

ABA Section of Business Law

General Provisions and Relations to Other Law Subcommittee

Kristen David Adams, Chair

and

Sale of Goods Subcommittee

Candace Zierdt, Chair

Spring 2009

At the upcoming Spring 2009 Business Law Section Annual Meeting in Vancouver, the General Provisions and Relations to Other Law Subcommittee and the Sale of Goods Subcommittee will meet jointly on Thursday, April 16th at 1:30 p.m., for the purpose of exploring the concept of notice as it appears throughout the Uniform Commercial Code. The concept of notice, which is defined in 1-202, is applied in a wide variety of contexts. In Article 2, for example, notice is found in 2-508 (Cure), 2-607 (Breach and Vouching In), 2-608 (Revocation), and 2-706 (Seller's Resale). In Articles 3 and 4, notice is part of 3-119 (Vouching In), 3-302 (Holder in Due Course), 3-307 (Breach of Fiduciary Duty), 3-503 (Notice of Dishonor), and 4-303 (When Items are Subject to Notice, etc.). Of all of the UCC Articles, Article 9 makes notice most prominent: The concept is found in 9-209 (Duties of Secured Party after Notification of Assignment), 9-406 (Notification of Assignment), 9-611 (Notification before Disposition), 9-612 (Timeliness of Notification), 9-613 (Form and Content of Notification Generally), 9-614 (Form and Content of Notification in a Consumer Transaction), and 9-621 (Notification of Proposal to Accept Collateral). This meeting, which will consist of a panel discussion featuring experts in Articles 2, 3 and 4, and 9, will explore the common threads – and also the differences – in the ways in which notice is used in each of these Articles.