

(B) ANY DESCRIPTION OF THE GOODS WHICH IS MADE PART OF THE BASIS OF THE BARGAIN CREATES AN EXPRESS WARRANTY THAT THE GOODS WILL CONFORM TO THE DESCRIPTION.

(C) ANY SAMPLE OR MODEL THAT IS MADE PART OF THE BASIS OF THE BARGAIN CREATES AN EXPRESS WARRANTY THAT THE WHOLE OF THE GOODS WILL CONFORM TO THE SAMPLE OR MODEL.

(2) IT IS NOT NECESSARY TO THE CREATION OF AN EXPRESS WARRANTY THAT THE LESSOR USE FORMAL WORDS, SUCH AS "WARRANT" OR "GUARANTEE," OR THAT THE LESSOR HAVE A SPECIFIC INTENTION TO MAKE A WARRANTY, BUT AN AFFIRMATION MERELY OF THE VALUE OF THE GOODS OR A STATEMENT PURPORTING TO BE MERELY THE LESSOR'S OPINION OR COMMENDATION OF THE GOODS DOES NOT CREATE A WARRANTY.

2A-211. WARRANTIES AGAINST INTERFERENCE AND AGAINST INFRINGEMENT;
LESSEE'S OBLIGATION AGAINST INFRINGEMENT

(1) THERE IS IN A LEASE CONTRACT A WARRANTY THAT FOR THE LEASE TERM NO PERSON HOLDS A CLAIM TO OR INTEREST IN THE GOODS THAT AROSE FROM AN ACT OR OMISSION OF THE LESSOR OTHER THAN A CLAIM BY WAY OF INFRINGEMENT OR THE LIKE, WHICH WILL INTERFERE WITH THE LESSEE'S ENJOYMENT OF ITS LEASEHOLD INTEREST.

(2) EXCEPT IN A FINANCE LEASE, THERE IS IN A LEASE CONTRACT BY A LESSOR WHO IS A MERCHANT REGULARLY DEALING IN GOODS OF THE KIND A WARRANTY THAT THE GOODS ARE DELIVERED FREE OF THE RIGHTFUL CLAIM OF ANY PERSON BY WAY OF INFRINGEMENT OR THE LIKE.

(3) A LESSEE WHO FURNISHES SPECIFICATIONS TO A LESSOR OR A SUPPLIER SHALL HOLD THE LESSOR AND THE SUPPLIER HARMLESS AGAINST ANY CLAIM BY WAY OF INFRINGEMENT OR THE LIKE THAT ARISES OUT OF COMPLIANCE WITH THE SPECIFICATIONS.

2A-212. IMPLIED WARRANTY OF MERCHANTABILITY

(1) EXCEPT IN A FINANCE LEASE, A WARRANTY THAT THE GOODS WILL BE MERCHANTABILITY IS IMPLIED IN A LEASE CONTRACT IF THE LESSOR IS A MERCHANT WITH RESPECT TO GOODS OF THAT KIND.

(2) GOODS TO BE MERCHANTABILITY MUST BE AT LEAST SUCH AS

(A) PASS WITHOUT OBJECTION IN THE TRADE UNDER THE DESCRIPTION IN THE LEASE AGREEMENT;

(B) IN THE CASE OF FUNGIBLE GOODS, ARE OF FAIR AVERAGE QUALITY WITHIN THE DESCRIPTION;

(C) ARE FIT FOR THE ORDINARY PURPOSE FOR WHICH GOODS OF THAT TYPE ARE USED;