

(D) RUN, WITHIN THE VARIATION PERMITTED BY THE LEASE AGREEMENT, OF EVEN KIND, QUALITY, AND QUANTITY WITHIN EACH UNIT AND AMONG ALL UNITS INVOLVED;

(E) ARE ADEQUATELY CONTAINED, PACKAGED, AND LABELED AS THE LEASE AGREEMENT MAY REQUIRE; AND

(F) CONFORM TO ANY PROMISES OR AFFIRMATIONS OF FACT MADE ON THE CONTAINER OR LABEL.

(3) OTHER IMPLIED WARRANTIES MAY ARISE FROM COURSE OF DEALING OR USAGE OF TRADE.

2A-213. IMPLIED WARRANTY OF FITNESS FOR PARTICULAR PURPOSE

EXCEPT IN A FINANCE LEASE, IF THE LESSOR AT THE TIME THE LEASE CONTRACT IS MADE HAS REASON TO KNOW OF ANY PARTICULAR PURPOSE FOR WHICH THE GOODS ARE REQUIRED AND THAT THE LESSEE IS RELYING ON THE LESSOR'S SKILL OR JUDGMENT TO SELECT OR FURNISH SUITABLE GOODS, THERE IS IN THE LEASE CONTRACT AN IMPLIED WARRANTY THAT THE GOODS WILL BE FIT FOR THAT PURPOSE.

2A-214. EXCLUSION OR MODIFICATION OF WARRANTIES

(1) WORDS OR CONDUCT RELEVANT TO THE CREATION OF AN EXPRESS WARRANTY AND WORDS OR CONDUCT TENDING TO NEGATE OR LIMIT A WARRANTY MUST BE CONSTRUED WHEREVER REASONABLE AS CONSISTENT WITH EACH OTHER; BUT, SUBJECT TO THE PROVISIONS OF § 2A-202 ON PAROL OR EXTRINSIC EVIDENCE, NEGATION OR LIMITATION IS INOPERATIVE TO THE EXTENT THAT THE CONSTRUCTION IS UNREASONABLE.

(2) SUBJECT TO SUBSECTION (3), TO EXCLUDE OR MODIFY THE IMPLIED WARRANTY OF MERCHANTABILITY OR ANY PART OF IT, THE LANGUAGE MUST MENTION "MERCHANTABILITY", BE BY A WRITING, AND BE CONSPICUOUS. SUBJECT TO SUBSECTION (3), TO EXCLUDE OR MODIFY ANY IMPLIED WARRANTY OF FITNESS, THE EXCLUSION MUST BE BY A WRITING AND BE CONSPICUOUS. LANGUAGE TO EXCLUDE ALL IMPLIED WARRANTIES OF FITNESS IS SUFFICIENT IF IT IS IN WRITING, CONSPICUOUS AND STATES, FOR EXAMPLE, "THERE IS NO WARRANTY THAT THE GOODS WILL BE FIT FOR A PARTICULAR PURPOSE."

(3) NOTWITHSTANDING SUBSECTION (2), BUT SUBJECT TO SUBSECTION (4),

(A) UNLESS THE CIRCUMSTANCES INDICATE OTHERWISE, ALL IMPLIED WARRANTIES ARE EXCLUDED BY EXPRESSIONS LIKE "AS IS," OR "WITH ALL FAULTS," OR BY OTHER LANGUAGE THAT IN COMMON UNDERSTANDING CALLS THE LESSEE'S ATTENTION TO THE EXCLUSION OF WARRANTIES AND MAKES PLAIN THAT THERE IS NO IMPLIED WARRANTY, IF IN WRITING AND CONSPICUOUS;