Cont’d  
Revocation of authority distinguished, 4-103:3  
Right to make, 4-403:1 [Rev], 4-403:2, 4-403:2 [Rev]  
Subrogation, improper payment, 4-407:1, 4-407:1 [Rev] to 4-407:3 [Rev]  
Teller’s checks, 4-403:12  
Third-parties’ instructions, 4-403:3  
Timeliness, 4-303:2 [Rev], 4-403:6  
Traveler’s checks, 4-403:13  
Written, 4-403:1, 4-403:2, 4-403:3 [Rev], 4-403:4 [Rev], 4-403:5  

STOPPING PERFORMANCE  
Reservation of rights, 1-308:1 [Rev]  

STORAGE AGREEMENTS  
Duration, 7-206:1  
Indefinite terms, 7-206:1  
Notification, 7-206:1, 7-206:2  
Termination, 7-206:1  

STORAGE CHARGES  
Lien of warehousemen, 7-209:3 [Rev]  
statement, 7-202:1 [Rev]  
Warehouse receipts, terms, 7-202:1 [Rev]  

STORED VALUE AND OTHER METHODS AND SYSTEMS  
Generally, NONUCCPY 2:30  
Disclosure and evidence of transfers, statutes and rules, NONUCCPY 3:37  
Enforcement  
Gift Cards, this index  
Home Banking, this index  
Mobile Payments, this index  

Master Index-572
STORED VALUE AND OTHER METHODS AND SYSTEMS — Cont’d
Enforcement — Cont’d
Non-gift, Non-payroll Prepaid Cards, this index
PayPal, this index
Error prevention and resolution
Gift Cards, this index
Home Banking, this index
Mobile Payments, this index
PayPal, this index
Prepaid Debit Cards Not Payroll-Related, this index
Gift Cards, this index
Historical background,
NONUCCPY 1:16 to 1:24
Home Banking, this index
Mobile Payments, this index
Non-Gift, Non-Payroll Prepaid Cards, this index
PayPal, this index
Prepaid Debit Cards not Payroll-Related, this index
Gift Cards, this index
Regulation of charges, agreements and practices
Gift Cards, this index
Home Banking, this index
Mobile Payments, this index
Non-Gift, Non-Payroll Prepaid Cards, this index
PayPal, this index
Prepaid Debit Cards not Payroll-Related, this index
Statutes and rules
coverage, generally,
NONUCCPY 2:28
disclosure and evidence of transfers, NONUCCPY 3:37
Gift Cards, this index
Home Banking, this index
Mobile Payments, this index
Non-Gift, Non-Payroll Prepaid Cards, this index
PayPal, this index

STORED VALUE AND OTHER METHODS AND SYSTEMS — Cont’d
Statutes and rules — Cont’d
Prepaid Debit Cards not Payroll-Related, this index
Unauthorized transfers,
NONUCCPY 4:18
Unauthorized transfers
Gift cards, NONUCCPY 4:20
statutes and rules,
NONUCCPY 4:18

STRICT FORECLOSURE
Generally, 9-620 [Rev], 9-620:1 [Rev]
Acquiescence of other interested parties, 9-620:4 [Rev]
Constructive strict foreclosure, 9-620:6 [Rev]
Consumer transactions, special rules, 9-620:7 [Rev]
Debtors’ consent, 9-620:3 [Rev]
Effect
generally, 9-622 [Rev], 9-622:1 [Rev]
noncompliance with governing rules, 9-622:2 [Rev]
Procedure generally, 9-620:2 [Rev]
Proposals
effect of failure to send notification of proposals, 9-621:2 [Rev]
parties to whom notification must be sent, 9-621:1 [Rev]
requirements
good faith, 9-620:5 [Rev]
secured parties’ consent, 9-620:6 [Rev]

STRICT LIABILITY IN TORT
Warranty of merchantability,
2A-212:14
SUBJECTIVE INTENT
CISG, interpretation of action of parties, ICC 10:25

SUBLEASES
Entrustment, 2A-305:2
Power to transfer, 2A-305:1

SUBORDINATED OBLIGATIONS
Generally, 1-310[Rev]
Agreements not secured transactions, 1-310:1 [Rev]
Changes in Code, 1-310[Rev]
Official Code text and comments, 1-310[Rev]
Secured transactions, 1-310:1 [Rev]
Subordination agreements not secured transactions, 1-310:1 [Rev]

SUBORDINATION
Agreements
generally, 2A-311, 2A-311:1
consideration, 9-316:1
considerations, 9-339:1 [Rev]
necessity, 9-316:1, 9-339:1 [Rev]
requirements, 9-316:1, 9-339:1 [Rev]
Cape Town Convention, this index
Unperfected security interests, 9-301:1 et seq.

SUBROGATION
Cape Town Convention, this index

SUBSEQUENT—Cont’d
2003 amendments, discussion, 2A-304:8
Variations of Code, 2A-304
Voidable title, 2A-304:2
Worthless checks, 2A-304:3

SUBSTITUTE BILLS OF LADING
Request for issuance, 7-305:1 [Rev]

SUBSTITUTED PERFORMANCE
Generally, 2A-404
Assumption of risk, 2A-404:5
Delivery, 2A-404:2, 2A-404:3
No fault requirement, 2A-404:4
Payments, 2A-404:2, 2A-404:3

SUBSTITUTIONAL RELIEF
Remedies to be liberally administered, 1-305:2 [Rev]

SUCCESSOR IN INTEREST
Option to accelerate at will, 1-309 [Rev]

SUMMARY
Accession, statutory liens, state and federal, 9-335:3 [Rev]

SUPER-EMINENT PROVISIONS
Construction and interpretation, 1-103:4 [Rev]

SUPERVISORY AUTHORITY
Cape Town Convention, this index

SUPPLEMENTAL CODES
Construction and interpretation, 1-103:5 [Rev]

SUPPLEMENTAL PRINCIPLES
Generally, UCITA 116
Construction and interpretation, 1-103:12 [Rev]
Good faith, UCITA 116:2,
UCITA 116:3
SUPPLEMENTAL PRINCIPLES
—Cont’d
Practical construction, UCITA 116:1
SUPPORTING OBLIGATIONS
Secured transactions, 9-203:13 [Rev]
SURCHARGES
Credit cards, NONUCCPY 1:5, 2:19
SURETY
Definition, 1-201 [Rev]
SURPLUSES
Cape Town Convention, application, ICC 9:40
Model Tribal Secured Transactions Act, this index
Nondebtor owners’ rights, 9-112:2
Secured parties’ obligations, 9-502:4
SURRENDER
Bailees’ obligations, 7-403:6
Bills of lading, 7-403:6
Documents, 7-403:6
Warehouse receipts, 7-403:6
SYSTEM, LACK OF
Construction and interpretation, 1-103:3 [Rev]
SYSTEMATIC CONSIDERATIONS
Construction and interpretation, 1-103:4 [Rev]
TARIFFS
Application of law, 7-103:1 [Rev]
Limitation of liability, 7-309:10
Provisions
institution of actions, 7-309:5
presentment of claims, 7-309:5
TAX LIENS
Federal Tax Lien Act provisions, 9-301:8
Priorities, 9-301:8
TENDER
Delivery, nonconforming goods, effect, 2-725:2
Perfect Tender Rule, this index
TENDER OF PAYMENTS
Delivery
concurrent conditions, 2-507:1
conditional, 2-507:2
TERM
Definition, 1-201 [Rev]
TERMINAL CHARGES
Bill of lading, lien of carrier, 7-307:1 [Rev]
Warehouse receipts, lien of warehouseman, 7-209 [Rev]
TERMINATION OR CANCELLATION
Generally, 2A-505, 2A-505:1 et seq.
Cancellation of contract compared, UCITA 802:1
Carriers’ duties, 7-309:3
Communications with defaulting party, protecting remedies, 2A-505, 2A-505:1
Customer accounts, bank’s right to charge, 4-401:4
Default by lessee, lessor’s remedy, 2A-523:3
Financing statements failure, 9-404:2
mandatory, 9-404:3
methods, 9-404:1
Fraud, 2A-505:2, 2A-505:3
TERMINATION OR CANCELLATION—Cont’d
Installment lease contracts
notice, 2A-510:6
right, 2A-510:5
Performance, this index
Pledges, 8-108:5
Repudiation, lessor’s remedies, 2A-523:3
Storage
agreements, 7-206:1
decline in value, 7-206:2
deterioration in value, 7-206:2
hazardous goods, 7-206:2
notification, 7-206:1, 7-206:2
Uniform Computer Information Transactions Act, this index
Words and phrases, 2A-523:3

TERMINATION STATEMENTS
Generally, 9-513 [Rev], 9-513:1 [Rev]
Mandatory termination
consumer goods collateral, 9-513:4 [Rev]
other collateral, 9-513:5 [Rev]
unauthorized financing statements, 9-513:3 [Rev]
Persons who may file, 9-513:2 [Rev]
Post-effective date, special rule, 9-707:4 [Rev]
Proof of filing, 9-407:1

TERMINOLOGY
Organization of UCC, 1-101:2 [Rev]
Systematic considerations, 1-103:4 [Rev]

TERMS
Certified securities, 8-202:2 [Rev]
Indirect holding system, 8-202:5 [Rev]

Master Index-576
AMENDMENTS—Cont’d
Applicable law and judicial form, selection, 2A-106:2
Casualty to identified goods, 2A-221:7
Certificate of title, coverage under, 2A-105:2
Choice of law, 2A-106:2
Conflict, warranties, 2A-215:2
Course of performance, 2A-207:4
Cumulation, warranties, 2A-215:2
Definitions, 2A-103:9
Disclaimers, warranties, 2A-216:7
Exclusion or modification, warranties, 2A-214:11
Express warranties, 2A-210:12
Firm offers, 2A-205:12
Fitness for particular purpose, warranties, 2A-213:6
Forum limitation, 2A-106:2
Identification of goods, 2A-217:3
Insurance and proceeds, 2003 Official Code, 2A-218:2
Interference and infringement, warranties, 2A-211:9
Lease formation, 2A-204:4
Leases subject to other law, 2A-104:3
Lessee under finance lease as beneficiary of supply contract, 2A-209:4
Limitations, warranties, 2A-216:7
Merchantability, warranties, 2A-212:15
Modifications, 2A-208:8
Offer and acceptance, 2A-206:5
Parol evidence, 2A-202:5
Rescission, 2A-208:8
Risk of loss, 2A-219:6
Risk of loss, default, 2A-220:5
Scope, 2A-102:4
Seals, 2A-203:2
Short title, 2A-101:3
Statute of frauds, 2A-201:11

Warranties
conflict, 2A-215:2
cumulation, 2A-215:2
disclaimers, 2A-216:7
exclusion or modification, 2A-214, 2A-214:11
fitness for particular purpose, 2A-213:6
interference and infringement, 2A-211:9
limitations, 2A-216:7
merchantability, 2A-212:15

Accessions, 2003 Official Code, 2A-310:4
Actions against third parties, 2003 Official Code, 2A-531:3
Actions for rent, 2003 Official Code, 2A-529:3
Alienability of interests, 2A-303:6
Amendments, Text and Comment Amendments, this index
Cover, 2003 Official Code, 2A-518:3
Cure of improper tender or delivery, 2003 Official Code, 2A-513:9
Damages for default, 2003 Official Code, 2A-528:6
TEXT AND COMMENTS
—Cont’d
Damages in regards to accepted goods, 2003 Official Code, 2A-519:8
Enforceability, 2003 Official Code, 2A-301:3
Fixtures, 2003 Official Code, 2A-309:8
Fraudulent retention of possession, 2003 Official Code, 2A-308:7
Incidental damages, 2003 Official Code, 2A-530:3
Insolvency of lessor, 2003 Official Code, 2A-522:8
Installment lease contracts, 2003 Official Code, 2A-510:7
Lessees, rightfully rejected goods, 2003 Official Code, 2A-512:3
Merchant, rightfully rejected goods, 2003 Official Code, 2A-511:4

TEXT AND COMMENTS
—Cont’d
Residual interest, 2003 Official Code, 2A-532:2
Retraction of anticipatory repudiation, 2003 and 2005 amendments, 2A-403:2
Subleases, Official Code, 2A-305:3
Subordination, 2003 Official Code, 2A-311:2
Subsequent leases, 2003 Official Code, 2A-304:8
Title to and possession of goods, 2003 Official Code, 2A-302:3
2003 Official Code text and comments, 2A-301:3
2003 Official Code text and comments, 2A-514:5

THEFT
Reasonable care duty, warehouse receipts, 7-204:1 [Rev]

THIRD PARTIES
Accuracy, 1-307:3 [Rev]
Actions against party without risk of loss, 2A-531:2
THIRD PARTIES—Cont’d

Actions against—Cont’d
standing of third parties to sue, 2A-531:1
Admissibility of evidence, 1-307:1
[Rev]
Assent, third party user obligated by another’s, UCITA 112:9
Authentication, 1-307:2 [Rev]
Bill of lading, 1-307 [Rev]
Certificates and certification, 1-307 [Rev]
Changes in Code, 1-307 [Rev]
Consular invoice, 1-307 [Rev]
Contract required documents, 1-307 [Rev]
Due form, 1-307 [Rev]
Extrinsic evidence, 1-307:1 [Rev]
Inferences, 1-307:3 [Rev]
Injury to goods, 2A-531:1
Inspector’s certificate, 1-307 [Rev]
Insurance policy or certificate, 1-307 [Rev]
Invoice, 1-307 [Rev]
Judicial recognition, 1-307:2 [Rev]
Lessor’s insolvency, superior rights, 2A-522:6
Model Tribal Secured Transactions Act, this index
Official Code text and comments, 1-307 [Rev]
Official weigher’s or inspector’s certificate, 1-307 [Rev]
Preferred status, 1-307:4 [Rev]
Preferred status, 2A-531:2
Preferred status, 1-307:4 [Rev]
Presumption, 1-307:2 [Rev]
Prima facie evidence
accuracy, 1-307:3 [Rev]
admissibility of evidence, 1-307:1 [Rev]
bill of lading, 1-307 [Rev]

THIRD PARTIES—Cont’d

Prima facie evidence—Cont’d
changes in Code, 1-307 [Rev]
consular invoice, 1-307 [Rev]
contract required documents, 1-307 [Rev]
document of title, 1-307:4 [Rev]
due form, 1-307 [Rev]
extrinsic evidence, 1-307:1 [Rev]
inferences, 1-307:3 [Rev]
insurance policy or certificate, 1-307 [Rev]
judicial recognition, 1-307:2 [Rev]

Official Code text and comments, 1-307 [Rev]
official weigher’s or inspector’s certificate, 1-307 [Rev]
preference status, 1-307:4 [Rev]
qualified documents, 1-307:1 [Rev]
[Rev] to 1-307:4 [Rev]
self-authentication, 1-307 [Rev]
trustworthiness, documents relied upon as, 1-307:2 [Rev]
Self-authentication, 1-307 [Rev]
Standing of third parties to sue, 2A-531:1
Trustworthiness, documents relied upon as, 1-307:2 [Rev]

2003 amendments, actions against third parties, 2A-531:3
Warehouseman’s liens, third party claims, 7-209:4
Warranties disclaimers, third party beneficiaries, 2A-216:6
express or implied, third-party beneficiaries, 2-318
Weigher’s certificate, 1-307 [Rev]

THIRD-PARTY BENEFICIARIES

Warranties, UCITA 409
THROUGH BILLS OF LADING

Generally, 7-302 [Rev]
Damages, 7-302:3 [Rev]
Indemnification, 7-302:3 [Rev]
Intrastate, 7-302:1Rev]
Issuer, liability, 7-302:1 [Rev]
Performing carrier, liability, 7-302:2 [Rev]

TIME

See also Limitation of Actions
Acceptance, 3-506:1 to 3-506:3
Account balance determination, 4-402:4 [Rev]
Actions, 7-309:5
Cape Town Convention, time of registration, priority, ICC 9:72
Charge-backs, 4-212:3
CISG, ICC 10:33, ICC 10:40
Collateral, characterization, 9-401:7
Contracts, this index
Cutoff hour, 4-108:1 [Rev]
Definite
acceleration, 3-108:6 [Rev]
extension, 3-108:7 [Rev]
Delays, 4-109:1 [Rev], 4-109:3 [Rev]
Dishonor, 4-210:2
Documentary drafts, 4-501:2
ECCHO Electronic Check Presentment, this index
Examination, statement of accounts, 4-406:3
Exchanges, 8-203:2
Extension collection, 4-109:2 [Rev], 4-109:3 [Rev]

TIME—Cont’d

Extension—Cont’d
force majeure rule, 4-109:3 [Rev]
midnight deadline, 4-302:5 [Rev], 4-302:7 [Rev]
Filing, continuation statements, 9-403:4
Formation of lease, 2A-204:2
Funds transfers
acceptance of payment order, 4A-209:3
cancellation, passage of time, 4A-211:5
payments, 4A-403:6
rejection of payment orders, 4A-210:2
Issuance, negotiable instruments, 3-105:4 [Rev], 3-108:2 [Rev]
Items
receipt, 4-108:1 [Rev]
return, 4-301:4 [Rev]
Limitation of Actions, this index
Market price, measure of damages, 2-708:1, 2-723:1 to 2-723:3
Maturity, financing statements, 9-403:2
Negotiable instruments, 3-114:1 et seq.
acceleration clauses, 3-108:6 [Rev]
antedated instruments, 3-114:6
antedating, 3-114:2
demand instruments, 3-108 [Rev], 3-108:1 [Rev] to 3-108:3 [Rev]
extensions, 3-108:7 [Rev]
issuance, 3-105:4 [Rev], 3-108:4 [Rev]
knowledge of antedating or postdating, 3-114:5
postdating, 3-114:2, 3-114:3
prepayment clauses, 3-108:6 [Rev]
presumptions, 3-114:6

Master Index-580
New systems requiring extended periods of adjustment, UCITA 609:5
Non-UCC Payment Methods, this index
Notices
alterations, 4-406:5
claims, bills of lading, 7-309:6
creditors, bulk transfers,
6-105:2, 6-105:3
dishonor, 3-503:2 [Rev],
3-508:3, 4-210:2, 4-301:8,
4-301:9
forgeries, 4-406:5
nonpayment, 4-210:2
purchasers, defenses, 3-304:13
unauthorized signatures,
4-406:5
Open performance, 2-309:1
Option to accelerate at will, fixed date of payment, 1-309:1 [Rev]
Ownership and transfer of interests and rights
default rules as to whether and when transfer occurs,
UCITA 501:2
effectiveness of transfer of ownership rights in computer programs, UCITA 501:5
Payments
Generally, 3-506
documentary drafts, 4-101:10
final, availability of credits,
4-213:9
goods, 2-310:2
nonpayment, notice, 4-210:2
2003 and 2005 amendments,
2-307:3
Payor bank action, 4-302:5 [Rev]
Perfection of security interests,
9-303:1, 9-305:5

Preferential transfers, making, 9-204:4
Presentment
generally, 3-501:4, 3-503:1, 3-503:2, 4-301:6, 4-302:6
accelerated date, 3-503:6
bank checks, 3-503:9
cashiers’ checks, 3-503:9
certified checks, 3-503:9
checks, 3-503:8
definite time stated, 3-503:3
demand instruments, 3-503:7, 3-503:10
due date shown, 3-503:5
fixed period after date, 3-503:4
notice, 4-212:1 [Rev]
reasonableness, 3-503:4
tellers’ checks, 3-503:9
Protests, 3-509:5
Reasonable time defined, 1-205 [Rev]
Receipt of items, 4-107:1
Redemption, 8-203:2, 9-506:4
Refunds, 4-212:3
Remittance instrument, action by collecting bank, 4-211:3
Return of items, 4-301:4 [Rev], 4-301:7
Sending, this index
Settlement, 4-213:2 [Rev]
Settlement, action on remittance instrument, 4-211:3
Signing security agreements, 9-203:5
Stop payment orders, 4-403:6
Tender of delivery, 2-503:6
Uniform Computer Information Transactions Act, this index

See also Certificates; Documents of Title
Better, power to transfer, 2-403:1
TITLE—Cont’d
Bulk transfers, defective,
noncompliance, 6-110:1
Cash sales, 2A-304:3, 2-403:3
Collateral, importance, 9-202:1
Definition, 9-102:4
Fraud, 2A-304:4
Goods, 7-303:2, 7-502:1
Goods to be moved
  completion of physical delivery, 2-401:3
  vesting, 2-401:4
Importance
  continued importance, 9-202:2
  [Rev] diminution, 9-202:1, 9-202:1
  [Rev] relevancy, 9-202:1
Imposture, 2A-304:2
Leased goods, 2A-302, 2A-302:1,
  2A-302:2
Negotiable instruments, warranty,
  4-207:13
Retention contracts, 9-102:3
Sale of goods
  Convention on International
  Sale of Goods, 2-401:1
  goods to be moved, completion
  of physical delivery, 2-401:3
  identification, 2-401:2
  passing, 2-401:2
  relationship to buyer and seller
  rights, 2-401:1
  2003 and 2005 amendments,
    2-401:6
Subsequent leases, 2A-304:1
Unaccepted delivery order, title of
  goods based on, 7-503:2
  [Rev]
Vesting
  clause, 9-203:12
  goods not to be moved, 2-401:4
  goods to be moved, 2-401:3
  refusal by buyers, 2-401:5

TITLE—Cont’d
Vesting—Cont’d
  rejection by buyers, 2-401:5
  revocation of acceptance, 2-401:5
Voidable
  cash sales, 2A-304:3, 2-403:3
  fraud, 2A-304:4, 2-403:3
  identity of seller, deceit
    concerning, 2-403:3
  imposture, 2A-304:2
  payments by checks, 2-403:3
  power to transfer, 2-403:2
  purchase transactions, 2A-304:5
  subsequent leases, 2A-304:1
  worthless checks, 2A-304:3
Warranties
  common law, 2-312:1
  duties of buyers, 2-312:2
  against encumbrances, 2-312:2
  exclusion, 2-312:4
  good title, 4-207:13
  infringements, 2-312:3
  modification, 2-312:4
  2003 and 2005 amendments,
    2-312:6
Worthless checks, 2A-304:3

TITLE OF GOODS
  Convention on International Sale
  of Goods, 2-401:1
  Identification, 2-401:2
  Passing, 2-401:2
  Refusal by buyers, 2-401:5
  Rejection by buyers, 2-401:5
  Relationship to buyer and seller
  rights, 2-401:1
  Revocation of acceptance, 2-401:5
  Vesting, 2-401:3, 2-401:4
  Voidable, 2-403:2 to 2-403:5

TITLE RESERVATION AGREEMENT
  Cape Town Convention, this index
TORTS
See also Conversion
Debtors’ acts or omissions, secured parties’ liability, 9-402:1 [Rev]
Implied warranties of merchantability, relationship, 2-314:6
Improper disposition of collateral, damages, 9-507:3
Transfer of claims, excluded transactions, 9-104:12
Warranty of merchantability, relationship with strict liability, 2A-212:14

TRADE SECRETS
Damages for wrongful use of information, UCITA 807:6

TRANSACTIONS
Generally, 10-101:3, 10-101:5
See also Secured Transactions
Automated transactions, UETA 14 et seq.
Defined, UETA 2, UETA 2:1
Effective Date and Repealer, this index
Mutual arrangements, 10-101:3
Nonretroactivity, 10-101:1
Uniform Electronic Transactions Act, this index

TRANSFER AGENTS—Cont’d
Warranties—Cont’d
capacity, 8-208:3
form, 8-208:4
genuineness of security, 8-208:2
1977 amendments, 8-208:5

TRANSFERS
See also Bulk Transfers; Negotiation
Accounts, excluded transactions, 9-104:7
Adverse claims, protection, 8-106:1 [Rev]
After-acquired property, 9-204:4
Attacking, 9-108:3
Avoidance, bankruptcy trustees, 9-301:6
Book entries
generally, 8-320:2
equivalency to delivery, 8-320:4
equivalency to registration, 8-320:5
Government National Mortgage Association (Ginnie Mae), 8-321:6
1977 amendments, 8-320:7
Central depository systems, 8-320:1
Chattel paper, excluded transactions, 9-104:7
Collateral
generally, 9-203:12, 9-504:12
after acquired property clauses, 9-108:3
Collusion, 8-404:5 [Rev]
Court approval, 8-308:9
Definition, 3-201:7, 9-204:4
Delivery, 3-203:2 [Rev], 8-107:1, 8-313:1, 8-314:1
Deposit account funds, rights of transferees, 9-332:1 [Rev]
Disclaimers of warranties, 3-417:11
Elements, delivery, 8-107:1

© 2018 Thomson Reuters, 12/2018

Master Index-583
TRANSFERS—Cont’d
Excluded transactions, 9-104:7
Governmental, excluded transactions, 9-104:6
Government National Mortgage Association (Ginnie Mae), 8-321:6
Holders
due course, shelter provisions, 3-201:3
effect, 3-301:3
rights, 3-201:6
status, 3-201:1 [Rev]
Indorsements
disclaimers of transfer warranties, 3-417:11
failure to obtain, 3-201:9
format, 3-201:4 [Rev]
issuers’ liability, 8-403:6 [Rev], 8-404:2 [Rev]
lack, 8-307:1
names, wrong or misspelled, 3-203:2
necessity, 3-203:7 [Rev], 3-203:8 [Rev]
partial assignment, 3-203:9 [Rev]
right to obtain, 3-201:10
unauthorized, 3-201:4 [Rev], 8-311:1
warranties, 3-417:16
Instructions, issuers’ liability, 8-403:6 [Rev], 8-404:2 [Rev]
Insurance policies, excluded transactions, 9-104:8
Intent, 3-201:7, 3-203:2 [Rev]
Interests in deposit accounts, excluded transactions, 9-104:13
Involuntary, 3-201:1 [Rev]
Judgments, 9-104:9
Lease interests, construction, 2A-303:5
Limited interests, 8-301:6

UNIFORM COMMERCIAL SERIES
Master Index-584
TRANSFERS—Cont’d
Restrictions—Cont’d
  enforcement, 8-204:2
  imposition by issuers, 8-204:2
  indirect holding systems, 8-204:3
  [Rev]
  knowledge, 8-204:5
  1977 amendments, 8-204:6
  notations on securities, 8-204:3, 8-204:4
  notice to registered owner, 8-204:2 [Rev]
  private placements, 8-204:3
  restrictive stock options, 8-204:3
  uncertificated securities, 8-204:2 [Rev]
  warranties, 3-417:13
Rightful
  definition, 8-401:3
  issuers’ duties to register, 8-401:3
  warranties, 4-207:13, 8-306:5 [Rev], 8-312:5
Rights, 8-301:1
  transferees, 7-504:1
  defeating, 7-504:2
Shelter provisions
  generally, 3-203:4 [Rev]
  fraud, 3-201:4
  illegality, 3-201:4
  notice of defenses or claims, 3-201:5
Signatures, warranty, 3-417:14
Stop, 8-403:1 et seq., 8-403:2
Taxes, levy, 8-401:2
Tort claims, excluded transactions, 9-104:12
Transferee
  definition, 3-201:8
  negotiable instruments, alteration, 3-407:2 [Rev]
  rights
    generally, 3-201:1, 3-201:1 [Rev], 3-201:6, 3-201:7,
TRANSFERS—Cont’d
Transferee—Cont’d
  rights—Cont’d
    3-203:1 [Rev], 3-203:3
    [Rev] to 3-203:6 [Rev], 3-203:8 [Rev]
  derivative nature, 3-201:2
  fraud, 3-201:4
  illegality, 3-201:4
  prior holder with notice, 3-201:5
  transfers from holders in due course, 3-201:3
Transferor
  rights, 3-202:10 [Rev], 3-203:3 [Rev]
  warranties, 3-416:1 [Rev] et seq.
Unauthorized indorsements, 8-311:1
Validity
  delivery, 8-308:8
  indorsements, 8-308:8
Voluntary, 3-201:1 [Rev]
Warranties
  generally, 3-417:1, 7-507:1,
    8-108:2 [Rev], 8-108:4 [Rev], 8-306:3
  alteration of instruments, 4-207:15
  breach, accrual of cause of action, 3-417:18
  brokers, 8-102:6 [Rev], 8-108:5 [Rev], 8-306:6
  collecting banks, 4-207:11
  customers, 4-207:11
  damages, 3-416:11 [Rev], 3-417:19, 4-207:20
  defenses not available, 3-417:16
  disclaimers, 3-417:11
  engagement of nonindorser, 4-207:18
  good title, 3-417:13, 4-207:13
  indorser, 3-415:2 [Rev]
TRANSFERS—Cont’d
Warranties—Cont’d
insolvency proceedings, lack of knowledge, 3-417:17, 4-207:17
intermediaries, 8-102:6 [Rev], 8-306:4
items not subject to defenses, 4-207:16
material alterations, 3-417:15, 4-207:15
1977 amendments, 8-306:7
notice of breach, unreasonable delay, 4-207:19
persons making, 3-417:11
pledgees, 8-306:5
recipients, 3-417:12, 4-207:12
rightful transfer, 3-417:13, 4-207:13
signatures, 3-417:14, 4-207:14
statute of limitations, 4-207:19
transferor, 3-416:1 [Rev] et seq.
Without recourse, 3-416:2 [Rev]
Wrongful generally, 8-315:1, 8-403:3 [Rev], 8-404:1 [Rev], 8-404:3 [Rev]
actions against bona fide purchasers, 8-315:3
actions against transferees, 8-315:2
damages, 8-315:2
liability, 8-507:6 [Rev]
1977 amendments, 8-315:5
specific enforcement, 8-315:4

TRANSITIONAL PROVISIONS
Generally, 8-601:1 et seq.
Amendment of existing Art 2A, 2A-601
Applicability, 2A-603
Effective Date and Repealer, this index
Filing requirements, 11-104:1, 11-105:1, 11-106:1
General repeal, 10-103
General rules, 11-103:1
Laws not repealed, 10-104
Pending litigation, 8-603:2 [Rev]
Perfection, grace period, 8-603:4 [Rev]
Preservation of old transition provision, 11-102:1
Priority rules, 11-107:1
Repeals, 8-602:1 [Rev], 8-602:2 [Rev]
Retroactive effect, 8-603:3 [Rev]
Rules, 8-603:1 [Rev]
Savings provisions, 2A-102:1
Specific repeal, 10-102:2
Transferee from fiduciary, protection, 8-602:3 [Rev]
Uniform Act for the Simplification of Fiduciary Security Transfers, repeal, 8-602:2 [Rev]

TRANSMITTING UTILITIES
Definition, 9-105:15, 9-401:6
Filing financing statements, place, 9-401:6

TREATIES
Application, 7-103:1 [Rev]

TRESPASS TO CHATTEL
Control of access after breach, UCITA 814:1

TRIBAL SECURED TRANSACTIONS ACT
See Model Tribal Secured Transactions Act, this index

TRUSTEES
Appointment, evidence, 8-402:4
TRUSTEES—Cont’d
Bankruptcy
lien creditors, 9-301:6
priorities, 9-301:6
Indenture, rights, 8-207:1

TRUSTWORTHY
Third parties, prima facie evidence, 1-307:2 [Rev]

UCC ARTICLE 9
Concepts comparison Cape Town Convention, this index

ULTRA VIRES
Negotiable instruments, 3-207:4

UNAUTHORIZED SIGNATURE
Definition, 1-201 [Rev]

UNCERTIFICATED SECURITIES
Adverse claims, 1977 amendments, 8-403:6
Alterations, 1977 amendments, 8-206:3
Amendments affecting, 8-101:4
Assurances, 1977 amendments, 8-402:7
Attachment, 8-112:1 [Rev]
Completion, 1977 amendments, 8-206:3
Control requirements, 8-106:3
[Rev], 8-303:7 [Rev]
Creation of security interests
junior interests, 8-321:5
senior interests, 8-321:4
Creditor’s legal process, 8-112:1
[Rev]
Creditors’ rights, 1977 amendments, 8-317:9
Definitions, 1977 amendments, 8-102:8, 8-102:10
Definitions, 1994 revision, 8-102:2 [Rev]
Exchanges, 8-407:4

UNCERTIFICATED SECURITIES—Cont’d
Instructions
definition, 8-305:1 [Rev]
incomplete, 8-305:3 [Rev]
instructions without registration, 8-305:2 [Rev]
limitation of originator’s obligation, 8-401:3 [Rev]
Issuers’ rights, treatment of registered owners, 1977 amendments, 8-207:3
Negotiability, 1977 amendments, 8-105:7
1977 amendments, 8-202:8,
8-408:1
Notices, 1977 amendments, 8-408:1
Perfection of security interests
junior interests, 8-321:5
senior interests, 8-321:4
Pledges, 8-321:4, 8-401:2 [Rev]
Pledgers’ rights, 8-108:3
Registered pledges, termination, 8-108:5
Statements, 1977 amendments, 8-408:2
Terms
1994 revision, 8-202:3 [Rev]
1978 version, 8-202:4 [Rev]
Transfer, restrictions, 8-204:2
[Rev]
Unauthorized signatures, 1994 revision, 8-205:2 [Rev]
Warranty on registration, 8-108:3
[Rev]

UNCITRAL 2005 CONVENTION
Automated transactions, UETA 14:2
Change or error, effect of, UETA 10:3
Data message, defined, UETA 2:3
Legal recognition of electronic records, signatures, and contracts, UETA 7:2
UNIFORM COMMERCIAL SERIES

UNCITRAL 2005 CONVENTION—Cont’d
Receipt, UETA 15:2
Retention of electronic records, UETA 12:3
Scope of Convention, UETA 3:4
Time and place of sending, UETA 15:2
Use of electronic records and signatures, UETA 5:2
Written information, satisfying requirement for provision of, UETA 8:4

UNCONSCIONABILITY
Arbitration clauses, UCITA 111:2, UCITA 111:3
Choice of forum, UCITA 110:3
Commercial leases, 2A-108:6
Commercial transactions, 2A-108:6
Consumer leases, 2A-108:6
Consumer transactions, 2A-108:6
Contracts or contractual terms, UCITA 111
Definition, 2A-108:2
Disclaimer of warranties, 2A-214:9
Limitations on doctrine, 2A-108:5
Magnuson-Moss Warranty Act, 2A-108:4
Modification or impairment of remedies, 2A-503:7, 2A-503:8
Procedural unfairness, 2A-108:3
Purpose of doctrine, 2A-108:1
Substantive unfairness, 2A-108:4
Warranties, disclaimers, 2A-214:9

UNDER PROTEST
Reservation of rights, 1-308 [Rev]

UNIDROIT—Cont’d
(UNIDROIT), this index
UNIDROIT CONVENTION ON INTERNATIONAL FINANCIAL LEASING
Cape Town Convention, ICC 9:131
UNIFORM BILLS OF LADING ACT (UBLA)
Application, 7-102:2
Delivery of goods, 7-303:1
Diversions, 7-303:1
History of code, 1-101:1 [Rev]
Introduction, 7-101:1 [Rev]
Specific repeal, 10-102
UNIFORM COMMERCIAL STATUTES
Construction and interpretation, 1-103:3 [Rev]
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT
Acceptance of contracts, copies and breach of, UCITA 704:1, UCITA 707:1
Access and on-line contracts conspicuous terms, UCITA 102:42
case of access after breach, UCITA 814:1
definitions regarding, UCITA 102:9 to 102:11
framework and goals of act, UCITA 103:5
Adequate assurance of performance, breach of contract, UCITA 708
Ancillary service agreements, UCITA 803:9
Anti-UCITA statutes generally, UCITA 103:28 to 103:31

UNIFIED COMMERCIAL SERIES
Master Index-588
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT
—Cont’d
Anti-UCITA statutes—Cont’d commerce clause, violation of, UCITA 103:30
contract clause, violation of, UCITA 103:29
due process and scope of authority, UCITA 103:31
history and development of statutes, UCITA 103:28
Article 9
limitations on electronic self-help, comparison, UCITA 816:3
repossession, UCITA 815:5
Article 2, damages, measurement, UCITA 807:1
Article 2A
limitations on electronic self-help, comparison, UCITA 816:3
repossession, UCITA 815:5
Assurance, breach of contract and adequate assurance of performance, UCITA 708
Authentication
electronic records, UCITA 107
proof and effect of, UCITA 108
Automated systems, definitions regarding contracts or performance by, UCITA 102:12 to 102:14
Background of Act
generally, UCITA 101:1 to 101:3
definitions in Act, UCITA 102:1
drafting of Act, UCITA 101:2
information rather than goods, modern economy as characterized by transactions in, UCITA 101:1

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT
—Cont’d
Background of Act—Cont’d promulgation and contemporary impact of Act, UCITA 101:3
transactions in information rather than goods, modern economy as characterized by transactions in, UCITA 101:1
Breach of contract
generally, UCITA 701 to 710
absence of damages, UCITA 701:4
acceptance, copies and, UCITA 704:1, UCITA 707:1
adequate assurance of performance, UCITA 708
completion of performance after breach, UCITA 812
continuing use after breach, UCITA 813
copies
 cure, copies and, UCITA 704:1
cure and relationship to general performance and handling copies, UCITA 703:1
defective copies, generally, UCITA 704 to 707
ownership and transfer of interests and rights, UCITA 502:1
refusal
generally, UCITA 704:1
duties upon rightful, UCITA 706
relationship to acceptance, cure and revocation, UCITA 704:1
revocation of acceptance, UCITA 707:1
Breach of contract—Cont’d

copies—Cont’d

vested grant of rights, contract with previously, UCITA 705
cure, copies and, UCITA 704:1
cure and relationship to general performance and handling copies, UCITA 703:1
damages, breach in absence of, UCITA 701:4
discontinuing access after breach, UCITA 814:1
material breach
absence of damages, UCITA 701:4
cancellation of contract permitted, when, UCITA 802:6
distinction between material and nonmaterial breach, nature of, UCITA 701:1
infringement, relationship between breach and, UCITA 701:3
no contract definition, UCITA 701:2
performance, generally, UCITA 601:1
prior material breach, UCITA 601:2
ownership and transfer of interests and rights copy, UCITA 502:1
financing arrangements, UCITA 510
repubidation
anticipatory repudiation, generally, UCITA 709
retraction of anticipatory repudiation, UCITA 710

Cancellation of contract generally, UCITA 802:1 to 802:7
contract clauses, effect of, UCITA 802:6
discharge of executory obligations, UCITA 802:3
effect, generally, UCITA 802:2 to 802:5
notice of cancellation, UCITA 802:7
other nonduplicative remedies, availability of, UCITA 802:2
preventing further use, UCITA 802:4
rescission compared, UCITA 802:1
returning materials and copies, UCITA 802:5
termination compared, UCITA 802:1
when cancellation permitted, UCITA 802:6

Change or modification
licensee’s modification of computer program, UCITA 407
warranty, UCITA 406, UCITA 407

Choice of forum, UCITA 110:1, UCITA 110:2
Choice of law, UCITA 109
Clickwrap, terms of records, UCITA 208:3
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT —Cont’d

Commercial practice
generally, UCITA 116
variation by agreement, UCITA 115
Complex negotiations, formation
of contract, UCITA 202:4
Concordance of UCITA 2000 and
2002, UCITA App 1
Conduit liability, Federal Communications Decency Act,
UCITA 404:4
Consent
browsewrap, manifestation of
assent, UCITA 112:3
electronic agents, manifestation
of assent, UCITA 112:7
layered and rolling contracts,
manifestation of assent,
UCITA 112:4
manifestation of assent, UCITA
112:1, UCITA 112:2,
UCITA 208:1
standards for proof of assent,
UCITA 112:6
Consequential damages,
contractual modification of
remedy, UCITA 803:8
Consequential damages, defini-
tions, UCITA 102:56
Conspicuous terms
generally, UCITA 102:38 to
102:43
electronic agents, UCITA
102:43
layered contracts, UCITA
102:41
on-lines terms, UCITA 102:42
safe harbor, UCITA 102:39
when required, UCITA 102:40
Constitutional matters
anti-UCITA statutes, UCITA
103:29 to 103:31

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT —Cont’d

Constitutional matters—Cont’d
First Amendment
contract law rule, juxtaposi-
tion of, UCITA 101:10
implied warranties, UCITA
403:1, UCITA 404:2
Construction
Act, construction of, UCITA
106
Consumer transactions
consumer protection law,
UCITA 104
definitions relating to, UCITA
102:27, UCITA 102:28
Contingencies, contract formation
contingent on later agree-
ment, UCITA 202:3
Contracts
acceptance
generally, UCITA 203
conditional offer or accep-
tance, UCITA 205
conduct, acceptance by,
UCITA 203:1
electronic agents, UCITA
206:1 to 206:3
material variance standard,
UCITA 204:1
varying terms, UCITA 204
access contracts
conspicuous terms, UCITA
102:42
table of control of access after breach,
UCITA 814:1
definitions regarding, UCITA
102:9 to 102:11
framework and goals of act,
UCITA 103:5
adopting terms of records,
UCITA 208
Contracts—Cont’d
agents and installers, manifesting assent via, UCITA 112:8
allocation of risk or burden, variation of agreement by, UCITA 101:9
assent, manifestation of, UCITA 112:1, UCITA 112:2, UCITA 208:1
assent via agents and installers, UCITA 112:8
automated systems, definitions regarding contracts or performance by, UCITA 102:12 to 102:14
browsewrap, manifestation of assent, UCITA 112:3
change or modification
consideration not required, UCITA 303:1
construction, generally, UCITA 302:2
continued use, modifications agreed to by, UCITA 303:2
formation of contract, UCITA 202:1
oral modification, terms preventing, UCITA 303:3
practical construction of contract, relationship to modification of, UCITA 302:2
procedures, contract provisions setting forth modification, UCITA 304:1
relationship to practical construction of modification, UCITA 302:2
change or modification—Cont’d
unilateral amendment of contract, UCITA 305:1
varying terms, acceptance with, UCITA 204
choice of forum, UCITA 110:1, UCITA 110:2
choice of law, UCITA 109
clickwrap and other standards forms, UCITA 208:3
conditional offer or acceptance, UCITA 205, UCITA 205:2
doesnt conduct, terms of contract formed by, UCITA 210
consideration not required to modify, UCITA 303:1
construction
best efforts, UCITA 116:3
express terms requiring good faith or best efforts, UCITA 116:3
good faith, UCITA 116:1 et seq.
interpretations and requirements for grant, UCITA 307:5
modification procedures, contract provisions setting forth contract, UCITA 304:1
performance under open terms, UCITA 306:1 to 306:4
practical construction
generally, UCITA 102:36
commercial faith, UCITA 116:1
course of performance and contract formation, UCITA 302:3
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d
Contracts — Cont’d
collection and acceptance — Cont’d
practical construction — Cont’d
good faith, UCITA 116:1
hierarchy in handling sources of practical construction, UCITA 302:1
preference for, UCITA 302:1
supplemental principles, UCITA 116:1
waiver and modification, relationship to, UCITA 302:2
rescission, UCITA 303
satisfaction, agreement for performance to party’s, UCITA 308
scope and affirmative licensee obligations, UCITA 307:5
unilateral amendment of contract, UCITA 305:1
control terms, right to, UCITA 205:1 to 205:3
course of dealing and trade usage as affecting construction of contract, UCITA 302:3
disclosures in internet-type transactions, pretransaction, UCITA 114
electronic agents, UCITA 206:1 to 206:3
electronic agents, manifestation of assent, UCITA 112:7
express terms
dominance, UCITA 115
good faith or best efforts, UCITA 116:3

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d
Contracts — Cont’d
federal law, relationship of formation of contract provisions to, UCITA 201:1 to 201:3
financing arrangements, definitions relating to, UCITA 102:15 to 102:17
formation of contract generally, UCITA 201 to 207
acceptance, generally, UCITA 203, UCITA 205:2
battle of forms, UCITA 205:3
behavior consistent with condition, UCITA 205:4
complex negotiations and later documentation, UCITA 202:4
conditional offer or acceptance, UCITA 205:2
contingent on later agreement, UCITA 202:3
control terms, right to, UCITA 205:1 to 205:3
electronic agents, UCITA 206:1 to 206:3
emails and confirmations, UCITA 201:3
federal law, relationship to, UCITA 201:1 to 201:3
layered contracts, UCITA 202:3
major variations, UCITA 204:1, UCITA 205:1
material variance standard, UCITA 204:1
modification rights, UCITA 202:1
offer and acceptance, generally, UCITA 203,
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d

Contracts — Cont’d
  formation of contract — Cont’d
    open textured approach, UCITA 205:2
    rationale of statute, UCITA 201:2
    release of informational rights, UCITA 207
    right to control terms, UCITA 205:1 to 205:3
    scope, disagreements about, UCITA 202:2
    statute of frauds, UCITA 201:1 to 201:3
    writing requirement, UCITA 201:1 to 201:3
  freedom of contract, UCITA 101:9
  fundamental public policy and contract terms, UCITA 105:6, UCITA 105:7
  hyperlinks and reason to know, UCITA 113:2
  idea and information submissions, UCITA 215
  installers and agents, manifesting assent via, UCITA 112:8
  layered contracts
    conspicuous terms, UCITA 102:41
    formation of contract, UCITA 202:3
    manifestation of assent, UCITA 112:4
    terms of records, UCITA 208:4
    manifestation of assent, UCITA 112:1, UCITA 112:2, UCITA 208:1

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d

Contracts — Cont’d
  material variance standard, UCITA 204:1
  merger clauses and integrated contracts, UCITA 301:4
  offer and acceptance, generally, UCITA 203, UCITA 205
  opting in or out of UCITA coverage, UCITA 103:16
  policy perspectives in UCITA, UCITA 101:9, UCITA 101:10
  pretransaction disclosures in internet-type transactions, UCITA 114
  public comment prohibitions, UCITA 105:7
  reasonable expectations test, UCITA 208:2
  release of informational rights, UCITA 207
  rescission, UCITA 303
  review terms, opportunity to, UCITA 113:1
  satisfaction, agreement for performance to party’s, UCITA 308
  shrinkwrap agreements, UCITA 208:4
  specific performance, enforcing contracts calling for, UCITA 811:2
  standard forms, UCITA 102:37
  standards for proof of assent, UCITA 112:6
  subject matter of contract, definitions relating to, UCITA 102:52 to 102:55
  terms of contract definitions relating to, UCITA 102:34 to 102:46

Master Index-594
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT—Cont’d
Contracts—Cont’d
terms of contract—Cont’d
preservation of rights, UCITA 105:12
third party users obligated by another’s assent, UCITA 112:9
time or date duration of contract and former section 308, UCITA 306:2 to 306:4
electronic message, effectiveness and acknowledgment of, UCITA 214:1
reasonable time, what constitutes, UCITA 117
unconscionable contracts or terms, UCITA 111
variation by agreement, UCITA 115
varying terms, acceptance with, UCITA 204
waiver, relationship to practical construction of, UCITA 302:2
writing requirement formation of contract, UCITA 201:1 to 201:3
oral modification, terms preventing, UCITA 303:3
Copies
cancellation of contract, returning of copies on, UCITA 802:5
Copyright
access contracts, UCITA 611:2
anti-circumvention rules, UCITA 605:2 to 605:5
competition law, UCITA 105:9
federal preemption, UCITA 105:4

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT—Cont’d
Copyright—Cont’d
first sale and non-contractual copyright notices, UCITA 502:8
free software, UCITA 105:10
intellectual property misuse, UCITA 105:8
notices, UCITA 105:10
right to enjoin future infringement, UCITA 815:4
Damages
generally, UCITA 807 to 810
categories of damages, generally, UCITA 807:2, UCITA 808:1, UCITA 808:4
computation of damages, generally, UCITA 807:1, UCITA 808:1, UCITA 809:1
consequential damages, generally, UCITA 807:2, UCITA 808:4, UCITA 809:1
contractual modification of remedy, UCITA 803:4, UCITA 803:8
direct damages, generally, UCITA 807:2, UCITA 808:4, UCITA 809:1
incidental damages, generally, UCITA 807:2, UCITA 808:4, UCITA 809:1
intellectual property claims, licensor’s alternative basis for recovery, UCITA 808:5
licensee’s damages, UCITA 809, UCITA 809:1
licensor’s damages generally, UCITA 808:1 to 808:5

© 2018 Thomson Reuters, 12/2018 Master Index-595
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT—Cont’d

Damages—Cont’d
licensor’s damages—Cont’d
accepted performances, UCITA 808:2
alternative basis for recovery, UCITA 808:5
consequential and incidental damages, UCITA 808:4
intellectual property claims, alternative basis for recovery, UCITA 808:5
resale, option of, UCITA 808:1
substitute transactions, UCITA 808:3
liquidation of damages, UCITA 804:1, UCITA 804:2
loss avoidance, UCITA 807:4
measurement of damages, generally, UCITA 807
mitigation and loss avoidance, UCITA 807:4
penalty, unenforceability of liquidated damages clause constituting, UCITA 804:2
published information content and consequential loss, UCITA 807:5
recoupment, UCITA 810:1
speculative damages not recoverable, UCITA 807:3
wrongful use of information, compensation for, UCITA 807:6

Data security and privacy, new obligations, UCITA 404:5
Dealers, performance, UCITA 613
Defamation, limitation of actions, UCITA 805:5
Defenses, electronic error, UCITA 213

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT—Cont’d
Definitions
access contract, UCITA 102:10, UCITA 611:1
access material, UCITA 102:11
agreement distinguished, UCITA 102:35
attribution procedure, UCITA 102:49
authenticate, UCITA 102:48
automated transaction, UCITA 102:13
background of definitions, UCITA 102:1
computer, UCITA 102:5
computer information, UCITA 102:6
computer information transaction, UCITA 102:7, UCITA 102:53
computer program, UCITA 102:53
consequential damages, UCITA 102:56
conspicuous terms, UCITA 102:38 to 102:43
customer protection law, UCITA 104
customer transactions, definitions relating to, UCITA 102:27, UCITA 102:28
contractual use term, UCITA 102:44, UCITA 801:2
dealer, UCITA 613
E-commerce, definitions enabling, UCITA 102:47 to 102:51
electronic agent, UCITA 102:14
electronic error, UCITA 213
end user, UCITA 613
exclusive license, UCITA 102:25

Master Index-596
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT—Cont’d
Definitions—Cont’d
financial accommodation contract, UCITA 102:16
financier, UCITA 102:17
function of definitions, UCITA 102:1

Goods, UCITA 102:7.50
information, UCITA 102:4
informational content, UCITA 102:53
informational rights, UCITA 102:55
interpretation of definitions, UCITA 102:1
license, UCITA 102:21
licensee, UCITA 410:2
mass-market licensing transactions, definitions relating to, UCITA 102:29 to 102:33
mass-market transaction, UCITA 102:29
nonexclusive license, UCITA 102:22 to 102:24
published informational content, UCITA 102:54, UCITA 404:2
publisher, UCITA 613
receipt of electronic notice, UCITA 102:51
record, UCITA 102:50
release, UCITA 102:26
scope, UCITA 102:44
statutory scope, definitions primarily relating to, UCITA 102:3 to 102:7.50
subject matter of contract, definitions relating to, UCITA 102:52 to 102:55
substitute transaction, UCITA 808:3
2002 text comparison, UCITA 102:2
Destruction of rights, contract terms, UCITA 105:12
Digital Millennium Copyright Act (DCMA)
access contracts, UCITA 611:2
performance of obligations, UCITA 605:2 to 605:5
right to possession and to prevent use, UCITA 815:5
Distribution chain
ownership and transfer of interests and rights, UCITA 502:7
relevance of license as compared to sale, UCITA 502:7
E-commerce, definitions enabling, UCITA 102:47 to 102:51
Effective date, UCITA provisions, UCITA 902
Electronic agents
generally, UCITA 107:2, UCITA 206:1
Article 2, relations to, UCITA 206:1
automated systems, UCITA 102:14
conspicuous terms, UCITA 102:43
formation of contracts, UCITA 206:1 to 206:3
interactions between, UCITA 206:3
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d

Electronic agents—Cont’d interaction with humans, UCITA 206:2
manifestation of assent, UCITA 112:7
offer and acceptance between, UCITA 206

Electronic contracts
attribution determination, UCITA 212
determining if attribution established, UCITA 212
effective attribution procedures, UCITA 211:1
efficacy and commercial reasonableness of attribution procedure, UCITA 211
error, consumer defense of electronic, UCITA 213
message, effectiveness and acknowledgment of electronic, UCITA 214
proof and effect of attribution, UCITA 108

Electronic records and signatures generally, UCITA 107:1
authentication, UCITA 107
defined, UCITA 102:48
Electronic Signatures in Global and National Commerce Act, relation of UCITA to, UCITA 905:1
legal recognition, UCITA 107

Electronic self-help
generally, UCITA 816:1 to 816:5
Articles 2A and 9, comparison, UCITA 816:3
common law and non-U.C.C. law, UCITA 816:2

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d

Electronic self-help—Cont’d political and legal context of 2000 text limitations on, UCITA 816:1 to 816:3
prohibition of electronic self-help under 2002 text, UCITA 816:4
substantive and procedural limitations under 2000 text, UCITA 816:5
Enforceability, idea and information submissions, UCITA 215
Eviction, warranties, UCITA 401:8

Federal Communications Decency Act, conduit liability, UCITA 404:4

Federal preemption generally, UCITA 105:1
Communications Decency Act, UCITA 404:4
copyright preemption and contract terms, UCITA 105:4
intellectual property preemption, type of, UCITA 105:2
patent preemption of contract terms, UCITA 105:3

First Amendment
contract law rule, juxtaposition of, UCITA 101:10
implied warranties, UCITA 403:1, UCITA 404:2

Forum, choice of, UCITA 110:1, UCITA 110:2

Framework and goals of Act generally, UCITA 103:2 to 103:15
access and internet contracts, UCITA 103:5
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT
—Cont’d
Framework and goals of Act
—Cont’d
characterizing particular subject matter, UCITA 103:10
core transactions and subject matter, generally, UCITA 103:2 to 103:9
develop computer information, contracts to, UCITA 103:3
digital database and data processing contracts, UCITA 103:6
distribution of digital information, agreement for, UCITA 103:7
licenses of digital information, UCITA 103:8
mixed transactions to which Act applicable in part
generally, UCITA 103:11 to 103:15
Article 9, UCITA and, UCITA 103:12
information and goods, UCITA 103:13
motion picture development, UCITA 103:15
not within U.C.C., information and subject matter, UCITA 103:14
transfer computer programs, agreements to, UCITA 103:4
transferring or granting permission to exercise rights in computer information, contracts, UCITA 103:9
Fraud, remedies, UCITA 806
Free software, warranties, UCITA 410, UCITA 410:2
Good faith
generally, UCITA 116

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT
—Cont’d
Good faith—Cont’d
absence of bona fide purchaser defense in licensee transfers, UCITA 506:1
construction, UCITA 116:1 et seq.
Governing law
choice of forum, UCITA 110:1, UCITA 110:2
choice of law, UCITA 109
Governing law in absence of UCITA
generally, UCITA 103:18 to 103:27
Article 2
generally, UCITA 103:19 to 103:21
goods or services, UCITA 103:20
predominant purpose test, UCITA 103:21
data and data processing contracts, UCITA 103:27
development agreements, UCITA 103:24
distribution and franchise contracts, UCITA 103:25
information transactions perspective, UCITA 103:22
licenses of information, UCITA 103:26
specific types of contracts, generally, UCITA 103:23 to 103:27
Grandfather clause, UCITA provisions, UCITA 904
Idea and information submissions, UCITA 215
Impossibility of performance, UCITA 615

© 2018 Thomson Reuters, 12/2018

Master Index-599
Incorporating terms by reference, terms of records, UCITA 208:5

Informational content, immediately completed performance, UCITA 604:2

Information rights, immediately completed performance, UCITA 604:3

Infringement
copy, title to, UCITA 502:1
scope of license, UCITA 307:4

Integrated contracts, UCITA 301:4

Libel, limitation of actions, UCITA 805:5

Licenses
definitions relating to licensing transactions, UCITA 102:18 to 102:26
disclosures in internet-type transactions, pretransaction, UCITA 114
first sale and non-contractual copyright notices, UCITA 502:8
framework and goals of Act, UCITA 103:8
governing law in absence of UCITA, UCITA 103:26
noninfringement warranty, patent licenses excluded from, UCITA 401:3
ownership and transfer of interests and rights
bona fide purchaser defense in licensee transfers, absence of, UCITA 506:1
distribution chain, relevance of license as compared to sale, UCITA 502:7

License—Cont’d
ownership and transfer of interests and rights—Cont’d
nonexclusive licenses nontransferable, UCITA 503:2
relevance of license as compared to sale, UCITA 502:7
policy perspectives in UCITA, UCITA 101:8
scope of license
affirmative licensee obligations, UCITA 307:5
breach of contract, UCITA 307:4
contract terms and scope, UCITA 307:2
express and implied scope terms, UCITA 307:3
importance of scope, UCITA 307:1
infringement, UCITA 307:4
product, license as, UCITA 307:1
source code, UCITA 307:7
use
contractual terms regarding use and scope, UCITA 102:44, UCITA 801:2
licensor’s obligations to enable, UCITA 602:1

Limitation of actions
generally, UCITA 805:1 to 805:5
breach, special types of, UCITA 805:5
contract terms, limitation on, UCITA 805:2
discovery of right of action, UCITA 805:1, UCITA 805:3
Limitation of actions—Cont’d
infringement, UCITA 805:5
libel and slander, UCITA 805:5
misappropriation, UCITA 805:5
scope and applicability of statute, UCITA 805:1
time when action accrues, UCITA 805:3 to 805:5
warranties as to future performance, UCITA 805:4
Limitations of liability in online contracts, UCITA 803:10
Magnuson-Moss Warranty Act, disclaimer of implied warranties, UCITA 406:5
Manifesting assent
 generally, UCITA 112:1
 agents and installers, manifesting assent via, UCITA 112:8
 third party users obligated by another’s assent, UCITA 112:9
Mass-market licensing transactions
definitions relating to, UCITA 102:29 to 102:33
exclusions, UCITA 102:32
general public, information directed to, UCITA 102:31
retail environments and transactions, UCITA 102:30
terms of records, UCITA 209
Material variance standard, acceptance of contract, UCITA 204:1
Merger clauses, UCITA 301:4
Misappropriation
 limitation of actions, UCITA 805:5
UNIFORM COMPUTER
INFORMATION
TRANSACTIONS ACT
—Cont’d
Ownership and transfer of interests and rights—Cont’d
breach of contract
copy, UCITA 502:1
financing arrangements, UCITA 510
contractual interest transfers generally, UCITA 503:1 to 503:5
effect of “no transfer” clause, UCITA 503:3, UCITA 503:4
effect of transfer, UCITA 504
licensee transfers, absence of bona fide purchaser defense in, UCITA 506:1
nonexclusive licenses nontransferable, UCITA 503:2
payment rights, exception for, UCITA 503:4
rule favoring transferability, UCITA 503:1
unauthorized transfer ineffective, UCITA 503:5
copy generally, UCITA 502:1 to 502:6
breach of contract, UCITA 502:1
contract enforcement, UCITA 502:3
federal standards as to when title to copy conveyed, UCITA 502:6
first sale, limited privileges under, UCITA 502:2

UNIFORM COMPUTER
INFORMATION
TRANSACTIONS ACT
—Cont’d
Ownership and transfer of interests and rights—Cont’d
independent contract enforcement, UCITA 502:3
infringement claims, UCITA 502:1
relevance of title to copy, generally, UCITA 502:1 to 502:3
rights ownership as not conveyed by copy transfer, UCITA 501:3
state law standards as to when title to copy conveyed, UCITA 502:5
time when title to copy conveyed, generally, UCITA 502:4 to 502:6
default rules as to whether and when transfer occurs, UCITA 501:2
distribution chain, UCITA 502:7
 divisibility rules restricting transfers of ownership rights in computer programs, UCITA 501:7
elements of a transfer, UCITA 501:1
financing arrangements generally, UCITA 507 to 511
breach of contract, UCITA 510
effect on licensor’s rights, UCITA 511
financier does not become licensee, rules applicable where, UCITA 507
licenses, generally, UCITA 508
Ownership and transfer of interests and rights—Cont’d
financing arrangements—Cont’d
obligations of licensee irrecoverable, UCITA 509
remedies or enforcement, UCITA 510
sublicensor, rules applicable where financier is, UCITA 508
transfer by financier, rules applicable on, UCITA 508
first sale and non-contractual copyright notices, UCITA 502:8
focus points in transactions, UCITA 501:1
licenses
bona fide purchaser defense in licensee transfers, absence of, UCITA 506:1
nonexclusive licenses nontransferable, UCITA 503:2
“no transfer” clause, effect on contractual interests of, UCITA 503:3, UCITA 503:4
performance, delegation of absence of express terms, UCITA 505:1
express terms regulating delegation, UCITA 505:2
sublicensing distinguished, UCITA 505:1
priority statutes restricting rights ownership transfers in computer programs,
registration and priority statutes restricting rights ownership transfers in computer programs, UCITA 501:9
relevance of license as compared to sale, distribution chain, UCITA 502:7
rights ownership transfers in computer programs generally, UCITA 501:2 to 501:5
copy transfer as not conveying rights ownership, UCITA 501:3
divisibility rules, UCITA 501:7
intellectual property issues and restrictions on rights transfer, generally, UCITA 501:6 to 501:9
intent to transfer, UCITA 501:4
priority statutes, UCITA 501:9
registration and priority statutes, UCITA 501:9
statute of frauds restricting transfers, UCITA 501:8
when transfer effective, UCITA 501:5
statute of frauds restricting transfers of ownership rights in computer programs, UCITA 501:8
subcontract, UCITA 505
terminology, UCITA 501:1
time or date
default rules as to whether and when transfer
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d
Ownership and transfer of interests and rights — Cont’d
time or date — Cont’d occurs, UCITA 501:2
when transfer of ownership rights in computer programs effective, UCITA 501:5
unauthorized contractual interest transfers, UCITA 503:5
Parol or extrinsic evidence ambiguous terms, UCITA 301:2
disclaimer of express warranty, UCITA 406:3
federal intellectual property rules, UCITA 301:3
merger clauses and integrated contracts, UCITA 301:4
records vs. extrinsic evidence, UCITA 301:1
Patents
competition law, UCITA 105:9
“free software”, UCITA 105:10
intellectual property misuse, UCITA 105:8
noninfringement warranty, patent licenses excluded from, UCITA 401:3
notices, UCITA 105:10
preemption of contract terms, UCITA 105:3
Performance
generally, UCITA 601 to 618
access, control of, UCITA 814:1
access contracts
generally, UCITA 611:1 to 611:5
defined, UCITA 611:1
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d
Performance — Cont’d
access contracts — Cont’d
download from accessed site, UCITA 611:4
obligation of access provider, UCITA 611:3
sources of control of access, UCITA 611:2
adequate assurance of performance, breach of contract and, UCITA 708
anticipatory repudiation and breach of contract, UCITA 709, UCITA 710
completing performance after breach, UCITA 812
continuing use after breach, UCITA 813
copies, delivery of generally, UCITA 606 to 610
acceptance, rejection and cure
difference between acceptance and rejection, UCITA 609:3
effect of acceptance, UCITA 610
new systems and extended periods of adjustment, UCITA 609:5
relationship between, UCITA 609:1
burden of establishing acceptance, UCITA 610
flawed performance, generally, UCITA 609:2 to 609:5
inspection rights, UCITA 608
loss of copy, risk of, UCITA 614
new systems and extended periods of adjustment,
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d
Performance—Cont’d
copies, delivery of—Cont’d
UCITA 609:5
notice of claims, UCITA 610
payment, UCITA 607, UCITA 608
pure rights transfer or license, UCITA 607:2
requirements for delivery in general, UCITA 606, UCITA 607:1
standards for when acceptance occurs, UCITA 609:4
“copy” rules inapplicable, UCITA 603:2
copyright anti-circumvention rules, UCITA 605:2 to 605:5
correction and support contracts, UCITA 612
dealers, contracts involving, UCITA 613
default rules associated with performance obligations, UCITA 601:1
Digital Millennium Copyright Act (DCMA), UCITA 605:2 to 605:5
electronic regulation of performance generally, UCITA 605:1 to 605:5
copyright anti-circumvention rules, UCITA 605:2 to 605:5
technology as adjunct of contract, UCITA 605:1
default rules associated with performance obligations, UCITA 601:1
EU issues and online contracts, UCITA 611:5

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d
Performance—Cont’d
excuse by failure of presupposed conditions, UCITA 615
immediately completed performance generally, UCITA 604, UCITA 604:1
informational content, UCITA 604:2
information rights, UCITA 604:3
impossibility, UCITA 615
inspection rights regarding copies, UCITA 608
licensor’s obligations to enable use, UCITA 602:1
loss of copy, risk of, UCITA 614
material breach of contract, UCITA 601:1
notice acceptance, UCITA 610
copies, notice of acceptance, UCITA 610
standards for termination of contract, UCITA 617:2
termination of contract, UCITA 617
online contracts and EU, UCITA 611:5
open terms, performance of contract under, UCITA 306:1 to 306:4
publisher-end user relationship, UCITA 613:1
publishers, contracts involving, UCITA 613
remedies related to performance generally, UCITA 811 to 816
access, control of, UCITA 814:1

© 2018 Thomson Reuters, 12/2018
Master Index-605
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT

Performance—Cont’d
remedies related to performance —Cont’d
completing performance, UCITA 812
continuing use, UCITA 813
specific performance, UCITA 811, UCITA 811:2

special type of contacts
correction and support contracts, UCITA 612
publisher-end user relationship, UCITA 613:1
publishers, dealers and end users, UCITA 613
support contracts, UCITA 612
specific performance, UCITA 811, UCITA 811:2
submissions of information to satisfaction of party, UCITA 603:1, UCITA 603:2
termination of contract
effect of, UCITA 618:1
notice of, UCITA 617
return of subject matter, UCITA 618:3
rights to use, termination, UCITA 618:2
standards for termination of contract, UCITA 617:2
survival of obligation, UCITA 616, UCITA 618:1
time where new systems require extended periods of adjustment, UCITA 609:5

Policy perspectives

generally, UCITA 101:6 to 101:10

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT

Policy perspectives—Cont’d
fundamental public policy and contract terms, UCITA 105:6, UCITA 105:7
Posting and implied license, UCITA 307:6
Predominant purpose test, governing law in absence of UCITA, UCITA 103:21
Preservation of rights, contract terms, UCITA 105:12
Previous rights and transactions, UCITA provisions, UCITA 904
Property law, coexistence of contract law, UCITA 101:10
Public comment prohibitions, fundamental public policy and contract terms, UCITA 105:7
Public domain, warranties, UCITA 401:8
Publishers, performance, UCITA 613

Questions for court, UCITA 117
Receipt of electronic notice, definition, UCITA 102:51

Records

conduct, terms of contract formed by, UCITA 210
conspicuous terms, UCITA 102:39, UCITA 102:40
consumer transactions, UCITA 102:28
defined, UCITA 102:50
E-commerce, UCITA 102:50
electronic message, effectiveness and acknowledgment of, UCITA 214
Emails and confirmations, UCITA 201:3

Master Index-606
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT — Cont’d

Records — Cont’d
extrinsic evidence vs., UCITA 301:1
hyperlinks and reason to know, UCITA 113:2
manifestation of assent, UCITA 112:1, UCITA 208:1
mass-market licenses, UCITA 209
material variance standard, UCITA 204:1
on-line terms and conspicuousness, UCITA 102:42
review record, opportunity to, UCITA 113:1
standard form, UCITA 102:37
terms of records
adoption, generally, UCITA 208:1 to 208:4
clickwrap and other standards forms, UCITA 208:3
layered contracts, UCITA 208:4
manifested assent, UCITA 208:1
reasonable expectations test, UCITA 208:2
shrinkwrap agreements, UCITA 208:4
Recoupment, UCITA 810:1
Release, contract formation and release of informational rights, UCITA 207

Remedies

generally, UCITA 801 to 806
breach and restrictions in contractual use terms, UCITA 801:2
contractual modification of remedy
generally, UCITA 803:1 to 803:8

© 2018 Thomson Reuters, 12/2018
UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT—Cont’d

Remedies—Cont’d
performance, remedies related to—Cont’d
access, control of, UCITA 814:1
completing performance, UCITA 812
continuing use, UCITA 813
specific performance, UCITA 811, UCITA 811:2
property claim issues, UCITA 801:1
recoupment, UCITA 810:1

Repossession
generally, UCITA 815:1 to 815:5
Articles 2A and 9, UCITA 815:5
contract law rights, generally, UCITA 815:1 to 815:3
intellectual property law rights, generally, UCITA 815:4
judicial remedy, UCITA 815:2
self-help remedy, UCITA 815:3

Repudiation, anticipatory repudiation and breach of contract,
UCITA 709, UCITA 710

Rescission
cancellation of contract compared, UCITA 802:1
contracts, generally, UCITA 303

Reverse engineering
generally, UCITA 118:1
contract and information law, UCITA 101:10
contract clauses prohibiting, UCITA 118:2

UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT—Cont’d
Reverse engineering—Cont’d
copyright anti-circumvention rules, UCITA 605:5
federal preemption and contract terms, UCITA 105:4, UCITA 105:6

Safe harbor
conspicuous terms, UCITA 102:39
contract modification procedures, contract provisions setting forth, UCITA 304:1

Scope and terms of act
ideas of UCITA and law revision, UCITA 103:17
limitation of actions, UCITA 805:1
opting in or out of UCITA coverage, UCITA 103:16
statutory scope, definitions primarily relating to, UCITA 102:3 to 102:7.50

Self-help, UCITA 815:3
Severability, UCITA provisions, UCITA 901

Shrinkwrap agreements, terms of records, UCITA 208:4
Slander, limitation of actions, UCITA 805:5

Source code, obligation to provide, licenses, UCITA 307:7
Statute of frauds
generally, UCITA 201:1 to 201:3
rights ownership transfers in computer programs, UCITA 501:8

Subcontract, ownership and transfer of interests and rights, UCITA 505
UNIFORM COMPUTER
INFORMATION
TRANSACTIONS ACT
—Cont’d
Supplemental principles, UCITA 116
Termination, cancellation of contract compared, UCITA 802:1
Third-party beneficiaries, warranties, UCITA 409
Third party users obligated by another’s assent, UCITA 112:9
Time or date computer programs, rights ownership transfers, UCITA 501:5
new systems requiring extended periods of adjustment, UCITA 609:5
ownership and transfer of interests and rights default rules as to whether and when transfer occurs, UCITA 501:2
when transfer of ownership rights in computer programs effective, UCITA 501:5
Trade secrets, damages for wrongful use of information, UCITA 807:6
Trespass to chattel, control of access after breach, UCITA 814:1
Unconscionability arbitration clauses, UCITA 111:2
contracts or contractual terms, UCITA 111
contractual choice of forum, UCITA 110:3
Use end users, contracts involving, UCITA 613

UNIFORM COMPUTER
INFORMATION
TRANSACTIONS ACT
—Cont’d
Use—Cont’d licenses
contractual terms regarding use and scope, UCITA 102:44, UCITA 801:2
licensor’s obligations to enable use, UCITA 602:1
Venue, choice of forum, UCITA 110:1, UCITA 110:2
Waiver breach of contract, waiver of remedy for, UCITA 702
practical construction of contract, UCITA 302:2
Warranties casual transfers of computer information, UCITA 410:1
contractual limitation of remedies, UCITA 803:7
cumulation and conflict of warranties, UCITA 408
disclaimer of warranty generally, UCITA 406:1 to 406:7
express warranties, UCITA 406:2, UCITA 406:3
implied warranties, UCITA 406:4, UCITA 406:5
limited express warranties, UCITA 406:6
Magnuson-Moss Warranty Act, UCITA 406:5
parol evidence, UCITA 406:3
services related contracts, UCITA 406:7
distinctions between different types of, UCITA 401:1
eviction as defense, UCITA 401:8

© 2018 Thomson Reuters, 12/2018
Warranties—Cont’d
express warranties
generally, UCITA 402:1 to 402:4

First Amendment and implied warranties, UCITA 403:1, UCITA 404:2
free software, UCITA 410, UCITA 410:2
implied warranties

contract rather than tort, warranty of accuracy grounded in, UCITA 404:1
data security and privacy, new obligations, UCITA 404:5
Federal Communications Decency Act, UCITA 404:4
merchantability of computer program, exclusion from warranty of, UCITA 403:1
published informational content excluded from warranty, UCITA 404:2
licensee’s purpose
generally, UCITA 405:1 to 405:4
developmental contracts under non-UCITA law, UCITA 405:3
fitness warranty and services issues, UCITA 405:4
reliance on information provider’s expertise, UCITA 405:1
service-goods distinction adapted, UCITA 405:2 to 405:4
services issues, UCITA 405:4
system integration, UCITA 405
Warranties—Cont’d
implied warranties—Cont’d
merchantability of computer program
generally, UCITA 403:1 to 403:3
character of warranty, UCITA 403:2
informational content excluded, UCITA 403:1
ordinary use and characteristics, UCITA 403:3
open source software transactions, UCITA 410:2
system integration, UCITA 405
importance and uniqueness of, UCITA 401:1
informational content
case, UCITA 402:4
licenses
modification of computer program, effect of licensee’s, UCITA 407
noninfringement warranty, patent licenses excluded from, UCITA 401:3
limitation of actions, UCITA 805:4
limited express warranties, disclaimer, UCITA 406:6
Magnumon-Moss Warranty Act, UCITA 406:5
modification of computer program, effect of licensee’s, UCITA 407
noninfringement warranty generally, UCITA 401:2 to 401:5
noninfringement warranty—Cont’d
misappropriation, UCITA 401:4
patent licenses excluded, UCITA 401:3
rightful claim requirement, UCITA 401:5
noninterference, warranty of UCITA 401:6
open source software, UCITA 410:2
public domain as defense, UCITA 401:8
sample or demonstration, creation of warranty by, UCITA 402:3
services related contracts, disclaimer, UCITA 406:7
third-party beneficiaries of warranties, UCITA 409
validity, public domain and eviction as defense, UCITA 401:8
warranty of, UCITA 401:6
validity as defense, UCITA 401:8
Writing requirement generally, UCITA 201:1 to 201:3
rights ownership transfers in computer programs, UCITA 501:8

UNIFORM CONDITIONAL SALES ACT
Specific repeal, 10-102
UNIFORM CONDITIONAL
SALES ACT (USCA)
History of code, 1-101:1 [Rev]

UNIFORM CONSUMER
CREDIT CODE
Credit card transfers,
NONUCCPY 6:39

UNIFORM ELECTRONIC
TRANSACTIONS ACT
(UETA)
Acknowledgment, UETA 11,
UETA 11:1
Agreement, defined, UETA 2
Application of law, 7-103:2 [Rev]
Attribution, electronic record and
signature, UETA 9, UETA
9:1
Automated transactions
generally, UETA 14:1
federal E-Sign, UETA 14:2
official comment, UETA 14
statutory text, UETA 14
2005 Convention, UETA 14:2
Automatic transaction, defined,
UETA 2
Bills of lading, 7-102:2 [Rev]
Change or error
generally, UETA 10
federal E-Sign, UETA 10:2
related law
federal E-Sign, UETA 10:2
2005 Convention, UETA
10:3
statutory text, UETA 10
2005 Convention, UETA 10:3
Citation of Act, UETA 1
Computer program, defined,
UETA 2
Construction and application
official comment, UETA 6
statutory text, UETA 6
Construction and interpretation,
1-103:5 [Rev]

UNIFORM ELECTRONIC
TRANSACTIONS ACT
(UETA)—Cont’d
Consumer protection, satisfying
requirement for provision of
written information, UETA
8:3
Contract
defined, UETA 2
leases, 2A-222:2
legal recognition of electronic
contracts, UETA 7:2
Control of electronic document of
title, 7-106:1 [Rev]
Definitions
generally, UETA 2
federal E-Sign, UETA 2:2
international developments,
UETA 2:3
official comment, UETA 2
related law
federal E-Sign, UETA 2:2
international developments,
UETA 2:3
statutory text, UETA 2
transaction, UETA 2:1
transferable record, UETA 16
Electronic, defined, UETA 2
Electronic agent, defined, UETA 2
Electronic record
attribution and effect, UETA 9,
UETA 9:1
defined, UETA 2
government agencies
acceptance and distribution
of electronic records,
UETA 18
creation and retention of
electronic records,
UETA 17
legal recognition
federal E-Sign and 2005
Convention, UETA 7:2
history, analysis, and cases,
UETA 7:1
UNIFORM ELECTRONIC TRANSACTIONS ACT (UETA)—Cont’d
Electronic record—Cont’d
legal recognition—Cont’d
official comment, UETA 7
statutory text, UETA 7
original, presentation or retention, UETA 12 et seq.
retention
generally, UETA 12:1
federal E-Sign, UETA 12:2
government agencies, UETA 17
related law
federal E-Sign, UETA 12:2
2005 Convention, UETA 12:3
statutory text, UETA 12
2005 Convention, UETA 12:3
use of
federal E-Sign and 2005 Convention, UETA 5:2
history, analysis, and cases, UETA 5:1
official comment, UETA 5
statutory text, UETA 5
Electronic signature
attribution and effect, UETA 9, UETA 9:1
defined, UETA 2, UETA 2:0.50
federal E-Sign, below
legal recognition
federal E-Sign and 2005 Convention, UETA 7:2
history, analysis, and cases, UETA 7:1
official comment, UETA 7
statutory text, UETA 7
use of
federal E-Sign and 2005 Convention, UETA 5:2

UNIFORM ELECTRONIC TRANSACTIONS ACT (UETA)—Cont’d
Electronic signature—Cont’d
use of—Cont’d
history, analysis, and cases, UETA 5:1
official comment, UETA 5
statutory text, UETA 5
Electronic Signatures in Global and National Commerce Act, 1-108:1 [Rev]
Evidence, admissibility, UETA 13, UETA 13:1
Exclusion, 7-101:1
Federal E-Sign
acknowledgment, relation to E-Sign, UETA 11:1
automated transactions, UETA 14:2
change or error, effect of, UETA 10:2
defined, UETA 2:2
E-Sign shield, UETA 3:3
interoperability, UETA 19:2
legal recognition of electronic records, signatures, and contracts, UETA 7:2
limitations, UETA 3:1
notarization, relation to E-Sign, UETA 11:1
receipt, UETA 15:2
retention of electronic records, UETA 12:2
scope, UETA 3:2
time and place of sending, UETA 15:2
UETA preemption by E-Sign, UETA 3:3
use of electronic records and signatures, UETA 5:2
written information, satisfying requirement for provision of, UETA 8:2, UETA 8:3

© 2018 Thomson Reuters, 12/2018
Master Index-613
UNIFORM ELECTRONIC TRANSACTIONS ACT (UETA)—Cont’d

Government agencies
acceptance and distribution of electronic records, UETA 18

cases, UETA 18.1
creation and retention of electronic records and conversion of written records, UETA 17
defined, UETA 2
interoperability, UETA 19

Information, defined, UETA 2
Information processing system, defined, UETA 2
Interoperability
federal E-Sign, UETA 19:2
history, analysis, and cases, UETA 19
official comments, UETA 19
related law
federal E-Sign, UETA 19:2
Uniform Real Property Electronic Recording Act, UETA 19:3
statutory text, UETA 19
Uniform Real Property Electronic Recording Act, UETA 19:3

Keystroke error, UETA 10 et seq.
Legal recognition, UETA 7 et seq., 2A-222:2
Notarization, UETA 11, UETA 11:1

Official comments
acknowledgment, UETA 11
attribution and effect of electronic record and signature, UETA 9
automated transactions, UETA 14
change or error, effect of, UETA 10

UNIFORM ELECTRONIC TRANSACTIONS ACT (UETA)—Cont’d

Official comments—Cont’d
construction and application, UETA 6
definitions, UETA 2
evidence, admissibility, UETA 13
interoperability, UETA 19
legal recognition of electronic records, signatures, and contracts, UETA 7
notarization, UETA 11
originals, UETA 12
presentation of records, UETA 8
prospective application, UETA 4
receipt, UETA 15
retention of electronic records, UETA 12
scope of act, UETA 3
time of place of sending, UETA 15
transferable records, UETA 16
use of electronic records and signatures, UETA 5
variation by agreement, UETA 5
written information, provision of, UETA 8

Original, presentation or retention of original record, UETA 12 et seq.

Person, defined, UETA 2
Preemption, UETA preemption by E-Sign, UETA 3:3
Prospective application, UETA 4, UETA 4:1

Real property. Uniform Real Property Electronic Recording Act (URPERA), below
Receipt, generally, UETA 15 et seq.
UNIFORM ELECTRONIC TRANSACTIONS ACT (UETA)—Cont’d

Recognition, legal recognition of electronic records, signatures, and contracts, UETA 7 et seq.

Record defined, UETA 2
electronic record, above presentation of records, UETA 8 et seq.
transferable records, UETA 16, UETA 16:1

Scope of Act
generally, UETA 3:1
additional state exclusions, UETA 3:1
international developments, UETA 3:4
official comment, UETA 3
statutory text, UETA 3

Security procedure, defined, UETA 2

Sending
time and place generally, UETA 15:1
federal E-Sign, UETA 15:2
statutory text, UETA 15
2005 Convention, UETA 15:2

Short title, UETA 1
State, defined, UETA 2

Transaction
automated transactions, UETA 14 et seq.
defined, UETA 2, UETA 2:1
Transferable records, UETA 16, UETA 16:1

UNCITRAL 2005 Convention
automated transactions, UETA 14:2
change or error, effect of, UETA 10:3

© 2018 Thomson Reuters, 12/2018

UNIFORM ELECTRONIC TRANSACTIONS ACT (UETA)—Cont’d

UNCITRAL 2005 Convention —Cont’d
data message, defined, UETA 2:3
legal recognition of electronic records, signatures, and contracts, UETA 7:2
receipt, UETA 15:2
retention of electronic records, UETA 12:3
scope of Convention, UETA 3:4
time and place of sending, UETA 15:2
use of electronic records and signatures, UETA 5:2
written information, satisfying requirement for provision of, UETA 8:4
Uniform Real Property Electronic Recording Act (URPERA) interoperability, UETA 19:3
notarizations, electronic, UETA 11:1

Variation by agreement, use of electronic records and signatures, UETA 5 et seq.
Warehouse receipts, 7-102:3 [Rev]

Written information satisfying requirement for generally, UETA 8:1
consumer protections under federal E-Sign, UETA 8:3
federal E-Sign, UETA 8:2
official comment, UETA 8
related law consumer protections under federal E-Sign, UETA 8:3
federal E-Sign, UETA 8:2
UNIFORM ELECTRONIC TRANSACTIONS ACT (UETA)—Cont’d
Written information—Cont’d
satisfying requirement for related law—Cont’d
2005 Convention, UETA 8:4
statutory text, UETA 8
2005 Convention, UETA 8:4

UNIFORM FORMS
Safe harbor forms generally, 9-521 [Rev]
amendments, 9-521:3 [Rev]
amendments of 2010, 9-521:4 [Rev]
financing statements, 9-521:2 [Rev]

UNIFORM LAWS
See also Uniform Bills of Lading Act (UBLA); Uniform Warehouse Receipts Act (UWRA)
Consumer Credit Act
leases, 2A-104:1
unconscionability doctrine, 2A-108:1
Consumer Credit Code
default, 2A-501:4
holder in due course status, 3-302:10
leases, 2A-104:1
lessor’s right to possession, 2A-525:10
unconscionability doctrine, 2A-108:1
Fraudulent Conveyance Act, 6-101:1
Revised Sales Act, privity limitations, 2A-216:1
Sales Act
affirmations and promises of fact, 2A-210:3

UNIFORM LAWS—Cont’d
Sales Act—Cont’d
diagonal privity, 2-318:1
estoppel, 2-403:1
express warranties, 2A-210:7
F.O.B., 2-319:2
fraudulent retention of possession, 2-402:1
horizontal privity, 2-318:1
open price terms, 2-305:1
special incidents, 2-327:1
specific performance, availability, 2-716:1
statute of frauds, 2A-201:5, 2-201
part performance, satisfaction, 2-201:7
2003 and 2005 amendments,
2-201:10, 2-207:6,
2-305:5, 2-318:4, 2-402:4,
2-403:5
vertical privity, 2-318:1
voidable title doctrine, 2-403:1
warranty against infringement,
2A-211:4
warranty against interference,
2A-211:1
warranty as basis of bargain,
2A-210:5
warranty of merchantability,
2A-212:3
warranty of title, 2-312:1
against infringement, 2-312:3
2003 and 2005 amendments,
2-312:6
Uniform Electronic Transaction Act (UETA), 2A-222:2

UNIFORM NEGOTIABLE INSTRUMENTS LAW
History of code, 1-101:1 [Rev]
Specific repeal, 10-102

UNIFORM REAL PROPERTY ELECTRONIC RECORDING ACT
Uniform Electronic Transactions Act, this index
UNIFORM REAL PROPERTY ELECTRONIC RECORDING ACT (URPERA)
Interoperability, UETA 19:3
Notarizations, electronic, UETA 11:1

UNIFORM SALES ACT (USA)
Affirmations and promises of fact, 2A-210:3
Construction and interpretation, 1-103:3 [Rev]
Estoppel, 2-403:1
Express warranties, 2A-210:7
Fraudulent retention of possession, 2-402:1
History of code, 1-101:1 [Rev]
Introduction, 7-101:1 [Rev]
Remedies to be liberally administered, 1-305:2 [Rev]
Specific performance, availability, 2-716:1
Specific repeal, 10-102
Statute of frauds, 2A-201:5
2003 and 2005 amendments, 2-402:4, 2-403:5
Voidable title doctrine, 2-403:1
Warranty against infringement, 2A-211:4
Warranty against interference, 2A-211:1
Warranty as basis of bargain, 2A-210:5
Warranty of merchantability, 2A-212:3

UNIFORM STOCK TRANSFER ACT
History of code, 1-101:1 [Rev]
Specific repeal, 10-102

UNIFORM TRUST RECEIPTS ACT
History of code, 1-101:1 [Rev]
Specific repeal, 10-102

UNIFORM WAREHOUSE RECEIPTS ACT (UWRA)
Bailees’ duties, 7-603:1
Delivery of goods, excuses, 7-204:2
Fungible goods, commingling, 7-207:2
History of code, 1-101:1 [Rev]
Introduction, 7-101:1 [Rev]
Prohibitions, 7-204:3
Specific repeal, 10-102
Warehouseman’s liens, 7-209:1
Warehousemen, definition, 7-102:10
Warehouse receipts, lien of warehouseman, 7-209:1 [Rev]

UNILATERAL CONTRACTS
Formation of lease, 2A-206:3
Lease formation, 2A-206:3

UNITED NATIONS CONVENTION ON INTERNATIONAL SALE OF GOODS
Generally, ICC 10:1 et seq.
Acceptances, contract formation, ICC 10:31, ICC 10:33
Actual performance
buyer’s non-damages remedy, ICC 10:65
seller’s non-damages remedy, ICC 10:72
Anticipatory and quasi-anticipatory breach, ICC 10:56
Applicability generally, ICC 10:9
Article 1, ICC 10:10
Article 1(1)(a), ICC 10:11
Article 1(1)(b), ICC 10:12
Article 1, applicability, ICC 10:10
Article 1(1)(a), applicability, ICC 10:11
Article 1(1)(b), applicability, ICC 10:12
UNITED NATIONS
CONVENTION ON
INTERNATIONAL SALE OF
GOODS—Cont’d
Attorneys, importance of CISG,
ICC 10:5
Attributes of CISG, ICC 10:2
Avoidance
avoiding CISG, ICC 10:6
buyer’s non-damages remedy,
ICC 10:69, ICC 10:70
excuse of performance, ICC
10:59 to 10:61, ICC 10:63
seller’s non-damages remedy,
ICC 10:74
Breach
anticipatory and quasi-anticipatory breach, ICC 10:56
fundamental breach, ICC 10:54
installment contract, ICC 10:55
quasi-anticipatory breach, ICC 10:56
Burden of proof, exclusion of issues, ICC 10:17
Buyers
obligations, generally, ICC 10:50 to 10:53
payment of price, ICC 10:51, ICC 10:52
place to pay, ICC 10:52
risk of loss, consequences on buyer, ICC 10:85
taking delivery, ICC 10:53
time to pay, ICC 10:52
Case law, ICC 10:3
Conclusion of contract, ICC 10:34
Contract formation and form acceptance, ICC 10:31, ICC 10:33
basic rules of offer, ICC 10:29
battle of forms, ICC 10:32
conclusion of contract, ICC 10:34
UNITED NATIONS
CONVENTION ON
INTERNATIONAL SALE OF
GOODS—Cont’d
Contract formation and form—Cont’d
contracting into CISG, ICC 10:22
contracting out of CISG, ICC 10:21
course of dealing, ICC 10:35
course of performance, ICC 10:35
effectiveness of offer, ICC 10:30
exclusion of issues, ICC 10:17
form requirements, ICC 10:36
modification of contract, ICC 10:37
offer, ICC 10:28 to 10:37
performance, ICC 10:35
requirements for forms, ICC 10:36
revocation of offer, ICC 10:30
termination of contract, ICC 10:37
timing rules for acceptances, ICC 10:33
usage of trade, ICC 10:35
Contracting into CISG, ICC 10:22
Contracting out of CISG, ICC 10:21
Course of dealing, ICC 10:35
Course of performance, ICC 10:35
Cover, ICC 10:78
Coverage of and exclusions of transactions
excluded transactions, ICC 10:14
goods, generally, ICC 10:15
included transactions, ICC 10:13
mixed sales of goods and services, ICC 10:16
UNITED NATIONS
CONVENTION ON
INTERNATIONAL SALE OF
GOODS—Cont’d
Cure, ICC 10:44
Damages remedies
generally, ICC 10:75 to 10:83
basic rules, ICC 10:75
benefits, return to seller, ICC 10:82
contract-market difference, ICC 10:79
cover, ICC 10:78
coverage of undesignated types of losses, ICC 10:76
interest, ICC 10:81
lost profits, ICC 10:77
mitigation, ICC 10:80
preservation of goods, ICC 10:83
recovery of interest, ICC 10:81
resale, ICC 10:78
return of benefits to seller, ICC 10:82
undesignated types of losses covered, ICC 10:76
Delivery
buyer’s obligation to take delivery, ICC 10:53
document delivery, ICC 10:41
methods, ICC 10:39
places, ICC 10:39
seller’s obligation, ICC 10:38 to 10:41
timing, ICC 10:40
Document delivery, ICC 10:41
Excluded transactions, ICC 10:14
Excuse for lack of notice, ICC 10:47, ICC 10:48
Excuse of performance
avoidance, ICC 10:59 to 10:61, ICC 10:63
basic rules, ICC 10:57
consequences of excuse, ICC 10:58, ICC 10:63
UNITED NATIONS
CONVENTION ON
INTERNATIONAL SALE OF
GOODS—Cont’d
Excuse of performance—Cont’d
impediments, ICC 10:57, ICC 10:58
limitation on consequences of loss of right in case of avoidance, ICC 10:63
loss of excuse due to other party’s non-performance, ICC 10:62
restitutionary recovery, ICC 10:60, ICC 10:61
third party fault, ICC 10:58
variance by agreement, ICC 10:58
Filling gaps in CISG, ICC 10:24
Formation of contracts, exclusion of issues, ICC 10:17
Freedom from claims to goods, ICC 10:43 to 10:49
Fundamental breach, ICC 10:54
Goods, coverage of and exclusions of transactions, generally, ICC 10:15
Implementation in U.S., ICC 10:4
Importance to U.S. lawyers, ICC 10:5
Included transactions, coverage, ICC 10:13
Inspection, ICC 10:45
Installment contract breach, ICC 10:55
Interest recovery, ICC 10:81
Interpretation of action of parties
objective rule, ICC 10:26
relevant circumstances, ICC 10:27
subjective intent, ICC 10:25
Interpretation of CISG, ICC 10:23
Issued excluded burden of proof, ICC 10:17
UNITED NATIONS
CONVENTION ON
INTERNATIONAL SALE OF
GOODS—Cont’d
Issued excluded—Cont’d
formation of contracts, ICC
10:17
other issues, ICC 10:20
property, ICC 10:19
validity, ICC 10:18
Knowledge of seller, ICC 10:47
Lost profits, ICC 10:77
Methods of delivery, ICC 10:39
Mitigation of damages, ICC 10:80
Mixed sales of goods and services, ICC 10:16
Modification of contract, ICC 10:37
Non-damages remedies of buyer generally, ICC 10:64 to 10:70
actual performance, ICC 10:65
avoidance, ICC 10:69, ICC 10:70
price reduction, ICC 10:67
reasonable time for performance, right to fix, ICC 10:66
refusal, ICC 10:68
time for performance, right to fix, ICC 10:66
Non-damages remedies of seller generally, ICC 10:71 to 10:74
actual performance, ICC 10:72
avoidance, ICC 10:74
self-help for seller, ICC 10:73
Objective rule, interpretation of action of parties, ICC 10:26
Obligations of buyers, ICC 10:50 to 10:53
Obligations of sellers, ICC 10:38 to 10:49
Offers, ICC 10:28 to 10:31
Other issues excluded, ICC 10:20

UNITED NATIONS
CONVENTION ON
INTERNATIONAL SALE OF
GOODS—Cont’d
Performance
actual performance as non-damages remedy, ICC 10:72
contract formation and form, ICC 10:35
reasonable time, right of buyer to fix, ICC 10:66
Places of delivery, ICC 10:39
Preservation of goods, ICC 10:83
Price
buyer’s obligation to pay price, ICC 10:51, ICC 10:52
reduction, buyer’s non-damages remedy, ICC 10:67
Property, exclusion of issues, ICC 10:19
Quasi-anticipatory breach, ICC 10:56
Refusal by buyer, ICC 10:68
Relevant circumstances, interpretation of action of parties, ICC 10:27
Resale, ICC 10:78
Return of benefits to seller, ICC 10:82
Revocation of offer, ICC 10:30
Risk of loss
basic rules, ICC 10:84
consequences of risk on buyer, ICC 10:85
goods not in transit, ICC 10:87
non-transit goods, ICC 10:87
passage in transit cases, ICC 10:86
Self-help for seller, ICC 10:73
Sellers
exclusion of issues, ICC 10:20
excuse for lack of notice, ICC 10:47, ICC 10:48
UNITED NATIONS
CONVENTION ON
INTERNATIONAL SALE OF
GOODS—Cont’d
Sellers—Cont’d
freedom from claims to goods,
ICC 10:43 to 10:49
inspection, ICC 10:45
knowledge of seller, ICC 10:47
notice, excuse for lack of, ICC
10:47, ICC 10:48
notice of nonconformity, ICC
10:46
obligations, ICC 10:38 to
10:49
quality and quantity of goods,
ICC 10:42
third party claims, ICC 10:49
Structure of CISG, overview, ICC
10:8
Subjective intent, interpretation of
action of parties, ICC 10:25
Termination of contract, ICC
10:37
Third party
excuse of performance, ICC
10:58
seller’s freedom for claims to
goods, ICC 10:49
Timing of delivery, ICC 10:40
Timing rules for acceptances, ICC
10:33
Usage of trade, ICC 10:35
Validity, exclusion of issues, ICC
10:18

UNITED STATES
Statutes, 7-103:1 [Rev]

UNITED STATES WAREHOUSE
ACT (USWA)
Application of law, 7-103:1 [Rev]
Fungible goods, commingling,
7-207:2
Provisions, 7-103:3

UNIVERSAL CUSTOMS
Course of performance, course of
dealing, and usage of trade,
1-303:4 [Rev]

UNJUST ENRICHMENT
Estoppel, statute of frauds,
2A-201:9

UNLESS OTHERWISE AGREED
Territorial applicability and gen-
eral rules, 1-302 [Rev]

USAGE OF TRADE
CISG, ICC 10:35
Course of Performance, Course of
Dealing, and Usage of Trade,
this index
Evidence, 2-202:4
Parol evidence, 2A-202:3
Use, 2-202:4

USE
End users, contracts involving,
UCITA 613
Licenses
contractual terms regarding use
and scope, UCITA 102:44,
UCITA 801:2
licensor’s obligations to enable
use, UCITA 602:1
Repossession, this index
Uniform Computer Information
Transactions Act, this index

VALIDITY
CISG, excluded issues, ICC 10:18
Severability, invalidity of provi-
sions or clauses of code,
1-105 [Rev]

VALIDITY OF SECURITIES
Governmental, 8-202:4
Issuance without authority,
8-202:4
Nongovernmental, 8-202:4
Staleness, 8-203:1
Statutory violations, 8-202:4
VALUE
Generally, 1-204 [Rev]
Actual use, 9-107:4
Bona fide purchaser, requirement, 8-302:3
Changes in Code, 1-204 [Rev]
Definition, 1-204 [Rev]
Disposal of goods, release rent, 2A-527:1
Giving, 8-302:3, 9-203:11 [Rev], 9-301:7
definition, 9-308:2
methods, 9-203:11
prior to attachment of security interests, 9-203:11
prior to enforcement, 9-203:11
timing, 9-203:11 [Rev]
Official Code text and comments, 1-204 [Rev]
Purchase money security interests, 9-107:2, 9-203:11
Requirements, 9-203:11, 9-206:3
Revocation of acceptance, substantial impairment, 2A-517:3

VARIATION
Duties
generally, 9-602 [Rev], 9-602:1 [Rev]
amendments of 2010, 9-602:2 [Rev]
Rights
generally, 9-602 [Rev], 9-602:1 [Rev]
amendments of 2010, 9-602:2 [Rev]
Use of electronic records and signatures, variation by agreement, UETA 5 et seq.

VARIATION BY AGREEMENT
—Cont’d
Change in Code, 1-302 [Rev]
Electronic records and signatures, use. Uniform Electronic Transactions Act, this index
Freedom of contract, 1-302:1 [Rev]
History, 1-302:1 [Rev]
Intent of rules, 1-302:1 [Rev]
Limitations and restrictions, 1-302:1 [Rev]
1952 Code, 1-302:1 [Rev]
Unless otherwise agreed, 1-302 [Rev]

VARIATIONS OF CODE
Acceptance of goods, 2A-515, 2A-516
Accessions, 2A-310
Actions against third parties, 2A-531
Actions for rent, 2A-529
Anticipatory repudiation, 2A-402
Assurance of performance, 2A-401
Cancellation and termination, 2A-505
Cover, 2A-518
Cure of improper tender or delivery, 2A-513
Damages for default, 2A-528
Damages in regards to accepted goods, 2A-519
Default, 2A-501
Disposal of goods, lessor’s rights, 2A-527
Enforceability, 2A-301
Excused performance, 2A-405, 2A-406
Fixtures, 2A-309
Fraudulent retention of possession, 2A-308
Identification of goods, 2A-524
Incidental and consequential damages of lessee, 2A-520
VARIATIONS OF CODE—Cont’d
Incidental damages, 2A-530
Insolvency of lessor, 2A-522
Installment lease contracts, 2A-510
Irrevocable promises, 2A-407
Lessees, rightfully rejected goods, 2A-512
Lessees’ remedies, 2A-508
Lien, priority, 2A-306, 2A-307
Liquidated damages, 2A-504
Market value, 2A-507
Merchant, rightfully rejected goods, 2A-511
Notice after default, 2A-502
Possession of goods, 2A-525
Rejection of goods, 2A-509
Remedies of lessor, 2A-523
Replevin, 2A-521
Repossession of goods, 2A-525
Residual interest, 2A-532
Retraction of anticipatory repudiation, 2A-403
Revocation of acceptance of goods, 2A-517
Rights and remedies, modification, 2A-503
Specific performance, 2A-521
Statute of limitations, 2A-506
Stoppage in transit, 2A-526
Subordination, 2A-311
Subsequent lease, 2A-304
Substituted performance, 2A-404
Waiver of lessee’s objections to goods, 2A-514

VEHICLE LEASES TO CONSUMERS
Form, App. 2A-A4, App. 2A-A5
Model closed-end or net vehicle lease disclosures, App. 2A-A5
Model open-end or finance vehicle lease disclosures, App. 2A-A4

VENUE
Choice of forum, UCITA 110:1 to 110:3

VERMONT STATUTES AND RULES
Credit Card Transfers, this index

VESTING TITLE
Goods not to be moved, 2-401:4
Goods to be moved, 2-401:3

VIRTUAL CURRENCY TRANSACTIONS
Generally, NONUCCPY 1:27
Disclosure and evidence of transfers, NONUCCPY 3:41
Enforcement generally, NONUCCPY 7:65 to 7:67
federal law, NONUCCPY 7:65 statutes and rules,
NONUCCPY 7:65, 7:66
Payment methods
federal statutes and regulations,
NONUCCPY 2:33
state statutes and regulations,
NONUCCPY 2:34
Regulation of practices
generally, NONUCCPY 6:95 to 6:97
Executive Orders,
NONUCCPY 6:95
federal law and statutes,
NONUCCPY 6:95
state law, NONUCCPY 6:96
Statutes and rules, enforcement,
NONUCCPY 7:65, 7:66

VOCATION OR TRADE
Course of performance, course of dealing, and usage of trade, 1-303 [Rev]

VOIDABLE TITLE
Cash transactions, 2A-304:3
Delivery procured through fraud, 2-403:4
VOIDABLE TITLE—Cont’d
Delivery under transaction of purchase, 2A-304:5
Fraud, 2A-304:4
Imposture, 2A-304:2
Larceny, 2A-304:4
Payments by checks, 2-403:3
Power to transfer, 2-403:2
Transfers to bona fide purchasers for value, 2-403:1
Worthless checks, 2A-304:3

VOUCHING
Generally, 2-607:6
Doctrine, 2A-516:12
Jurisdictional considerations, 2A-516:12
Patent infringement, 2A-516:14
Prior judgment, use, 2A-516:13
Warranty against infringement, 2A-516:14

WAIVER OR RENUNCIATION
Generally, 1-306 [Rev], 9-624 [Rev], 9-624:1 [Rev]
Aggrieved party defined, 1-306:1 [Rev]
Agreement defined, 1-306:2 [Rev]
Authenticated record, 1-306:2 [Rev]
Breach of contract, waiver of remedy for, UCITA 702
Cape Town Convention, waiver of sovereign immunity, ICC 9:35
Changes in Code, 1-306 [Rev]
Claims, 9-206:2, 9-403:1 [Rev]
conditions of enforceability, 9-403:3 [Rev]
test of enforceability, 9-403:2 [Rev]
Common law background, 2A-208:1
Conditional, 2A-107:4
Debtors’ rights after default, 9-501:9

WAIVER OR RENUNCIATION—Cont’d
Default
postdefault, below
rights and duties, 2A-501:9
Defenses, 4-406:9, 9-206:2 to
9-206:4, 9-403:1 [Rev]
conditions of enforceability, 9-403:3 [Rev]
test of enforceability, 9-403:2 [Rev]
Definitions, 2A-107:2, 4-406:9
aggrieved party, 1-306:1 [Rev]
agreement, 1-306:2 [Rev]
authenticated record, 1-306:2 [Rev]
discharged, 1-306:2 [Rev]
released, 1-306:2 [Rev]
renunciation, 1-306:2 [Rev]
waiver, 1-306:2 [Rev]
Delivery, 1-306:5 [Rev]
document, 2A-107:5
statement, 2A-107:5
Discharge, 3-605:4 [Rev]
Discharge, secondary obligors, 3-605:16 [Rev]
Discharged defined, 1-306:2 [Rev]
Formation and construction of lease contract, 2A-208
Funds transfers, performance, 4A-402:6
General provisions, 2A-107:1
Lessee’s objections, 2A-514:1
Mandatory disposition, 9-624:3 [Rev]
Model Tribal Secured Transactions Act, this index
Negotiable instruments, discharge, 3-605:4 [Rev]
Notice of dishonor, 3-504:5 [Rev], 3-511:9, 3-511:10
Notification of disposition, 9-624:2 [Rev]
Objections to goods, 2A-514, 2A-514:1
WAIVER OR RENUNCIATION  —Cont’d
Official Code text and comments, 1-306 [Rev]
Partial discharge, 1-306:3 [Rev], 2A-107:3
Postdefault, 2A-501:9
  conditional, 2A-107:4
  definition, 2A-107:2
  delivery of statement, 2A-107:5
  general provisions, 2A-107:1
  partial discharge, 2A-107:3
Practical construction of contract, UCITA 302:2
Presentments, 3-504:5 [Rev]
Protecting the bargain, 2A-208:7
Protests, 3-511:9, 3-511:10
Records and recordings, 1-306 [Rev]
Redemption periods, 9-506:5
Redemption rights, 9-624:4 [Rev]
Released defined, 1-306:2 [Rev]
Renunciation defined, 1-306:2 [Rev]
Reservation of rights, 1-308:1 [Rev]
Rights
  generally, 9-602 [Rev], 9-602:1 [Rev]
  amendments of 2010, 9-602:2 [Rev]
Safeguarding the bargain, 2A-208:6
Secured parties’ duties after default of debtors, 9-501:9
Uniform Computer Information Transactions Act, this index
Waiver defined, 1-306:2 [Rev]

WAREHOUSE
Defined, 7-102:6 [Rev]

WAREHOUSEMAN’S LIENS
Acknowledgment, 7-209:5
Acknowledgments, 7-209:5
Assertion, 7-403:5

WAREHOUSEMAN’S LIENS  —Cont’d
Bankruptcy avoidance, 7-209:4
Charges, 7-209:3
Effectiveness, 7-209:4
Enforcement
  constitutionality, 7-210:1
  good faith, 7-210:5
  noncompliance, damages, 7-210:5
  procedures, 7-210:2
sales of goods
  advertisements, 7-210:3
  application of proceeds, 7-210:2
  commercially reasonable requirements, 7-210:4
conversion, 7-210:5
descriptions, 7-210:3
noncompliance, 7-210:5
notices, 7-210:3
problems, 7-210:4
redemptions prior, 7-210:2
requirements, 7-210:3
termination of storage, 7-206:1
Entrustment of goods to deliverers, 7-209:4
Expenses, 7-209:3
General, 7-209:2
Household goods, 7-209:4
Loss, 7-209:5
Perfection of security interest, 7-209:4
Possessory status, 7-209:5
Satisfaction, 7-206:2
Specific, 7-209:2
Third-party claims, 7-209:4
Types, 7-209:2
Warehouse receipts, 7-209:1 [Rev]

© 2018 Thomson Reuters, 12/2018
WAREHOUSEMAN'S LIENS
—Cont'd
Warehouse receipts, 7-209:1 [Rev]—Cont’d
household goods, 7-209:4 [Rev]
proceeds of sale, 7-206:1 [Rev]

WAREHOUSE RECEIPTS
Generally, 7-201:1 [Rev] et seq
See also Uniform Warehouse Receipts Act (UWRA)
Actions, commencement, 7-204:5
Actions, provisions, 7-204:5 [Rev]
Advances, made, statement, 7-202:1 [Rev]
Agents, signatures, 7-202:1 [Rev]
Agricultural commodities, 7-201:1 [Rev]
Agricultural products, 7-201:1 [Rev]
Alcoholic beverages, 7-201:1 [Rev]
Alteration, 7-208:1 [Rev]
Alterations, 7-208:1
Amendments, 7-106:1 [Rev]
Attachment of goods, 7-602:1
Avoidance of liability, 7-204:3
Bailees' liens, 7-403:5
Blanks, filling, 7-208:1 [Rev]
Blank spaces, 7-208:1
Bona fide purchaser, 7-501:1 [Rev]
blanks filled in without authority, 7-208:1 [Rev]
judicial process, lien, 7-602:1 [Rev]
sale to enforce warehouseman's lien, 7-210:2 [Rev]
Bond, government, 7-201:1
Burden of proof, 7-204:2 [Rev]
negligence, 7-403:4 [Rev]
Care exercised toward goods, duty of warehouseman, 7-204:1 [Rev]
Claim provisions, 7-204:5
Claims, provisions, 7-204:5 [Rev]
Commercially reasonable, 7-210:3 [Rev]
Commercial storage, 7-210:2 [Rev]
Commingling fungible goods, 7-207:2 [Rev]
Common ownership, 7-202:1 [Rev]
Compliance, contracts or letters of credit, 7-509:1
Constitutionality of enforcement, 7-210:1 [Rev]
Construction against negative implication, 7-105:1
Content of notice, sale for enforcement, 7-210:3 [Rev]
Contrary provisions, 7-202:1 [Rev]
Conversion
bailee, 7-601:1 [Rev]
damages, 7-204:4 [Rev]
delivery of goods under missing document, 7-601:1 [Rev]
title and rights acquired by negotiation, 7-502:1 [Rev]
Damage from other property, 7-204:1 [Rev]
Damages, 7-204:3 [Rev], 7-402:1 [Rev]
conversion, 7-204:4 [Rev]
description of goods, reliance, 7-203:1 [Rev]
enforcement of warehouseman’s lien, 7-210 [Rev]
market value, 7-204:6 [Rev]
measure, 7-204:6 [Rev]
overissue, 7-402:1 [Rev]
Defeat, prior interest, 7-503:1
Definition, 1-201 [Rev], 7-102:3, 7-102:3 [Rev]
WAREHOUSE RECEIPTS
—Cont’d
Delivery, negotiation, 7-501:1  [Rev]
Delivery of goods
adverse claim, 7-603:1  [Rev]
bailee’s duty, 7-403:2  [Rev]
conversion, 7-601:1  [Rev]
demand, 7-206:1  [Rev]
good faith, liability of bailee,
7-404:1  [Rev]
indorsements, 7-506:1  [Rev]
lien, loss, 7-209:5  [Rev]
statement as to delivery,
7-202:1  [Rev]
stoppage by seller, 7-504:3,
7-504:4  [Rev]
title based on unaccepted
delivery order, 7-503:2
[Rev]
Delivery orders, unaccepted,
7-503:2
Demand, delivery of goods,
7-206:1  [Rev]
Demurrage charges, lien of
warehouseman, 7-209  [Rev]
Description of goods, 7-202:1
[Rev]
enforcement of
warehouseman’s lien,
7-210:3  [Rev]
reliance, 7-203:1  [Rev]
Destruction, 7-601:1
Deteriorating goods, right to sell,
7-206:2  [Rev]
Distilled spirits, issuance, 7-201:1
[Rev]
Duly negotiated, 7-501:1
Duplicates, control of electronic
documents, 7-106:1  [Rev]
Duplicates, identification, 7-402:1
Duty of care, warehouseman,
7-204:1  [Rev]
Electronic, 7-104:1
Enforcement of lien, 7-210  [Rev]
Essential terms, 7-202:1
Expenses, preservation or sale of
goods, lien of warehouseman,
7-209:3  [Rev]
Field warehousing arrangement,
7-202:1  [Rev]
Fire, 7-204:1  [Rev]
Forms, 7-202:1, 7-202:1  [Rev]
Fungible goods, 7-205:1, 7-207:2
[Rev]
commingling, effect, 7-207:2
[Rev]
negotiable documents, 7-207:2
[Rev]
nonnegotiable documents,
7-207:2  [Rev]
overissue, liability of
warehousemen, 7-207:2
[Rev]
title, 7-205:1  [Rev]
Furniture, lien, 7-209:4  [Rev]
Future charges, lien of warehouse-
man, 7-209:3  [Rev]
Good faith delivery of goods,
liability of bailee, 7-404:1
[Rev]
Government bond, 7-201:1
Handling charges, 7-202:1  [Rev]
Hazardous goods, 7-206:2  [Rev]
Household goods, liens, 7-209:4
[Rev]
Impairment of other statutes,
7-204  [Rev]
Indorsement, transfer by indorse-
ment, 7-501:1  [Rev]
Indorsements, 7-505:1
Innocent purchaser, 7-208:1
Insertions without authority,
7-208:1  [Rev]
WAREHOUSE RECEIPTS
—Cont’d
Insurance, lien of warehouseman, 7-209:3 [Rev]
Interpleader actions, 7-603:1
Intoxicating liquors, 7-201:1 [Rev]
Irregularity in issue, 7-401:1 [Rev]
Issuance, 7-102:3, 7-201:1, 7-201:1 [Rev], 7-401:1 exceptions, 7-201:1
government bond, 7-201:1
Joint owner, 7-202:1 [Rev]
Labor, lien of warehouseman, 7-209:3 [Rev]
Licenses, issuance, 7-201:1 [Rev]
Limitation of actions, 7-204:5
Limitation of liability, 7-204:3
unexplained loss situations, 7-204:4
Limitations, damages, 7-204:3 [Rev]
Location, warehouse, form, 7-202:1 [Rev]
Loss, 7-601:1
Lost or destroyed property, warehouseman, liabilities, 7-403:4 [Rev]
Market value, 7-204:6 [Rev]
Misdescription, damages, 7-203:1 [Rev]
Negligence, 7-204:1 [Rev]
Negligence, burden of proof, 7-403:4 [Rev]
Negotiability, 7-104:1 [Rev]
Negotiable, 7-104:1, 7-402:1
Negotiable documents control of, 7-106:1 [Rev]
fungible goods, 7-207:2 [Rev]
Negotiation absence, rights of transferees, 7-504:1
delivery, 7-501:1 [Rev]
Noncommercial storage, 7-210:2 [Rev]
Nonnegotiable, 7-104:1, 7-104:1 [Rev], 7-402:1
Nonnegotiable documents control of, 7-106:1 [Rev]
fungible goods, 7-207:2 [Rev]
Non-receipt of goods, damages, 7-203:1 [Rev]
Notice, termination of storage, 7-206:1 [Rev]
Notice of sale, enforcement, 7-210:3 [Rev]
Numbering, 7-202:1 [Rev]
Option, termination of storage, 7-206:1 [Rev]
Optional terms, 7-202:1
Overissue, 7-402:1
fungible goods, liability of warehousemen, 7-207:2 [Rev]
liabilities, 7-402:1 [Rev]
Owner of goods, issuance by, 7-201:1 [Rev]
Possession of goods, 7-502:1
Qualifications, 7-201:1
Rate of storage, 7-202:1 [Rev] liens, 7-209 [Rev]
Repeal of other statutes, 7-204 [Rev]
Resistance in alternative medium, 7-105:1 [Rev]
Sale deterioration of goods, 7-206:2 [Rev]
enforcement of lien, 7-210:2 [Rev]
Security interest, 7-209:2 [Rev]
WAREHOUSE RECEIPTS
—Cont’d
Signature, 7-202:1 [Rev]
Sole owner, 7-202:1 [Rev]
Statements, advances made, 7-202:1 [Rev]
Stolen, 7-601:1
Stoppage of delivery, 7-504:3
Storage and handling charges lien of warehouseman, 7-209:3 [Rev]
terms, 7-202:1 [Rev]
Surrender, 7-403:6
Terminal charges, lien of warehouseman, 7-209:3 [Rev]
Termination of storage, 7-206:1 [Rev]
Term of storage, 7-206:1 [Rev]
Terms, 7-202:1
Theft, 7-204:1 [Rev]
Time limitation provisions, 7-204:5
Title acquired by negotiation, 7-502:1 [Rev]
fungible goods, 7-205:1 [Rev]
Transfers, warranties, 7-507:1
Transportation charges, lien of warehouseman, 7-209:3 [Rev]
Uniform Electronic Transactions Act (UETA), 7-102:3 [Rev]
Warehouseman’s liens, 7-209:1 [Rev]
constitutionality of enforcement, 7-210:1 [Rev]
enforcement, 7-210 [Rev]
form, 7-202:1 [Rev]
household goods, 7-209:4 [Rev]
proceeds of sale, 7-206:1 [Rev]
Warranties, negotiation or transfer, 7-507:1
Writing criteria, 7-202:1

WAREHOUSES AND WAREHOUSEMEN
See also Warehouseman’s Liens; Warehouse Receipts
Acknowledgments, 7-209:5
Auction, 7-210:2 [Rev]
Business of storing goods, 7-102:10
Commercial storage, 7-210:2 [Rev]
Commingling goods, fungible goods, 7-207:2 [Rev]
Conversion, 7-204:4, 7-210:5, 7-403:5
Conversion, sale to enforce lien, 7-210:5 [Rev]
Damages, 7-210:5
Definition, 7-102:1 [Rev], 7-102:10
Excuses, lost, damaged or destroyed goods, 7-204:2
Expenses, preservation or sale of goods, lien of warehouseman, 7-209:3 [Rev]
Future charges, lien of warehouseman, 7-209:3 [Rev]
Liability damages, 7-210:5
limitation, 7-204:3
misdescription of goods, 7-203:1
nonreceipt of goods, 7-203:1
Liens and incumbrances, 7-206:1 [Rev], 7-209:1 [Rev], 7-210 [Rev]
enforcement, 7-210:2 [Rev]
satisfaction, 7-403:1 [Rev]
Limitation of liability, 7-204:3
Lost, damaged or destroyed goods, 7-204:2
Negligence, presumptions, 7-204:2
Noncommercial storage, 7-210:2 [Rev]
WAREHOUSES AND WAREHOUSEMEN—Cont’d
Public sale to enforce lien, 7-210:2 [Rev]
Qualifications, 7-209:1
Risk of loss, goods held without movement, 2A-219:4
Sales
deterioration of goods, 7-206:2 [Rev]
enforcement of lien, 7-210:2 [Rev]
Security interests, agreements required, 7-209:2
Separation of goods fungible goods, exception, 7-207:2
obligation, 7-207:1
Standard of care, 7-204:1
Storage charges, lien, 7-209:3 [Rev]
statement, 7-202:1 [Rev]
Termination of storage hazardous goods, 7-206:2
notification, 7-206:1, 7-206:2
restrictions, 7-206:1
Warehouse receipts, authority to issue, 7-201:1
Writings, receipts, 7-202:1

WARRANTIES—Cont’d
Allergies, merchantability, 2A-212:11
Alterations, 3-406:4, 4-207:8, 4-207:15, 4-401:5, 4-406:6
Authenticating trustees, 8-208:1 et seq.
Bills of lading, negotiation or transfer, 7-507:1
Breach
consequential damages of buyers, 2-715:3
damages, 2A-519:4, 2A-520:10, 2-714:2, 4-202:6 [Rev], 4-207:10, 4-207:20
defenses, 4-208:7 [Rev]
express warranties, 2A-210:11
remedies, 2-313:5
implied warranty of fitness for particular purpose, 2-315:3
implied warranty of merchantability, 2-314:4
infringement, 2A-211:8
interference, 2A-211:8
limitations on recovery, 2-313:6
privity of contract, 2-318:1
2003 and 2005 amendments, 2-318:4
parties to claim, 4-207:4, 4-207:5, 4-207:12
personal injuries, 2A-520:10
presentment
causes of action, accrual, 3-417:9, 4-207:9
damages, 3-417:8 [Rev], 3-417:10
property damage, 2A-520:10
reasonable time for claims, 4-401:5
remedies, 2A-211:8, 2-312:5, 2-313:6
repair and replacement, 2A-519:6
return-item, 4-301:5

Master Index-630
WARRANTIES—Cont’d
Breach—Cont’d
statute of limitations, 4-207:9, 4-207:19
transfers
causes of action, accrual, 3-416:9 [Rev], 3-417:18, 4-207:19
damages, 3-416:10 [Rev], 3-417:19
Casual transfers of computer information, UCITA 410:1
Certificated securities
conflicts with Article 8, 4-102:3 [Rev]
transferor, 8-108:2 [Rev]
Changes, 7-507:1
Circumstances, disclaimers, 2A-211:6
Collecting bank, 7-508:1 [Rev]
Collecting banks, 7-508:1
Commercial paper provisions, bank deposits distinguished, 4-207:2
Conduct, merchantability, 2A-212:6
Conflicts among provisions, UCITA 408, 2A-215, 2A-215:1, 4-207:2
Contractual limitation of remedies, UCITA 803:7
Creation, express, 2A-210:1
Cumulation, UCITA 408, 2A-215
Cumulative effect, 2-317:1
Curing imperfect lessor interest
infringement, 2A-211:7
interference, 2A-211:7
Customers, 4-207:1
Damages
accepted goods, 2A-519:4
breach, 2A-519:4, 2A-520:10
nonwarranty damages
compared, 2A-519:5
Definition, merchantability, 2A-212:7

WARRANTIES—Cont’d
Depositary bank, 4-205:3 [Rev]
Descriptions of goods, 2A-210:7
Diagonal privity, 2A-216:1
Direct holding systems, 8-108:1 [Rev]
casual transfer, 8-109:2 [Rev]
Disclaimers
generally, UCITA 406:1 to 406:7, 2A-214:2 et seq., 2-316:1 to 2-316:6, 3-417:2
agreement of parties, 2A-214:3, 2A-214:4
circumstances, 2A-211:6
examination of goods, 2A-214:5
fitness for particular purpose, 2A-213:5
implied warranties, UCITA 406:4, UCITA 406:5, 2-316:3
contractual terms, 2A-211:5
examination by buyers, 2A-214:5
exclusion or modification, 2A-214:3 et seq.
fitness for particular purpose, 2A-213:5
limitations on effectiveness, 2-316:4
merchantability, 2A-212:5
infringement, 2A-211:5, 2A-211:6, 2A-214:6
interference, 2A-211:5, 2A-211:6, 2A-214:6
liability, 4-207:11
limited express warranties, UCITA 406:6
<table>
<thead>
<tr>
<th>WARRANTIES—Cont’d</th>
<th>WARRANTIES—Cont’d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disclaimers—Cont’d</td>
<td>Forgeries</td>
</tr>
<tr>
<td>merchantability, 2A-212:5</td>
<td>negotiable instruments, 3-405:1</td>
</tr>
<tr>
<td>parol evidence rule, 2A-214:7</td>
<td>signatures, 4-207:14</td>
</tr>
<tr>
<td>presentment of negotiable instruments, 3-417:3 [Rev]</td>
<td>Free software, UCITA 410:1, UCITA 410:2</td>
</tr>
<tr>
<td>remedies, limitation, 2A-214:8</td>
<td>Fungible goods, quality, merchantability, 2A-212:9</td>
</tr>
<tr>
<td>services related contracts, UCITA 406:7</td>
<td>Genuineness of securities, 8-208:2</td>
</tr>
<tr>
<td>third-party beneficiaries, 2A-216:6</td>
<td>Good title, 2-312:1, 4-406:9</td>
</tr>
<tr>
<td>transfers, 3-417:11</td>
<td>breach, 4-207:6</td>
</tr>
<tr>
<td>2003 and 2005 amendments, 2-316:6</td>
<td>liability, 3-406:5</td>
</tr>
<tr>
<td>unconscionability, 2A-214:9</td>
<td>presenting bank, 3-417:6</td>
</tr>
<tr>
<td>Distinctions between different types of, UCITA 401:1</td>
<td>breach, remedies, 2-312:5</td>
</tr>
<tr>
<td>Elimination, 7-507:1</td>
<td>duties of buyers, 2-312:2</td>
</tr>
<tr>
<td>Encoding, 4-209 [Rev]</td>
<td>infringement, 2-312:3</td>
</tr>
<tr>
<td>application, 4-209:2 [Rev]</td>
<td>transfer warranty, 3-417:13</td>
</tr>
<tr>
<td>breach, damages, 4-209:1 [Rev], 4-209:3 [Rev], 4-209:5 [Rev]</td>
<td>Horizontal privity, 2A-216:1</td>
</tr>
<tr>
<td></td>
<td>Implied Warranties, this index</td>
</tr>
<tr>
<td></td>
<td>Importance and uniqueness of, UCITA 401:1</td>
</tr>
<tr>
<td></td>
<td>Indirect holding system conversion to direct holding system, 8-109:3 [Rev]</td>
</tr>
<tr>
<td></td>
<td>Indorsements, 8-312:6</td>
</tr>
<tr>
<td></td>
<td>Indorsers, 8-308:6</td>
</tr>
<tr>
<td></td>
<td>Indorser’s contract distinguished, 4-102:1</td>
</tr>
<tr>
<td></td>
<td>Infringement generally, 2A-211:4</td>
</tr>
<tr>
<td></td>
<td>breach, 2A-211:8</td>
</tr>
<tr>
<td></td>
<td>curing imperfect lessor interest, 2A-211:7</td>
</tr>
<tr>
<td></td>
<td>disclaimer, 2A-211:5, 2A-211:6, 2A-214:6</td>
</tr>
<tr>
<td></td>
<td>vouching, 2A-516:14</td>
</tr>
<tr>
<td></td>
<td>Interference generally, 2A-211:1</td>
</tr>
<tr>
<td></td>
<td>breach, 2A-211:8</td>
</tr>
<tr>
<td></td>
<td>curing imperfect lessor interest, 2A-211:7</td>
</tr>
<tr>
<td></td>
<td>disclaimers, 2A-211:5, 2A-211:6, 2A-214:6</td>
</tr>
<tr>
<td></td>
<td>lessor’s obligation, 2A-211:2</td>
</tr>
<tr>
<td></td>
<td>obligation, 2A-211:2</td>
</tr>
</tbody>
</table>

Master Index-632
WARRANTIES—Cont’d
Intermediaries, 7-508:1
Labeling, merchantability, 2A-212:12
Lease and goods limitations, merchantability, 2A-212:3
Lemon laws, 2-608:5
Lessee misconduct, express, 2A-210:11
Lessee under finance lease, supply contract beneficiary, 2A-209:2
Lessor’s obligation, interference, 2A-211:2
Letters of credit, 5-111:1, 5-111:2
Licenses
  modification of computer program, effect of licensee’s, UCITA 407
  noninfringement warranty, patent licenses excluded from, UCITA 401:3
Limitation of action, 4-207:9
Limitation of actions, UCITA 805:4, 4-207:19
Limitation of remedies, 2A-210:8, 2A-214:8
Limitations, 2A-216:2, 2A-216:6, 7-508:1
Material alterations, 4-207:8, 4-207:15
Merchantability
  generally, 2A-212
  affirmation of fact, 2A-212:13
  allergies, 2A-212:11
  conduct, 2A-212:6
  definition, 2A-212:7
  disclaimers, 2A-212:5
  fit for ordinary purpose, 2A-212:10
  fungible goods, quality, 2A-212:9
WARRANTIES—Cont’d
Merchantability—Cont’d
  labeling, 2A-212:12
  lease and goods limitations, 2A-212:3
  limitations, 2A-212:5
  pass without objection in the trade, 2A-212:8
  reliance, 2A-212:4
  strict tort liability, 2A-212:14
  Merchant limitations, 2A-212:2
  Misconduct by lessee, 2A-210:11
  Models, 2A-210:7, 2A-215:1
  Modification, UCITA 407, 2A-207:1
  Nature of obligation, express, 2A-210:2
  Necessity of lease, express, 2A-210:10
  Negotiation or transfer, 7-507:1, 7-507:1 [Rev]
  Negotiations, 7-507:1
  Noninfringement warranty generally, UCITA 401:2 to 401:5
  misappropriation, UCITA 401:4
  patent licenses excluded, UCITA 401:3
  rightful claim requirement, UCITA 401:5
  Noninterference, warranty of, UCITA 401:6
  Obligation, interference, 2A-211:2
  Open source software, UCITA 410:2
  Opinions, 2A-210:3
  Originator of entitlement orders adverse claims, 8-109:1 [Rev]
  authority, 8-109:1 [Rev]
  Packaging, merchantability, 2A-212:12
  Parol evidence, disclaimers, 2A-214:7

© 2018 Thomson Reuters, 12/2018
WARRANTIES—Cont’d

Particular purpose defined, fitness for particular purpose,
2A-213:3

Pass without objection in the trade, merchantability,
2A-212:8

Personal injuries, breach,
2A-520:10

Pledgees,
8-306:5

Presentment

generally, 3-417:1, 3-417:2, 8-306:1

accrual of cause of action,
3-417:9

alterations, 3-417:9 [Rev], 3-417:12 [Rev], 4-207:8, 4-208:12 [Rev], 4-406:6

applicability, 4-208:1 [Rev]

breach

generally, 3-417:9

charge to customer’s account,
4-401:3

damages, 4-207:10, 4-208:7
[Rev], 4-208:9 [Rev]
defenses, 4-208:7 [Rev], 4-302:6 [Rev]

notice, 4-207:9, 4-208:13 [Rev]

remedy, 3-417:8 [Rev], 3-417:10 [Rev], 3-417:13 [Rev], 4-208:8 [Rev], 4-208:10 [Rev]

cause of action, accrual,
4-208:13 [Rev]
customers, 4-207:4

damages for breach, 3-417:10, 4-207:10

defenses, 3-417:7 [Rev]
disclaimers, 3-417:3 [Rev], 4-208:3 [Rev]
drawee, 3-417:6 [Rev], 3-417:9 [Rev]

entitled to enforce item, 3-417:9 [Rev], 3-417:10 [Rev], 4-208:10 [Rev]

Priorities, order, 2-317:1

Privity

generally, 2-318:2

Alternative A, 2A-216:3

Alternative B, 2A-216:4

Alternative C, 2A-216:5
diagonal, 2A-216:1, 2-318:1

express, 2A-210:10

WARRANTIES—Cont’d

Presentment—Cont’d

exclusiveness, 4-207:3, 4-208:2 [Rev]
good title, 3-417:6, 4-207:6

lack of knowledge of unauthorized signatures, 4-207:7

material alterations, 3-417:8, 4-207:8

1977 amendments, 8-306:7

parties, 4-207:4, 4-208:4 to 4-208:6, 4-208:9 [Rev]

persons making, 3-417:3

presenter, 3-417:4 [Rev], 3-505:6

purposes, 3-417:5

recipients, 3-417:4, 3-417:4 [Rev], 4-207:5

remotely-created checks, 3-417:14 [Rev]

settlement amount, 4-209:5 [Rev]

signatures, 3-417:7, 3-417:9 [Rev], 3-417:11 [Rev]
special purchasers, 8-306:2

statute of limitations, 4-207:9, 4-208:13 [Rev]

transfer, distinguished, 3-417:2 [Rev]

2002 Official Amendments, 3-417:14 [Rev]

unaccepted draft, 3-417:5 [Rev]

unauthorized signatures, lack of knowledge, 3-417:1 [Rev], 4-208:9 [Rev], 4-208:11 [Rev]

Master Index-634
WARRANTIES—Cont’d
Privity—Cont’d
extension of warranties,
2-318:2, 2-318:3
horizontal, 2A-216:1, 2-318:1
limitations, 2A-216:2
2003 and 2005 amendments,
2-318:4
vertical, 2A-216:1, 2-318:1
Promises as part of basis of
bargain, 2A-210:5
Promises not related to goods,
2A-210:4
Promises of fact, 2A-210:3
Promises unrelated to goods,
2A-210:4
Proof, limitations on recovery,
2A-210:7
Property damage, breach,
2A-520:10
Public domain as defense, UCITA
401:8
Puffing, UCITA 402:2
Reason to know requirement, fit-
tness for particular purpose,
2A-213:2
Registrars, 8-208:1 et seq.
Reliance
generally, 8-312:7
fitness for particular purpose,
2A-213:4
merchantability, 2A-212:4
Remedies
for breach, 2A-211:8
disclaimers, 2A-214:8
Repair and replacement
accepted goods, 2A-519:6
breach, 2A-519:6
Retention, 4-209:4 [Rev]
Returning bank, 4-202:6 [Rev]
Return item, 4-301:9 [Rev]
Right to transfer, 3-417:13,
8-312:5
Sample or demonstration, creation
of warranty by, UCITA 402:3

WARRANTIES—Cont’d
Samples and models as bases,
express, 2A-210:7
Services related contracts,
disclaimer of warranty,
UCITA 406:7
Settlement amount, 4-209:5 [Rev]
Signatures
generally, 4-406:9
appropriate person, 8-306:3
[Rev]
appropriate persons, 8-312:3
authority to make, 8-306:3
[Rev]
capacity to make, 8-312:4
capacity to sign, 8-306:4 [Rev]
enforcement, 8-306:9 [Rev]
genuineness, 8-306:2 [Rev],
8-312:1, 8-312:2
1977 amendments, 8-312:8
presentment, 3-417:7
prior to registering transfers,
8-402:2
transfers, 3-417:14
Statute of limitations, 7-507:1
Strict tort liability, merchant-
ability, 2A-212:14
Third-party beneficiaries, UCITA
409, 2A-216:6
Title
causes of action, accrual,
2-725:2
common law, 2-312:1
clearances, 2-312:2
marketable title concept
rejected, UCITA 401:7
validity, public domain and
eviction as defense,
UCITA 401:8
warranty of, UCITA 401:6
Transfer agents, 8-208:1 et seq.
Transfers
generally, 7-507:1, 8-108:4
[Rev], 8-306:3
WARRANTIES—Cont’d
Transfers—Cont’d
absence of indorsements, 4-207:18
accrual of cause of action, 3-417:18
adverse claims, 8-108:2 [Rev]
alterations, 3-416:6 [Rev], 4-207:6 [Rev], 4-207:15
applicability, 4-207 [Rev], 4-207:1, 4-207:1 [Rev]
branch banks, 4-106:3
breach
generally, 3-416:9 [Rev], 3-417:18, 4-207:9 [Rev]
charge backs, 4-212:4
notice, unreasonable delay, 4-207:19
brokers, 8-108:5 [Rev], 8-306:6
collecting bank, 4-207:2 [Rev], 4-207:11
consideration, 4-207:3 [Rev]
customer, 4-207:11
damages, 4-207:10 [Rev], 4-207:20
damages for breach, 3-417:19
defenses
lack, 4-207:7 [Rev]
unavailable, 3-416:7 [Rev], 3-417:16
disclaimers, 3-417:11, 4-207:3 [Rev]
entitled to enforce, 3-416:4 [Rev]
genuineness of signatures, 4-207:14
genuiness, 8-108:2 [Rev]
good faith, 3-416:3 [Rev], 4-207:12
good title, 3-417:13, 4-207:13
indorsements, effectiveness and by appropriate person,
8-108:2 [Rev]
indorser, 3-415:2 [Rev]

WARRANTIES—Cont’d
Transfers—Cont’d
insolvency proceedings, knowledge, 3-416:8 [Rev], 3-417:17, 4-207:8 [Rev], 4-207:17
intermediaries, 8-102:6 [Rev], 8-306:4
items not subject to defenses, 4-207:16
material alterations, 3-417:15, 4-207:15
1977 amendments, 8-306:7
parties, 4-207:4 [Rev]
persons making, 3-417:11
pledgees, 8-306:5
recipients, 3-416:3 [Rev], 3-417:12, 4-207:12
remotely created checks, 3-416:11 [Rev]
restrictions absence of, 8-108:2 [Rev]
rightful transfers, 3-417:13, 4-207:13, 8-306:5 [Rev], 8-312:5
signatures, 3-416:5 [Rev], 3-417:14, 4-207:5 [Rev]
statute of limitations, 4-207:19
terms of engagement of nonindorsers, 4-207:18
transferor, 3-416:1 [Rev] et seq.
2002 Official Amendments, 3-416:11 [Rev]
Types, 4-207:1
Uncertificated securities, transferor, 8-108:2 [Rev]
Unconscionability, 2A-214:9
Validity as defense, UCITA 401:8
Value statement, express, 2A-210:3
Vertical privity, 2A-216:1
Vouching, infringement, 2A-516:14
Waiver, 4-207:1

Master Index-636
WARRANTIES—Cont’d
Warehouse receipts, negotiation or transfer, 7-507:1

WARRANTS
Dock warrants defined, 1-201 [Rev]

WARSAW CONVENTION
Documents of title, scope of Article, 7-103:1

WEIGHER’S CERTIFICATE
Third parties, prima facie evidence, 1-307 [Rev]

WITHDRAWAL
Cape Town Convention, withdrawal of declarations, ICC 9:80, ICC 9:147

WITHOUT PREJUDICE
Reservation of rights, 1-308 [Rev]

WORDS AND PHRASES
Generally, 1-201:1 [Rev], 1-202:1 [Rev], 9-102 [Rev]
Abnormal operating conditions, 4-108:4
Acceleration clause, 2A-501:3, 2A-501:4
Acceptance, 2A-515:1, 2-201:7, 3-409 [Rev], 3-409:1 [Rev], 3-410:1
Acceptance for honor, 3-410:4
Acceptor, 3-103:1 [Rev], 3-103:3 [Rev]
Access contract, UCITA 102, UCITA 102:10, UCITA 611:1
Accession, 2A-310:1, 9-204:3, 9-314:1
Access material, UCITA 102, UCITA 102:11
Accommodated party, 3-419:2 [Rev], 3-419:3 [Rev]
Accommodation party, 3-415:2, 3-419:2 [Rev], 3-419:3 [Rev]

WORDS AND PHRASES—Cont’d
Accord and satisfaction, 2A-508:4
Account, 4-104:1, 4-104:7 [Rev], 4-215:10 [Rev], 9-102:3 [Rev], 9-106:1, 9-318:2
Accountable, 4-213:6
Account debtor, 9-102:4 [Rev], 9-105:2
ACH Transfers, this index
Action, 1-201 [Rev], 1-305:5 [Rev], 9-503:4
Action on security, 8-105:2
Actual authority, 3-403:1
Actual knowledge, 1-202 [Rev], 3-302:12 [Rev]
Additional terms, 2-207:3
Adequate assurance, 2A-401:4, 2-609:1
Adequately contained, packaged and labeled, 2A-212:12
Advance made pursuant to commitment, 9-105:12
Adverse claims, 8-102:8 [Rev], 8-105:1 [Rev], 8-301:5, 8-302:5, 8-403:1
Affirmation, 2-313:2
Afternoon, 4-104:1, 4-104:1 [Rev]
Aggrieved party, UCITA 102, 1-201 [Rev], 1-306:1 [Rev]
Agreement, UCITA 102, 1-201 [Rev], 1-306:2 [Rev], 2-106:1, 2-301:1, 3-117 [Rev], 3-117:1 [Rev], 4-103:1 [Rev], 9-105:13, 9-201:2, 9-207:2, 9-316:1
Agreement distinguished, UCITA 102:35
Agricultural lien, 9-102:5 [Rev]
With all faults, 2A-214:6
Allonge, 3-202:5, 3-204:3 [Rev]
Alteration, 3-407:3 [Rev], 4-207:6 [Rev]
Amendments of 2010, 9-102:19 [Rev]
WORDS AND PHRASES—Cont’d
American depositary receipts, 8-102:4 [Rev]
Anomalous indorsement, 3-205:1 [Rev]
Antecedent debts, 9-301:6
Anticipatory repudiation, 2A-402, 2A-402:1
Apparent authority, 3-403:1
Appropriate person, 8-107:1 [Rev], 8-302:6, 8-308:5
Assets, 6-103:11 [Rev], 6-103:13 [Rev], 6-106:3 [Rev]
Attribution procedure, UCITA 102, UCITA 102:49
Auction without reserve, 2-328:2
Auction with reserve, 2-328:5
Authenticate, UCITA 102, UCITA 102:48
Authenticated record, 1-306:2 [Rev]
Authenticating trustees, 8-406:1
Authorized account, 4A-105:1
Automated transaction, UCITA 102, UCITA 102:13
Background of definitions, UCITA 102:1
Bailees, 7-102:1 [Rev], 7-102:6
Bank, 1-201 [Rev], 3-104:13 [Rev], 3-104:15, 3-802:2, 4A-105:2, 4-105:1, 4-105:1 [Rev], 4-215:10 [Rev]
Banking day, 3-503:2, 4-104:1, 4-104:1 [Rev], 4-107:1, 4-202:7, 4-215:11 [Rev]
Bearer, 1-201 [Rev]
Bearer form, 8-102:1 [Rev], 8-102:3, 8-107:2, 8-302:6
Beneficiary, 4A-103:1, 4A-103:3
Beneficiary’s bank, 4A-103:1, 4A-103:3
Bill of exchange, 3-104:15
Bill of lading, 1-201 [Rev]
Bills of lading, 7-102:2, 7-102:2 [Rev]

WORDS AND PHRASES—Cont’d
Blank indorsements, 3-204:3, 3-205:3 [Rev]
Bona fide purchasers, 8-301:2, 8-303:9 [Rev], 8-307:1
Branch, 1-201 [Rev]
Brokers, 8-102:6 [Rev], 8-303:1, 8-303:3, 8-306:6
In bulk, 6-102:8
Bulk sale, 6-103:3 [Rev]
Bulk transfer, 6-102:2, 9-111:1, 9-301:7
Burden of establishing, UCITA 102, 1-201 [Rev], 8-105:4
Business arrangement, 9-206:4
Business day, 4A-105:4, 4-215:11 [Rev]
Buyer, 2-103:1, 2-304:1
Buyer in ordinary course of business, 1-201 [Rev], 6-102:10, 7-504:2, 9-301:7, 9-307:2
Buyer not in ordinary course of business, 9-301:7
C.A.F., 2A-219:3
Cancellation, UCITA 102, 2A-523:3, 2-106:4, 2-703:3
Cape Town Convention, this index
Carrier, 7-102:6 [Rev]
Cashier’s check, 3-104:16
Cash item, 4-101:1, 4-101:4 [Rev], 4-101:9
Certificated securities, 8-102:2 [Rev], 8-102:7 to 8-102:9
1977 amendments, 8-102:9
Certificate of deposit, 3-102:10, 3-103:4 [Rev], 3-104:13 [Rev], 3-104:15
Certification, 3-410:1, 3-411:1
Certified checks, 3-104:19
C. & F., 2-320:3
Change of position, 3-418:5 [Rev]
Check, 3-104:13 [Rev], 3-104:15, 3-411:1, 4-101:14

Master Index-638
<table>
<thead>
<tr>
<th>WORDS AND PHRASES—Cont’d</th>
<th>WORDS AND PHRASES—Cont’d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Check kiter, 4-104:3</td>
<td>Consignor, 7-102:7, 7-102:7 [Rev]</td>
</tr>
<tr>
<td>Check truncation, 4-101:14</td>
<td>Conspicuous, UCITA 102, 1-201 [Rev], 8-204:4</td>
</tr>
<tr>
<td>Claim, 6-103:12 [Rev], 6-104:3 [Rev], 6-105:2 [Rev]</td>
<td>Conspicuous statement, 3-311:2 [Rev]</td>
</tr>
<tr>
<td>Claimant, 6-103:12 [Rev], 6-104:3 [Rev], 6-105:2 [Rev]</td>
<td>Conspicuous terms, UCITA 102:38 to 102:43</td>
</tr>
<tr>
<td>Clean draft, 4-101:11</td>
<td>Construction and interpretation, 1-103:4 [Rev]</td>
</tr>
<tr>
<td>Clearing corporation, 8-102:5, 8-102:5 [Rev]</td>
<td>Construction mortgage, 9-313:4</td>
</tr>
<tr>
<td>Clearinghouse, 4-103:6, 4-104:2 [Rev]</td>
<td>Constructive delivery, 3-102:3</td>
</tr>
<tr>
<td>Collateral, 4-208:1, 9-105:4</td>
<td>Consumer, NONUCCPY 2:17, UCITA 102, 1-201 [Rev]</td>
</tr>
<tr>
<td>Collateral acceptances, 3-401:6</td>
<td>Consumer account, 3-103:7 [Rev], 3-103:12 [Rev]</td>
</tr>
<tr>
<td>Collecting bank, 3-120:3, 4-105:4, 4-105:4 [Rev], 9-302:10</td>
<td>Consumer contract, UCITA 102</td>
</tr>
<tr>
<td>Commercial reasonableness, 9-504:4, 9-504:10</td>
<td>Consumer credit contract, 3-302:8 [Rev], 3-302:9</td>
</tr>
<tr>
<td>Communicate, 8-102:9 [Rev]</td>
<td>Consumer leases, 2A-103:2</td>
</tr>
<tr>
<td>Computer, UCITA 102, UCITA 102:5</td>
<td>Consumer protection law, UCITA 104</td>
</tr>
<tr>
<td>Computer information, UCITA 102, UCITA 102:6</td>
<td>Consumer transaction, 3-103:8 [Rev], 3-302:8</td>
</tr>
<tr>
<td>Computer information transactions, UCITA 103</td>
<td>Contemporaneous oral agreement, 2-202:3</td>
</tr>
<tr>
<td>Computer program, UCITA 102, UCITA 102:53</td>
<td>Contract, UCITA 102, 1-201 [Rev], 2-106:1 to 2-106:5, 2-301:1</td>
</tr>
<tr>
<td>Concealment, 6-111:2</td>
<td>Contract fee, UCITA 102</td>
</tr>
<tr>
<td>Confirmations, 2-207:4</td>
<td>Contract for sale, 2-106:2, 7-102:1 [Rev]</td>
</tr>
<tr>
<td>Conforming conduct, 2-106:3</td>
<td>Contract rights, 9-106:1, 9-106:2</td>
</tr>
<tr>
<td>Conforming goods, 2-106:3</td>
<td>Contractual use term, UCITA 102, UCITA 102:44, UCITA 801:2</td>
</tr>
<tr>
<td>Consequential damages, UCITA 102, UCITA 102:56, 2-710:1</td>
<td>Conversion, 3-419:1, 7-204:4, 7-308:4</td>
</tr>
<tr>
<td>Consideration, 3-303:1 [Rev], 3-303:2, 3-303:6 [Rev], 3-408:1, 3-408:3</td>
<td>Copy, UCITA 102</td>
</tr>
<tr>
<td>Consignee, 7-102:7, 7-102:7 [Rev], 7-301:1</td>
<td></td>
</tr>
</tbody>
</table>

© 2018 Thomson Reuters, 12/2018
WORDS AND PHRASES—Cont’d
Course of dealing, UCITA 102, 1-303 [Rev]
Course of performance, UCITA 102, 1-303 [Rev], 2A-207:2, 2-208:1
Court, UCITA 102
Cover, 2A-518:1, 2A-518:2, 2-712:1
Credit, NONUCCPY 2:15
Credit Card Transfers, this index
Creditor, 1-201 [Rev], 6-103:12 [Rev], 6-104:2, 6-104:3 [Rev], 6-105:2 [Rev], 6-109:1
Creditor process, 4A-502, 4A-502:1
Cure of improper tender or delivery, 2A-513:7
Custodian banks, 8-102:6
Customer, 4A-105:3, 4-104:1, 4-104:1 [Rev], 4-104:7 [Rev], 4-207:4, 4-402:5 [Rev]
Date of bulk sale, 6-105:5 [Rev]
Dealer, UCITA 613
Dealers, 8-303:3
Debt, 6-103:12 [Rev], 6-104:3 [Rev], 6-105:2 [Rev]
Debtor, 9-102:7 [Rev]
Default, 2A-501:2
Defendant, 1-201 [Rev]
Defense, 3-305:6 [Rev]
Deferred posting, 4-301:1 [Rev]
Definite expression of acceptance, 2-207:2
Definitional indices, 9-105:16
Delivered personally, 6-105:2
Delivery, UCITA 102, 1-201 [Rev], 2-103:3, 2-401:4, 3-102:3, 8-106:2 et seq., 8-201:3, 8-309:1
Delivery ex ship, 2-322:2
WORDS AND PHRASES—Cont’d
Delivery orders, 7-102:4, 7-102:4 [Rev]
Depecage, 4A-507:4
Deposit account, 9-102:8 [Rev]
Deposit accounts, 9-104:13, 9-105:6
Depositary bank, 4-104:3, 4-105:2, 4-105:2 [Rev]
Description, 2-313:3
Diagonal privity, 2A-216:1, 2-318:1
Different terms, 2-207:3
Direct damages, UCITA 102
Discharged, 1-306:2 [Rev]
Discount rate, 3-104:1 [Rev]
Discover, 1-202 [Rev], 4-401:5
Dishonor, 3-304:1 [Rev], 3-508:1 et seq., 4-402:2 [Rev]
Dock receipts, 7-102:5 [Rev]
Dock receipts and dock warrants, 7-102:5
Dock warrants, 7-102:5 [Rev]
Document, 7-102:1 [Rev], 9-105:7
Documentary draft, 3-511:11, 4-101:8, 4-104:1, 4-104:8 [Rev], 4-501:1 [Rev]
Document of title, UCITA 102, 1-201 [Rev]
Documents of title, 7-102:1 [Rev], 7-401:1, 9-304:3
Domestic transaction, 1-301 [Rev]
Domiciled instruments, 3-501:2
Double forgery, 4-406:7 [Rev]
Draft, 3-103:3 [Rev], 3-104:13 [Rev], 3-104:15, 4-104:3 [Rev]
Drawee, 3-103:1 [Rev], 3-103:3 [Rev], 4-104:3 [Rev], 4-105:3 [Rev]
Drawee or other payor, 3-406:3
Drawer, 3-103:1 [Rev], 3-103:3 [Rev]
Due diligence, 3-302:16 [Rev]
WORDS AND PHRASES—Cont’d
Due performance, 2A-401:2
Duly negotiate, 7-501:1 [Rev]
application, 7-102:1 [Rev]
warehouse receipts and bills of lading, 7-501:1 [Rev]
E-commerce, definitions enabling, UCITA 102:47 to 102:51
Effectiveness, 8-107:1 [Rev]
Electronic, UCITA 102
Electronic agent, UCITA 102, UCITA 102:14
Electronic documents, 7-101:2 [Rev]
Electronic error, UCITA 213
Electronic message, UCITA 102
Electronic record, UETA 2:0.30
Electronic signature, UCITA 107:3, UETA 2:0.50
Employee, 3-405:4 [Rev]
Encumbrance, 9-105:8, 9-313:4
End user, UCITA 613
Entitlement, 8-102:7 [Rev]
Entitlement order, 8-102:3 [Rev]
Equipment, 6-102:4, 9-102:10
Events, 10-101:4
Examination, 2A-214:5
Exchange rate, 3-106:5
Exclusive license, UCITA 102:25
Excused performance, 2A-405:1
Exempt software, UCITA 410:2
Existing creditors, 6-104:2
Explanation, 9-616:1 [Rev], 9-616:3 [Rev]
Express actual authority, 3-403:1
Expression of acceptance, 2-207:2
Express waiver, 3-504:5 [Rev]
Express warranty, 2-313:1
Failure of consideration, 3-408:2, 3-408:3
Farm products, 9-102:10, 9-307:3
F.A.S., 2-319:3
Fault, 1-201 [Rev]
Federal E-Sign, UETA 2:2

WORDS AND PHRASES—Cont’d
Fiduciary, 3-307:2 [Rev]
Final payment, 4-213:1
Final written agreement, 2-202:2
Financed sale, 3-302:8 [Rev]
Finance leases, 2A-103:3, 2A-103:4
Financial accommodation contract, UCITA 102, UCITA 102:16
Financial asset, UCITA 102, 8-102:4 [Rev]
Financial intermediary, 8-313:7
Financial services transaction, UCITA 102
Financier, UCITA 102, UCITA 102:17
Financing agency, 2-104:3
Financing statements, 9-402:1
Firm offer, 2A-205, 2A-205:1, 2-205:1
Fit for ordinary purpose, 2A-212:10
Fixture filing, 9-313:4
Fixtures, 9-313:4
filing, 9-302:7
Float, 4-101:7, 9-204:1 [Rev]
F.O.B., 2A-219:3, 2-319:2
Forgotten notice doctrine, 3-304:15
Four legals, 4-213:1
Fraudulent conveyance, 6-101:1
Fraudulent indorsement, 3-405:4 [Rev]
Function of definitions, UCITA 102:1
Funds transfer, UCITA 102, 4A-102:1, 4A-104, 4A-104:1
Funds transfer system, 4A-105:5
Fungible, 8-107:1
Fungible goods, 1-201 [Rev], 7-205:1, 7-207:2
Future goods, 2-105:3
Gender, 1-106 [Rev]
WORDS AND PHRASES—Cont’d
General intangible, 9-102:9 [Rev], 9-106:1, 9-106:3
Genuine, 1-201 [Rev], 8-202:5, 8-205:1
Give, 6-105:2
Give notice, UCITA 102
Giving value, 9-308:2
Good faith, UCITA 102, 1-201 [Rev], 2A-103:7, 2-103:2, 3-103:1 [Rev], 3-103:5 [Rev], 3-302:2, 3-302:10 [Rev], 3-406:4 [Rev], 3-416:3 [Rev], 4A-105:6, 4-104:1 [Rev], 4-202:1 [Rev], 4-207:12, 7-102:10 [Rev], 8-102:10, 8-102:10 [Rev], 8-302:4, 8-303:10 [Rev], 8-318:2, 9-206:3, 9-501:4
Goods affixed to real estate, 2-107
Goods capable of severance without material harm, 2-107:3
Good title, 2-312:1
Guarantee, 3-416:1
Hell-or-high-water clauses, 9-403:1 [Rev]
Holder, 1-201 [Rev], 3-105:3 [Rev], 3-301:1, 3-301:5, 4-104:3, 4-201:3, 4-211:1 [Rev], 7-207:2, 7-403:2, 8-105:5, 8-313:5
Holder in due course, 3-302:1
Horizontal privity, 2A-216:1, 2-318:1
Household goods, 7-209:4
Identification, UCITA 102, 2A-217:2, 2-501:2
Implied actual authority, 3-403:1
Implied waiver, 3-504:5 [Rev]
Impostors, 3-405:4
Imposture, 2A-304:2
Incidental damages, UCITA 102, 2-710:1
Incomplete instrument, 3-115:1 [Rev], 3-115:2, 3-407:4 [Rev]
Index of definitions, 2-103:4
Indirect holding systems, 8-501:1 [Rev]
Indorsement, 3-202:4, 3-204:1 [Rev], 8-102:3 [Rev], 8-308:1
Indorser, 3-204:1 [Rev]
Ineffective transfer, 6-104:5
Information, UCITA 102, UCITA 102:4
Informational content, UCITA 102, UCITA 102:53
Informational rights, UCITA 102, UCITA 102:55
Information processing system, UCITA 102
Initial transaction statement, 8-408:2
Insecurity clause, 2A-109:1, 2A-501:4
Insider, 6-106:4 [Rev], 9-204:4
Insolvency, 2A-522:4, 2-702:1, 6-103:4, 7-504:3
Insolvency proceeding, 1-201 [Rev], 3-305:5 [Rev]
Insolvent, 1-201 [Rev]
Installment contract, 2-612:1
Installment lease contract, 2A-510:2
Instruction, 8-102:3 [Rev], 8-308:10
Instrument, UCITA 102
Instruments, 3-102:12, 3-104:3 [Rev], 4-102:1 [Rev], 4-104:3, 9-102:11 [Rev], 9-105:10, 9-304:4, 9-308:3
WORDS AND PHRASES—Cont’d

Insurance services transaction, UCITA 102
Intermediary bank, 4A-104:2, 4-105:4, 4-105:4 [Rev]
International developments, UETA 2:3
International sight draft, 3-701:1
International transaction, 1-301 [Rev]
Interpretation of definitions, UCITA 102:1
Intersection with real property records, 2-107:4
Inventory, 6-102:3, 6-103:6 [Rev], 9-102:10, 9-109:5, 9-307:2
Investment contract, 8-102:2
Investment property, UCITA 102, 8-102:4 [Rev], 9-102:12 [Rev]
As is, 2A-214:6
Issue, 3-102:2
Issuer, 3-105:1 [Rev], 3-110:1 [Rev], 7-102:9, 7-102:9 [Rev], 7-301:1, 7-401:1, 8-201:1, 8-201:2, 8-201:4, 8-201:7
Issuers, 8-201:1 et seq.
Issues, 8-201:3, 8-205:1
Item, UCITA 102, 3-102:12, 4-101:1, 4-102:1 [Rev], 4-104:2, 4-104:6 [Rev], 4-406:1 [Rev], 9-302:10
Knowledge, UCITA 102, 2A-211:2, 6-105:2 [Rev]
Lack of meaningful choice, 2-302:3
Learn, 4-401:5
Lease, 2A-103, 2A-103:1
Lease distinguished from security interest, 1-203 [Rev]
Legals, 4-213:1
Legal tender, 3-104:8 [Rev], 3-107:2
Lessee, 2A-210:10
Lessor, 2A-210:10

WORDS AND PHRASES—Cont’d

Letter of confirmation, 2-201:4
Letter of credit, UCITA 102
Letters of advice, 3-701:1
Letters of credit, 5-101:1 [Rev], 5-101:2 [Rev], 5-103:1
License, UCITA 102, UCITA 102:21
Licensee, UCITA 102
Licensee in ordinary course of business, 9-321:1 [Rev]
Licensor, UCITA 102
Lien creditor, 9-301:4
Liquidated damages, 2A-504, 2A-504:1 et seq.
Liquid wealth, 4-101:4
Local check, 4-215:11 [Rev]
Local paying bank, 4-215:11 [Rev]
Lot, 2-105:4
Major part, 6-102:7
Maker, 3-103:1 [Rev], 3-103:4 [Rev]
Manifestly, 1-205:1 [Rev]
Market maker, 8-303:2
Market quotation, 2A-507:3
Market rent, 2A-507:1, 2A-519:2
Mass-market license, UCITA 102
Mass-market licensing transactions, definitions relating to, UCITA 102:29 to 102:33
Mass-market transaction, UCITA 102, UCITA 102:29
Material alteration, 4-207:15
Merchandise, 6-102:3
Merchant, UCITA 102, 2A-211:4, 2A-212:2, 2-104:1
Merchantability, 2A-212:7, 2-314:3
Merchant confirmation, 2-201:4
Between merchants, 2-104:2
Methods of sending and presenting, 4-204 [Rev]
MICR, 4-101:14
WORDS AND PHRASES—Cont’d
Midnight deadline, 4-104:1, 4-104:4 [Rev], 4-202:7
Mixed goods transaction, 2A-103:6
Model, 2A-215:1, 2-313:3
Money, 1-201 [Rev], 3-102:4 [Rev], 3-104:8 [Rev], 3-104:11, 3-107:2, 4-213:10, 9-304:4
Mortgage, 9-105:11
Near-bank, 4-101:1
Negligence, 3-406:6
Negotiable instrument, 3-102:12
Negotiable order of withdrawal (NOW), 3-104:18 [Rev], 3-104:21
Negotiation, 3-201:1 [Rev]
Net contract price, 6-104:5 [Rev], 6-105:5 [Rev], 6-106:3 [Rev], 6-108:2 [Rev]
No arrival no sale, 2-324:2
No-modification-unless-in-writing, 2A-208:4
Noncash item, 4-101:1, 4-101:4 [Rev], 4-101:9
Nonexclusive license, UCITA 102, UCITA 102:22 to 102:24
Nonlocal check, 4-215:11 [Rev]
Nonlocal paying bank, 4-215:11 [Rev]
Nonnegotiable instrument, 3-805:1
No oral modification clauses, 2-209:2
Note, 3-103:3 [Rev], 3-104:13 [Rev], 3-104:15
Notice, UCITA 102, 2A-211:2, 3-302:11 [Rev], 3-304:2, 6-105:2, 6-107:4, 8-406:4
Notification, 1-202 [Rev]
Notifies, 1-202 [Rev]
Notify, UCITA 102, 4-406:5
Obligated bank, 3-312:1 [Rev], 3-411:2 [Rev]
WORDS AND PHRASES—Cont’d
Pass through of promises and warranties, 2A-209:2
Pass without objection in the trade, 2A-212:8
Pay, 4-301:3
Payable at, 4-301:2
Paying bank, 4-105:3 [Rev]
Payment, 6-105:3
Payment order, UCITA 102, 4A-103:1, 4A-103:2
Payment order issuance, 4A-103:1
Payment terms, 2-310:1
Payor bank, 4-104:3, 4-105:3, 4-105:3 [Rev], 4-301:2, 4-501:1, 9-302:10
Perfect tender rule, 2A-509:1
Performance or enforcement, 2A-208:2
Person, UCITA 102, 1-201 [Rev], 2A-216:5, 4-402:5 [Rev], 9-402:4
Personally delivered, 6-107:4
Personal money orders, 3-104:17 [Rev], 3-104:20, 3-401:8, 3-409:2
Person entitled to delivery, 7-207:2
Person entitled to enforce instrument, 3-416:4 [Rev]
Person entitled to notification, 9-507:5
Person entitled under document, 7-403:2, 7-403:4, 7-506:1
Person entitled under the document, 7-102:7 [Rev], 7-403:2 [Rev]
application, 7-102:7 [Rev]
Person in position of seller, 2-707:1
Place of payment, 3-111 [Rev], 3-111:1 [Rev]
Plural, use of, 1-106 [Rev]
Possession, 9-313:3 [Rev]

WORDS AND PHRASES—Cont’d
Post office money orders, 3-104:21
Practical construction of contract, 2-208:1
Premature acceptance, 4A-209:4
Presenting bank, 4-105:4, 4-105:4 [Rev]
Presentment, 3-501:2 [Rev], 3-504:2, 4-210:1, 4-301:6
Presentment warranties, 4-207:1
Present sale, 2-106:2
Present value, 1-201 [Rev]
Presumed, 1-206 [Rev]
Presumption, 8-105:4
Presumptions, 1-206 [Rev]
Principal obligor, 3-103:9 [Rev]
Prior agreement, 2-202:3
Private sale, 9-504:10
Procedural unconscionability, 2A-108:3
Product liability, 2A-212:14
Promise, 2-313:2, 3-102:10, 3-103:1 [Rev], 3-103:4 [Rev], 3-104:5 [Rev], 3-104:6 [Rev], 3-104:9, 4-102:1 [Rev], 4-104:6 [Rev]
Properly payable, 4-104:1, 4-302:1, 4-302:4 [Rev], 4-401:1
Protected purchasers, 8-303:9 [Rev]
Protest, 3-501:8, 3-505:2 [Rev], 3-509:1, 4-202:5
Prove, 3-103:1 [Rev], 4A-105:7
Public sale, 9-504:10
Published informational content, UCITA 102, UCITA 102:54, UCITA 404:2
Publisher, UCITA 613
Purchase, 1-201 [Rev], 8-301:1, 8-302:2, 8-319:2

© 2018 Thomson Reuters, 12/2018
WORDS AND PHRASES—Cont’d
Purchase money loan, 3-302:8 [Rev], 3-302:9
Purchase money loan transaction, 9-206:4
Purchase-money obligation, 9-103:2 [Rev]
Purchase-money security interest, 9-103:1 [Rev]
Purchaser, 1-201 [Rev], 6-110:1, 7-301:1, 8-202:4, 8-301:1, 8-302:2
Purchasers, 8-104:4 [Rev]
Pursuant to commitment, 9-102:14 [Rev], 9-105:12
Ratification, 3-403:2 [Rev], 3-404:2
Reasonable commercial standards, 3-406:3
Reasonable grounds for insecurity, 2-609:2
Reasonable grounds to believe cure acceptable, 2A-513:4
Reasonable price, 2-305:3
Reasonable time, 1-205 [Rev], 4-215:6 [Rev], 4-303:2 [Rev]
Reasonable time for cure, 2A-513:2, 2A-513:6
Reasonably prompt, 4-204:1 [Rev]
Reason to know, 2A-213:2
Receipt, UCITA 102, 2-103:3, 2-201:7
Receipts of goods, Sales Act, application, 7-102:1 [Rev]
Receive, UCITA 102
Received on or before delivery of inventory, 9-312:4
Receives, 6-105:2
Receiving bank, 4A-103:4
Record, UCITA 102, UCITA 102:50, 1-201 [Rev], 3-103:10 [Rev], 7-102:11 [Rev]

WORDS AND PHRASES—Cont’d
Record, authenticated, 1-306:2 [Rev]
Recoupment, 2A-508:4, 3-306:5
Redemption price, 8-203:1
Registered form, 8-102:1 [Rev], 8-102:3, 8-107:2, 8-302:6
Registered pledge, 8-321:6
Registrars, 8-406:1
Regulation M, 2A-102:1, 2A-104:1
Related law
  federal E-Sign, UETA 2:2
  international developments, UETA 2:3
Release, UCITA 102, UCITA 102:26
Released, 1-306:2 [Rev]
Release rent, 2A-527:1, 2A-527:5
Remedies to be liberally administered, 1-305:5 [Rev]
Remedy, 1-201 [Rev]
Remitter, 3-102:5, 3-103:1 [Rev], 3-103:2 [Rev], 4-104:3
Remitting bank, 4-105:4
Remotely-created consumer item, 3-103:11 [Rev]
Renunciation, 1-306:2 [Rev]
Renunciation of claim or right, 2A-107:2
Renvoi, 4A-507:2
Representative, 1-201 [Rev], 3-402:1 [Rev], 3-420:5 [Rev]
Represented person, 3-307:2 [Rev]
Representment, 3-507:6
Requirements contract, 2-306:1
Rescission, 2-106:4
Responsibility, 3-405:4 [Rev]
Restrictive indorsements, 3-205:1, 4-203:2
Return, UCITA 102
Returning bank, 4-105:4 [Rev], 4-202:5 [Rev]
Right, 1-201 [Rev]
WORDS AND PHRASES—Cont’d
Rightful transfer, 2-312:1, 8-401:3
Risk of loss, 2A-219:1 et seq.
Sale, UCITA 102, 2-106:2, 8-319:2
Sale on approval, 2-326:2, 9-114:2
Sale or return, 2-326:3
Sample, 2A-215:1, 2-313:3
Scope, UCITA 102, UCITA 102:44 to 102:46
Seal, 3-113:1
Seasonable expression of acceptance, 2-207:2
Seasonableness, 1-205 [Rev]
Seasonably, 4-108:5, 4-501:3
Seasonal, UCITA 102
Secondary parties, 3-102:11, 3-501:2
Secured creditor, 6-104:11
Secured party, 9-102:16 [Rev], 9-105:14, 9-402:9
Securities, 8-102:1 [Rev]
Securities accounts, 8-102:4 [Rev]
Securities intermediaries, 8-102:6 [Rev]
Security, 8-102:1 [Rev], 8-102:2, 8-103:2 [Rev]
Security agreement, 9-102:15 [Rev], 9-105:13, 9-201:2
Security certificate, 8-102:2 [Rev]
Security entitlements, 8-102:2 [Rev]
Security interest, 1-201 [Rev], 1-203 [Rev], 1-203:1 [Rev], 4-209:2, 9-102:3, 9-105:13, 9-114:1
Security procedure, 4A-201:1
Seller, 2-103:1, 2-304:1
Seller to sever, 2-107:2
Send, UCITA 102, 1-201 [Rev], 4-301:4 [Rev], 4-301:7, 6-105:2 [Rev]
Sender, 4A-103:5, 4A-202:4
Settle, 4-104:1, 4-104:5 [Rev], 4-202:6, 4-213:3, 4-215:3
WORDS AND PHRASES—Cont’d [Rev], 4-301:3, 4-301:3 [Rev], 4-302:2
Settlement, 4-211:1
Shelter rule, 8-302:1 [Rev]
Shipper, 7-102:7 [Rev]
Sign, 7-102:11 [Rev]
Signature, unauthorized, 1-201 [Rev]
Signatures, 3-104:8, 3-201:4 [Rev], 3-401:9, 4-406:2, 8-102:3 [Rev], 8-308:1
Signed, 1-201 [Rev], 2A-201:4, 2A-205:4, 2-201:3, 4-406:8, 8-319:3, 9-203:5
Singular, use of, 1-106 [Rev]
Special indorsement, 3-204:2, 3-205:2 [Rev]
Specialist, 8-303:2
Special manufacturing, 2A-201:3
Special purchaser, 8-306:2
Spent document, 7-502:1
Standard form, UCITA 102
State, UCITA 102, 1-201 [Rev]
Statute of limitations, 2A-506:1
Statutory scope, definitions primarily relating to, UCITA 102:3 to 102:7.50
Statutory text, UETA 2
Stop order, 8-403:2
Stop transfers, 8-403:2
Subject matter of contract, definitions relating to, UCITA 102:52 to 102:55
Subsequent purchaser, 8-102:4, 8-202:4
Substantial part, 6-102:7
Substantive unconscionability, 2A-108:4
Substituted performance, 2A-404:1
Substitute transaction, UCITA 808:3
Sum certain, 3-104:10
Supplier, 2A-214:10
WORDS AND PHRASES—Cont’d
Surety, 1-201 [Rev]
Suretyship, 3-419:1 [Rev]
Surrendered, 9-103:6
Suspend payment, 4-104:1, 4-104:1 [Rev], 4-216:1 [Rev]
Teller’s check, 3-104:16 [Rev], 3-104:18, 4-403:12
10-day rule, 6-105:3
Tender of delivery, 2-503:1, 2-503:2
Tender of payment, 3-604:3
Term, UCITA 102, 1-201 [Rev], 2A-202:3, 2-202:4
Termination, UCITA 102, 2A-523:3, 2-106:4, 2-309:3
Terms of contract, definitions relating to, UCITA 102:34 to 102:46
Through bills of lading, 7-302:1
Time, reasonable, 1-205 [Rev]
Title, 9-102:4
Trade acceptance, 3-104:18 [Rev], 3-104:21, 3-501:5
Transaction, UETA 2:1
Transactions, definitions relating to selected types of, UCITA 102:8 to 102:33
Transactions in goods, 2-102:2
Transfer, UCITA 102, 3-201:7, 4-207:3 [Rev], 4-207:11, 6-102:2, 9-204:4
Transferability, 2-105:3
Transferable record, UETA 16
Transfer agent, 8-406:1
Transferee, 3-201:8
Transfer statement, 9-618:1 [Rev]
Transfer warranties, 4-207:1
Transmitting utility, 9-102:17 [Rev], 9-105:15, 9-401:6
Traveler’s check, 3-104:15 [Rev]
WORDS AND PHRASES—Cont’d
2002 text comparison, UCITA 102:2
Unauthorized signature, 1-201 [Rev]
Unauthorized signatures, 4-406:8
Uncertificated security, 8-102:2 [Rev], 8-102:10
Unconditional, 3-106:1 [Rev]
Unconscionability, 2A-108:2, 2-302:2
Uniform Computer Information Transactions Act, this index
Uniform Electronic Transactions Act, this index
Uniqueness, 2A-521:3
Unless context otherwise requires, 2-102:3
Unperfected security interests, 9-301:2
Usage of trade, UCITA 102, 1-103 [Rev]
Value, 1-204 [Rev], 3-303:1, 3-303:1 [Rev], 3-408:1, 4-209:2, 6-103:13 [Rev], 8-302:3, 8-303:2 [Rev], 9-203:11 [Rev]
Vertical privity, 2A-216:1, 2-318:1
Virtual acceptances, 3-401:6
Voidable title, 2A-304, 2A-304:1 et seq.
Vouching, 2A-516:12
Waiver, 2A-107:2, 4-406:9
Waiver or renunciation, 1-306:2 [Rev]
Warehouse, 7-102:6 [Rev]
Warehouseman, 7-102:1 [Rev], 7-102:10
Warehouse receipt, 1-201 [Rev], 7-102:3, 7-102:3 [Rev]
Warrantor, 2A-214:10
When, as and if issued contract, 8-202:7
When distributed contract, 8-202:7

Master Index-648
WORDS AND PHRASES—Cont’d
Whether properly payable or not, 4-302:4
Willful, 7-308:4
Without recourse, 3-413:4
Writing, 1-201 [Rev], 2A-201:4,
2A-205:3, 2-201:3, 3-104:4
[Rev], 3-104:7, 4-104:2,
6-105:2 [Rev]

WRITING REQUIREMENT
Generally, UCITA 201:1 to 201:3
Cape Town Convention, ICC 9:30
Rights ownership transfers in
computer programs, UCITA
501:8

WRITTEN ACTS AND
MATTERS—Cont’d
Firm offers, 2A-205:3
Modification of lease, 2A-208:4
Satisfying requirement for written
information
generally, UETA 8:1
consumer protections under
federal E-Sign, UETA 8:3
federal E-Sign, UETA 8:2
official comment, UETA 8
related law
corporate protections under
federal E-Sign, UETA
8:3
federal E-Sign, UETA 8:2
2005 Convention, UETA 8:4
statutory text, UETA 8
2005 Convention, UETA 8:4
Statute of frauds, memorandum,
2A-201:4, 2A-201:5
Uniform Computer Information
Transactions Act, this index
Uniform Electronic Transactions
Act, this index