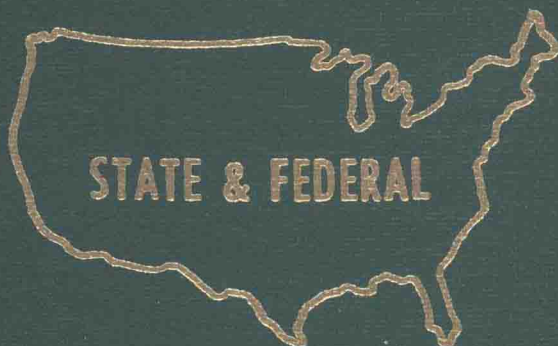


AMERICAN JURISPRUDENCE 2d



SALES §§ 690—1380

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SECOND EDITION

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OF AMERICAN LAW

STATE AND FEDERAL

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FOREWORD

The vast body of case law interpreting Article 2 of the Uniform Commercial Code since the publication of original Volume 67 in 1973, resulting in significant changes and developments in this important body of Commercial Law, compels the rewriting of the article Sales. That article, as well as the topics Rewards and Robbery is now treated in Volume 67. The article Sales is concluded in Volume 67A.

Among the significant changes and developments in the law of sales are the expansion of the application of Article 2 of the UCC through interpretation to include certain leases and bailments; certain distributorship, franchise, and dealership contracts, financing agreements, and guaranties; certain installations of equipment and mixed contracts for sales and services; the sale of certain utilities; some telephone listing contracts; and, in some jurisdictions, the sale of stocks. Meanwhile, some jurisdictions have statutorily removed the sale of blood and blood transfusions from the coverage of Article 2, and added timber contracts by the adoption of amendments to the Uniform Commercial Code. The new article also includes discussion of Article 2 of the UCC in the context of computer contracts. Other significant changes and developments have occurred with respect to the invalidity of pyramid sales schemes; judicial interpretation of the term "merchant" to include certain farmers; judicial attempts to resolve conflicting priorities between reclaiming sellers, inventory financiers and trustees in bankruptcy; interpretation of the "perfect tender rule" and the right to cure; contractual limitations of warranties and remedies; interpretation of exceptions to the Statute of Frauds; and liberalization of the remedy of specific performance.

A special feature of the new article, Sales, is the inclusion of local citations and variations of applicable provisions of the Uniform Commercial Code.

The article Rewards, and the article Robbery, in Volume 67, have also been updated and rewritten. Robbery now contains a discussion of applicable provisions of the Model Penal Code.

The revised volumes introduce a number of new features designed to emphasize practical "how-to-do-it" aspects of the law and legal problems within the scope of each article. Thus, the users' special attention is called to the following:

Research References at the beginning of each article, and at the beginning of the divisions or major subdivisions thereof, providing the user with easy access to statutes or Uniform Code provisions discussed therein, and to such other publications as national texts and other units of the Total Client Service Library.

Practice-oriented materials, highlighted at appropriate places throughout the respective articles under such headings as

■■■ *Practice guide*

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When a particular subject matter is treated in another topic the title of the other topic is indicated.

The reader should always consult the volume index for detail and for matter not appearing in the first edition.

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495	832	551	962	613	1099
496	835	552	986, 987	614	1100
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502	693	558	995	620	1107
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507	743	563	DELETED	625	1138
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679	1275	714	1226	751	1334, 1351, 1376
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