

355.2-605 Waiver of buyer's objections by failure to particularize.

- (1) The buyer's failure to state in connection with rejection a particular defect which is ascertainable by reasonable inspection precludes him from relying on the unstated defect to justify rejection or to establish breach
 - (a) where the seller could have cured it if stated seasonably; or
 - (b) between merchants when the seller has after rejection made a request in writing for a full and final written statement of all defects on which the buyer proposes to rely.
- (2) Payment against documents made without reservation of rights precludes recovery of the payment for defects apparent on the face of the documents.

Effective: July 1, 1960

History: Created 1958 Ky. Acts ch. 77, sec. 2-605, effective July 1, 1960.