

9-106.

"Account" means any right to payment for goods sold or leased or for services rendered which is not evidenced by an instrument or chattel paper[.], WHETHER OR NOT IT HAS BEEN EARNED BY PERFORMANCE. ["Contract right" means any right to payment under a contract not yet earned by performance and not evidenced by an instrument or chattel paper.] "General intangibles" means any personal property (including things in action) other than goods, accounts, [contract rights,] chattel paper, documents, [and] instruments, AND MONEY. ALL RIGHTS TO PAYMENT EARNED OR UNEARNED UNDER A CHARTER OR OTHER CONTRACT INVOLVING THE USE OR HIRE OF A VESSEL AND ALL RIGHTS INCIDENT TO THE CHARTER OR CONTRACT ARE ACCOUNTS.

9-114.

(1) A PERSON WHO DELIVERS GOODS UNDER A CONSIGNMENT WHICH IS NOT A SECURITY INTEREST AND WHO WOULD BE REQUIRED TO FILE UNDER THIS TITLE BY PARAGRAPH (3)(C) OF § 2-326 HAS PRIORITY OVER A SECURED PARTY WHO IS OR BECOMES A CREDITOR OF THE CONSIGNEE AND WHO WOULD HAVE A PERFECTED SECURITY INTEREST IN THE GOODS IF THEY WERE THE PROPERTY OF THE CONSIGNEE, AND ALSO HAS PRIORITY WITH RESPECT TO IDENTIFIABLE CASH PROCEEDS RECEIVED ON OR BEFORE DELIVERY OF THE GOODS TO A BUYER, IF

(A) THE CONSIGNOR COMPLIES WITH THE FILING PROVISION OF THE TITLE ON SALES WITH RESPECT TO CONSIGNMENTS (PARAGRAPH (3)(C) OF § 2-326) BEFORE THE CONSIGNEE RECEIVES POSSESSION OF THE GOODS; AND

(B) THE CONSIGNOR GIVES NOTIFICATION IN WRITING TO THE HOLDER OF THE SECURITY INTEREST IF THE HOLDER HAS FILED A FINANCING STATEMENT COVERING THE SAME TYPES OF GOODS BEFORE THE DATE OF THE FILING MADE BY THE CONSIGNOR; AND

(C) THE HOLDER OF THE SECURITY INTEREST RECEIVES THE NOTIFICATION WITHIN 5 YEARS BEFORE THE CONSIGNEE RECEIVES POSSESSION OF THE GOODS; AND

(D) THE NOTIFICATION STATES THAT THE CONSIGNOR EXPECTS TO DELIVER GOODS ON CONSIGNMENT TO THE CONSIGNEE, DESCRIBING THE GOODS BY ITEM OR TYPE.

(2) IN THE CASE OF A CONSIGNMENT WHICH IS NOT A SECURITY INTEREST AND IN WHICH THE REQUIREMENTS OF THE PRECEDING SUBSECTION HAVE NOT BEEN MET, A PERSON WHO DELIVERS GOODS TO ANOTHER IS SUBORDINATE TO A PERSON WHO WOULD HAVE A PERFECTED SECURITY INTEREST IN THE GOODS IF THEY WERE THE PROPERTY OF THE DEBTOR.

9-203.

[(1) Subject to the provisions of § 4-208 on the security interest of a collecting bank and § 9-113 on a

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