
PREFACE

This book explores the law of the sale and lease of goods and licenses primarily by focusing on a series of Problems designed to encourage the student to concentrate on the exact statutory language of the Uniform Commercial Code and related statutes. Representative cases and textual notes are also included.

Unfortunately, students reared on the case method sometimes have trouble concentrating on Problem after Problem. Such an attitude here can be academically fatal. As a guide to the degree of concentration required, we have used a hierarchy of signals. When the Problem states “Read §2-302,” we mean “Put down this book, pick up the Uniform Commercial Code, and study §2-302 carefully.” When the instruction is “See §2-302,” the reader need look at the cited section only if unsure of the answer. “Cf. §2-302” or simply “§2-302” are lesser references, included as a guide for the curious.

We have edited many of the footnotes out of the cases; the ones that remain have been stripped of their original numbering and have been consecutively numbered with our other textual footnotes. Unless clearly indicated otherwise, all footnotes in the cases are the court’s own.

Whaley co-authored the first edition of this book with Professor Rhonda Rivera, then his colleague at The Ohio State University College of Law. Due to other commitments she declined to participate in subsequent editions, so he reluctantly went on alone. Nonetheless, much of her work on the first edition is still reflected in this one, and he is, as always, in her debt.

Finally, we would like to thank all the good people at Aspen Publishing for the assistance they have given us through the years in the production of this and other books. It is a pleasure to work with true professionals. We would also like to express gratitude to our students who suffered through these materials in earlier forms, spotted errors, made suggestions, and helped shape the final version. Our students have always taught us as much about commercial law as we have taught them, and we thank them for it.

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