

COMMERCIAL
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WILLIAM D. WARREN

STEVEN D. WALT

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COMMERCIAL LAW

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by

WILLIAM D. WARREN

Connell Professor of Law Emeritus
University of California, Los Angeles

STEVEN D. WALT

Professor of Law
University of Virginia School of Law

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PREFACE

The Seventh Edition is a substantial updating of the Sixth Edition. Important Commercial Law cases continue to come down in volume and we have included 20 new opinions in this edition, some of which promise to take their place in the canon. New Notes and text passages discuss other new cases and emerging issues. We gather from the reaction of teachers to our books that most prefer to teach from a mix of cases and problems, and the Seventh Edition takes this approach throughout. Since Revised Article 9 did not become effective until 2001, the case law on the new statute is at an early stage of development, but several important decisions interpreting the new law have been decided since our last edition and we have included these. For the many significant issues raised by Revised Article 9 that have not been before the courts, we use problems that force close consideration of relevant statutory provisions and allow for tightly structured class sessions. Throughout, the Seventh Edition discusses policies underlying Revised Article 9's important provisions and explores the interface of Article 9 with Article 5 (Letters of Credit), Article 8 (Investment Securities), the burgeoning law of Intellectual Property, and the Bankruptcy Code with its 2005 amendments.

Now that Revised Articles 3 (Negotiable Instruments) and 4 (Bank Deposits and Collections) and new Article 4A (Funds Transfers), promulgated more than a decade ago, have substantially become the law of the land, authoritative appellate decisions are appearing. Part II (Payments and Credits) of the Seventh Edition features a selection of these recent decisions that promise to become leading cases. The 2002 amendments to Articles 3 and 4 are considered, as are the 2003 federal "Check 21" Act and important new federal banking regulations. Materials on technological advances in payment systems have been updated, and emerging consumer issues have been highlighted throughout. The increasing federalization of bank-customer relations is treated in detail.

We are particularly grateful to Arthur G. Spence, Esq., Associate General Counsel of City National Bank of Beverly Hills, California, and to the Bank for allowing us to use several of the Bank's forms. The cooperation of Mr. Spence and others at the Bank in sharing their experience with law students through the use of their forms has been outstanding.

Robert Jordan, whose name this book bore for the first five editions, has not participated in recent editions. However, evidence of his keen analytical mind and precise draftsmanship is still seen throughout this volume,

as well as in Revised Articles 3, 4, and new Article 4A, for which he served as a Reporter.

We are deeply grateful to Tal Grietzer for his skill and dedication in formatting and preparing the manuscript for publication. We also thank David Chen, UCLA School of Law, Class of 2008, for his editorial assistance and research.

WILLIAM D. WARREN
STEVEN D. WALT

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