

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) A buyer's payment against documents tendered to the buyer made without reservation of rights precludes recovery of the payment for defects apparent in the documents.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 132, sec. 52, effective July 12, 2012. -- Created 1958 Ky. Acts ch. 77, sec. 2-605, effective July 1, 1960.