

Cherokee Nation Code Annotated
Title 80: Uniform Commercial Code
Article 2: Sales
Part 3. General Obligation and Construction of Contract
§ 2-317. Cumulation and conflict of warranties express or implied
Cite as: 80 CNCA § 2-317

Cumulation and Conflict of Warranties Express or Implied

Warranties whether express or implied shall be construed as consistent with each other and as cumulative, but if such construction is unreasonable the intention of the parties shall determine which warranty is dominant. In ascertaining that intention the following rules apply:

- (a) Exact or technical specifications displace an inconsistent sample or model or general language of description.
- (b) A sample from an existing bulk displaces inconsistent general language of description.
- (c) Express warranties displace inconsistent implied warranties other than an implied warranty of fitness for a particular purpose.

Historical Data

LA 26-03, eff. October 2, 2003.