



Topic 26: Identification of Goods and Delivery

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Identification and Delivery

- Identification of goods is important for:
 - Risk of loss
 - Remedies
- Identification is when a particular physical object becomes a good that is the subject of the contract.
 - Compare I have to sell you a yellow 2003 Lamborghini X9 vs. I'm selling you this particular yellow 2003 Lamborghini X9.

Identification and Delivery

- If not before, then upon tender of delivery, goods are identified.
- Tender of delivery doesn't necessarily mean shipment to the buyer, it might mean goods are ready to be picked up.
- Perfect-tender rule:
 - Under the UCC, goods must be exactly as described at time of tender of delivery. If not, seller is in breach and buyer can reject the goods and get damages.