

Index

ACCESSIONS

- Attachments, **4:8**
- Conflicting perfected security interests; priorities, **8:34**
- Definitions and terminology, **3:19**

ACCOUNT DEBTOR

- Assertion of claims and defenses by account debtor, **9:41**
 - Application, **9:42**
 - Comparison to Civil Code rules, **9:43**
- Assigned contract, modification of, **9:46**
- Assignor, agreements made to benefit, **9:38**
- Claims and defenses, **9:35-9:46**
 - Agreements made after the fact, **9:36**
- Consumer account debtors, **9:44**
- Consumer debtors, **9:39**
- Defenses, **9:35-9:46**
- Definitions and terminology, **3:20**
- Direct payment obligations of
 - generally, **9:22-9:34**
 - assignment, proof of, **9:23**
 - ineffective notification, **9:24**
 - release notifications, **9:26**
 - sending notifications, **9:25**
 - tort claims, **9:34**
- Governmental account debtors, **9:33**
- Instruments, **9:40**
- Litigious redemption, **9:45**
- Modification of assigned contract, **9:46**

ACCOUNTS

- Alienability, **9:5-9:9**
- Collateral, accounts as
 - generally, **3:66-3:74**
 - conversion of accounts into instruments, **3:74**
 - distinction between accounts, instruments, and chattel paper, **3:72**
 - distinction between accounts and general intangibles, **3:73**
 - perfecting security interest, **3:64**
- Deposit accounts
 - collateral
 - generally, **3:86-3:88**
 - perfection of security interests in deposit account. Perfection, below defaults; secured party's collection and enforcement rights, **10:40**

ACCOUNTS—Cont'd

Deposit accounts—Cont'd

perfection

generally, **5:70-5:74**

certificates of deposit, perfection rules applicable to, **5:72**

choice of law considerations, **5:74**

collateral, **3:84**

depository banks rights, **5:73**

law governing, **7:22**

perfection, controllable electronic records,

change in governing law, **7:42**

priorities

generally, **8:23-8:26**

depository bank, **8:24**

secured parties other than depository bank, **8:25**

transferee of funds from deposit accounts, **8:26**

Distinctions

accounts, instruments, and chattel paper, distinction between, **3:72**

accounts and general intangibles, distinction between, **3:73**

AFTER-ACQUIRED COLLATERAL

Perfection of UCC security interests

generally, **7:38-7:40**

change in debtor's location, **7:39**

new debtor in different jurisdiction, **7:40**

AGENT OR BAILEE

Perfection of security interests in possessory collateral in hands of agent or bailee

generally, **5:12-5:16**

who may be agent or bailee, **5:12-5:16**

Who may be agent or bailee, **5:12-5:16**

AGRICULTURAL LIENS

Conflicting perfected security interests and agricultural liens

generally, **8:10-8:45**

accessions, **8:34**

certificate of title, goods covered by, **8:33**

chattel paper, instruments, documents, and goods represented by negotiable document, **8:37**

crops, **8:35**

deposit accounts

generally, **8:23-8:26**

depository bank, **8:24**

secured parties other than depository bank, **8:25**

transferee of funds from deposit accounts, **8:26**

first-to-file rule for proceeds of non-filing collateral, special, **8:39**

investment property, **8:28-8:31**

letter-of-credit rights, **8:32**

life insurance policies, **8:27**

INDEX

AGRICULTURAL LIENS—Cont'd

- Conflicting perfected security interests and agricultural liens—Cont'd
 - new debtors, **8:41-8:45**
 - proceeds, **8:38, 8:39**
 - purchase money security interests
 - generally, **8:10-8:26**
 - consignments, **8:17-8:19**
 - cross-collateralization, **8:12**
 - definition, **8:11**
 - farm products consisting of livestock, **8:20**
 - goods other than inventory and livestock, **8:13**
 - inventory, **8:14**
 - inventory financier, practical advice for, **8:15**
 - livestock, **8:20**
 - multiple interests, **8:22**
 - proceeds of inventory, **8:16**
 - software, **8:21**
 - transferred collateral, **8:40**
- Definitions and terminology, **3:3**
- Events of default, **10:4**
- First-to-file-or-perfect rule, **8:5-8:9**
- Hidden security interests, **6:99**
- Perfection of UCC security interests, **7:44**

AGRICULTURAL PRODUCTS

- See index headings CROPS; FARM PRODUCTS

AIR CARRIERS, FOREIGN

- Perfection of UCC security interests, **7:10**

AIRCRAFT SECURITY INTERESTS, LIMITED EXEMPTIONS FROM COVERAGE

- Generally, **2:41-2:45**
- Aircraft charter rights, **2:45**
- Federal Aviation Act, **2:42**
- Security interests in avionics and spare parts, **2:44**

ALIENABILITY

- Generally, **9:1-9:46**
- Accounts, chattel paper, payment intangibles and promissory notes; contractual restrictions, **9:5-9:9**
- Beneficial interest in trust, **9:20**
- Chattel paper; contractual restrictions, **9:5-9:9**
- Conflict of law considerations, **9:2**
- Healthcare insurance receivables
 - generally, **9:13-9:17**
 - account debtors, protection of, **9:17**
 - contractual restrictions, **9:13**
 - legal restrictions, **9:14-9:16**
 - limited liability companies, **9:16**

ALIENABILITY—Cont'd

- Healthcare insurance receivables—Cont'd
 - partnership interests, **9:16**
 - promissory notes, protection of obligors of, **9:17**
- Judgments, security interest in, **9:20**
- Leases of goods, **9:18**
- Legal restrictions, **9:10-9:12**
- Letter of credit rights, **9:19**
- Payment intangibles; contractual restrictions, **9:5-9:9**
- Promissory notes
 - contractual restrictions, **9:5-9:9**
 - healthcare insurance receivables, **9:17**
 - legal restrictions, **9:12**
- Secured party not obligated on underlying contract, **9:4**
- Transfer of collateral in violation of security agreement, **9:3**

AMENDING UCC-1 FINANCING STATEMENTS

- Address, change in secured party's, **6:52**
- Correction of errors, **6:48**
- Effective date, **6:45**
- Exceptions, **6:49-6:51**
- Master amendments, **6:54**
- Moving collateral from place to place, **6:51**
- Name, change in secured party's, **6:52**
- New debtor in same jurisdiction, transfer to, **6:47**
- Non-cash proceeds for which filing could be made in same filing office; amendment not required, **6:50**
- Partial releases and restatements of collateral, **6:53**
- Procedure, **6:43-6:54**

APPRAISALS

- Judicial foreclosure, **10:28**

AS-EXTRACTED COLLATERAL

- Perfection, **7:14**

ASSIGNMENT OF UCC SECURITY INTERESTS

- Generally, **6:55-6:61**
- Automatic perfection, **5:47**
- Automatic transfer of security rights, **6:56**
- Bare or “naked” assignments, **6:61**
- Initial financing statement, inclusion on, **6:59**
- Master assignments, **6:60**
- “Naked” assignments, **6:61**
- Security agreements, **4:21**
- When filing required, **6:58**

ATTACHMENTS

- Generally, **4:1-4:11**
- Accessions and commingled goods, **4:8**

INDEX

ATTACHMENTS—Cont'd

- Commingled goods, **4:8**
- Definitions and terminology, **3:8, 4:1**
- Giving value, meaning of, **4:4**
- Importance of, **4:3**
- Informational requests by debtor, **4:10, 4:11**
- Investment property, **4:9**
- Life insurance policies, **4:5**
- Penalties for failure to respond to informational requests by debtor, **4:11**
- Perfection of UCC security interests; attachment as condition precedent, **5:2**
- Proceeds, **4:6**
- Requirements for attachment
 - generally, **4:2-4:5**
 - giving value, meaning of, **4:4**
 - importance of attachment, **4:3**
 - life insurance policies, **4:5**
- Scope of, **4:6-4:11**
- Supporting obligations, **4:7**

AUTHENTICATE

- Record, Sign, **3:7**

AUTOMATIC PERFECTION OF UCC SECURITY INTERESTS

- Generally, **5:33-5:55**
- Assignments, **5:47**
- Cash proceeds, **5:51**
- Cash proceeds, Intervening, **5:53**
- Collateral mortgage notes and temporary perfection, **5:43**
- Collecting banks and issuing bank interests, **5:46**
- Exclusions, **5:36**
- Financial assets, purchase or delivery of, **5:45**
- Healthcare insurance receivables, **5:48**
- Nature of automatic perfection, **5:33**
- Proceeds for collateral, **5:49-5:53**
- Purchase money security interests in consumer goods, **5:34-5:41**
- Sales and assignments, **5:47**
- Supporting obligations, **5:54**
- Temporary perfection rule for instruments, negotiable documents and certified securities, **5:42-5:44**

AUTOMOBILES

- Driver's license, name of debtor; UCC-1 financing statement, **6:20, 6:21**
- Self-help repossession
 - breach of peace, **10:51**
 - creditors entitled to use, **10:47**
 - default defined, **10:49**
 - deficiency judgment, **10:54**
 - dispositions permitted, **10:53**
 - licenses required, **10:48**

AUTOMOBILES—Cont'd

Self-help repossession—Cont'd

notice of repossession, **10:52**

notice required before repossession, **10:50**

personal property inside repossessed collateral, **10:55**

Titled motor vehicles

description of secured collateral, **4:28**

manufactured home; where to file financing statement, **6:37**

termination of UCC security interests, **6:73**

UCC-3 continuation statement, **6:68**

UCC-1 financing statement, **6:15**

where to file financing statement, **6:34-6:37**

UCC-1 financing statement, **6:15**

AVIONICS AND SPARE PARTS

Limited exemptions from Article 9 coverage for security interests in, **2:44**

BACKGROUND OF UCC

Generally, **1:1-1:10**

Interaction between Louisiana UCC Article 9 and prior law. See index heading

INTERACTION BETWEEN LOUISIANA UCC ARTICLE 9 AND PRIOR LAW

Law Merchant, **1:1**

Louisianas adoption of certain UCC articles, **1:4**

Louisiana UCC Article 9, adoption of, **1:4**

Uniform Commercial Code, **1:3**

BOATS

Filing perfection of UCC security interests, **6:39**

BONDS, CERTIFICATED

See index heading CERTIFICATED SECURITIES

BUYERS IN ORDINARY COURSE OF BUSINESS

Definitions and terminology, **3:22**

Priority rules under UCC Article 9

bulk sales, **8:68**

commercial buyers, **8:66**

Consumer buyer of consumer goods, **8:70**

farm products, sale of, **8:69**

Rights and obligations arising from a purchase subject to a security interest.,
8:62

Security interests not created by immediate seller, **8:67**

CASH PROCEEDS

Automatic perfection, **5:51**

Defaults; secured party's collection and enforcement rights, **10:41**

CERTIFICATED SECURITIES

Control, perfection by, **5:91**

Delivery, perfection by, **5:90**

INDEX

CERTIFICATED SECURITIES—Cont'd

- Perfection of UCC security interests
 - generally, **5:80-5:92**
 - control, perfection by, **5:91**
 - delivery, perfection by, **5:90**
 - Limited exception for returned documents and goods, **5:18**
 - Secured party must retain possession of collateral, **5:17**
 - temporary automatic perfection, **5:92**
- Retention of secured certificated securities perfection by, **5:19**
- Temporary automatic perfection, **5:92**

CERTIFICATE OF TITLE

- Conflicting perfected security interests; priorities, **8:33**

CERTIFICATES OF DEPOSIT

- Perfection of UCC security interests, **5:72**

CERTIFICATES OF TITLE

- Perfection of UCC security interests
 - generally, **7:17-7:20**
 - inventory, **7:19, 7:20**
 - leasing goods, inventory held by debtor engaged in business of, **7:20**
 - successive certificates of title, **7:18**

CHATTEL PAPER AND PLEDGED NOTES

- Alienability, **9:5-9:9**
- Applicability of Article 9; total exclusions from coverage, **2:35**
- Collateral, chattel paper as
 - Distinctions among instruments, accounts, and chattel paper, **3:57**
 - perfecting a security interest in chattel paper, **3:64**
 - real estate mortgage notes and chattel paper distinguished, **3:63**
 - two-tiered perfection concerns, **3:65**
- Conflicting perfected security interests; priorities, **8:38**
- Perfection of UCC security interests in chattel paper
 - Chattel paper, **5:60**
 - Controllable accounts and controllable payment intangibles, **5:67**
 - Controllable electronic records, **5:68**
 - Obtaining control through another person, **5:69**
 - Obtaining control of electronic copies, **5:62**
 - generally, **5:62-5:66**
 - Control through another person, **5:66**
 - Exclusive power, **5:65**
 - One or more authoritative copies, **5:64**
 - Single authoritative copy, **5:63**
 - Obtaining possession of tangible copies, **5:61**
 - One or more authoritative copies, **5:63**
- Priority against purchasers, **8:48-8:51**
- True sales of; priority against purchasers, **8:73**

CHECKLISTS

Generally, **App. 4**

CHOICE OF LAW

Perfected secured lenders, priority rights, **7:1**

Perfection of UCC security interests

deposit accounts, **5:74**

estates, **5:87**

judgments, **5:101**

life insurance, **5:106**

Relationship to Louisiana Trust Code, **5:113**

tort claims, **5:107**

trust interests, **5:114**

Description requirements, **5:111**

Signing requirements, **5:112**

COLLATERAL

Generally, **3:35-3:99**

Account debtors

assigned contract, modification of, **9:46**

assignor, agreements made to benefit, **9:38**

claims and defenses, **9:35-9:46**

consumer account debtors, **9:44**

defenses, **9:35-9:46**

direct payment obligations of

generally, **9:22-9:34**

assignment, proof of, **9:23**

governmental account debtors, **9:33**

ineffective notification, **9:24**

release notifications, **9:26**

sending notifications, **9:25**

tort claims, **9:34**

litigious redemption, **9:45**

Litigious redemption, **9:45**

modification of assigned contract, **9:46**

Accounts

generally, **3:66-3:74**

Controllable accounts, **3:69**

conversion of accounts into instruments, **3:74**

distinction between accounts, instruments, and chattel paper, **3:72**

distinction between accounts and general intangibles, **3:73**

Exclusions, **3:70**

Health-care-insurance receivables, **3:68**

Limited definition, **3:67**

Perfecting a security interest, **3:71**

perfecting security interest, **3:64**

Agricultural products. Crops and farm products, below

INDEX

COLLATERAL—Cont'd

Alienability

generally, **9:1-9:46**

accounts, chattel paper, payment intangibles and promissory notes; contractual restrictions, **9:5-9:9**

beneficial interest in trust, **9:20**

chattel paper; contractual restrictions, **9:5-9:9**

conflict of law considerations, **9:2**

healthcare insurance receivables

generally, **9:13-9:17**

account debtors, protection of, **9:17**

contractual restrictions, **9:13**

legal restrictions, **9:14-9:16**

limited liability companies, **9:16**

partnership interests, **9:16**

promissory notes, protection of obligors of, **9:17**

judgments, security interest in, **9:20**

leases of goods, **9:18**

legal restrictions, **9:10-9:12**

letter of credit rights, **9:19**

payment intangibles; contractual restrictions, **9:5-9:9**

promissory notes

contractual restrictions, **9:5-9:9**

healthcare insurance receivables, **9:17**

legal restrictions, **9:12**

secured party not obligated on underlying contract, **9:4**

transfer of collateral in violation of security agreement, **9:3**

As-extracted, **3:75**

Categories, **3:35**

Certificated and uncertificated securities, **3:93**

Chattel paper, **3:62**

perfecting a security interest in chattel paper, **3:64**

two-tiered perfection concerns, **3:65**

Consumer goods

debtor must be individual, **3:39**

Consumer purpose

generally, **3:40**

consumer loan purpose distinguished, **3:41**

subsequent change in use, **3:42**

Crops and farm products

generally, **3:43-3:48**

agricultural central registry filing, **3:46-3:48**

conditions, additional required, **3:44**

dual purpose filings, **3:47**

natural progression, **3:45**

standing timber, agricultural central registry filing, **3:48**

Definitions and terminology, **3:4**

COLLATERAL—Cont'd

Deposit accounts

- generally, **3:86-3:88**
- certificates of deposit distinguished, negotiable, **3:87**
- perfection of security interests, **3:84**

Direct payment obligations of account debtors

- generally, **9:22-9:28**
- assignment, proof of, **9:23**
- governmental account debtors, **9:33**
- ineffective notification, **9:24**
- release notifications, **9:26**
- sending notifications, **9:25**
- tort claims, **9:34**

Documents

- generally, **3:76-3:79**
- electronic documents, **3:77**
- negotiable and nonnegotiable documents, **3:78**
- perfecting security interest, **3:79**
- tangible and electronic documents, **3:77**

Electronic documents, **3:77**

Equipment

- generally, **3:51**
- distinguishing inventory from equipment, **3:50**
- farm equipment, **3:52**

Farm equipment, **3:52**

Farm products. Crops and farm products, above

Fixtures, **3:53**

Goods, generally, **3:35**

Incorporation of other definitions, **3:100**

Instruments

- conversion of instruments into chattel paper and vice versa, **3:58**
- distinction between instruments, accounts, and chattel paper, **3:58**
- distinction between instruments and investment property, **3:60**
- examples, **3:56**
- instruments as a form of investment property, **3:60**

Intangibles, general

- generally, **3:81-3:85**
- accounts distinguished, **3:73**
- Controllable payment intangibles, **3:83**
- investment property distinguished, **3:85**
- payment intangibles and software
 - controllable electronic records, **3:82**
- perfecting a security interest, **3:84**
- software, payment intangibles and controllable electronic records, **3:82**

Inventory

- generally, **3:49-3:51**
- distinguishing inventory from equipment, **3:50**

INDEX

COLLATERAL—Cont'd

- Inventory—Cont'd
 - goods consumed in borrower's own business, **3:51**
- Investment property, **3:90-3:99**
- Investment securities, **3:90-3:99**
- Letter of credit, **3:80**
- Manufactured homes, **3:54**
- Money, **3:89**
- Negotiable and nonnegotiable documents, **3:78**
- Non-uniform Louisiana definitions, **3:101**
- Tangible and electronic documents, **3:77**
- Third persons obligated on collateral, rights and duties of
 - account debtors, claims and defenses of, **9:35-9:46**
 - alienability
 - generally, **9:1-9:46**
 - accounts, chattel paper, payment intangibles and promissory notes;
 - contractual restrictions, **9:5-9:9**
 - beneficial interest in trust, **9:20**
 - chattel paper; contractual restrictions, **9:5-9:9**
 - conflict of law considerations, **9:2**
 - healthcare insurance receivables, **9:13-9:17**
 - judgments, security interest in, **9:20**
 - leases of goods, **9:18**
 - legal restrictions, **9:10-9:12**
 - letter of credit rights, **9:19**
 - payment intangibles; contractual restrictions, **9:5-9:9**
 - promissory notes, **9:5-9:9, 9:12, 9:17**
 - secured party not obligated on underlying contract, **9:4**
 - transfer of collateral in violation of security agreement, **9:3**
 - direct payment obligations of account debtors
 - generally, **9:22-9:28**
 - assignment, proof of, **9:23**
 - Consumer account debtors, **9:32**
 - Controllable accounts and controllable payment, **9:27**
 - ineffective notification, **9:24**
 - release notifications, **9:26**
 - sending notifications, **9:25**
 - tort claims, **9:34**
 - Types of UCC collateral, **3:35-3:99**
 - UCC-1 financing statement, collateral description, **6:14-6:24**

COMMINGLED GOODS

- Attachments, **4:8**
- Definitions and terminology, **3:23**
- Secured lender in possession, duties of not to commingle, **5:25**

COMMODITY CONTRACTS

- Investment property, **3:98**

COMMUNITY PROPERTY

Authenticating and amending security agreements, **4:42-4:47**

**CONFLICTING PERFECTED SECURITY INTERESTS AND
AGRICULTURAL LIENS**

Deposit accounts

generally, **8:23-8:26**

depository bank, **8:24**

secured parties other than depository bank, **8:25**

transferee of funds from deposit accounts, **8:26**

Priorities

generally, **8:10-8:45**

accessions, **8:34**

certificate of title, goods covered by, **8:33**

chattel paper, instruments, documents, and goods represented by negotiable
document, **8:37**

Collateral acquired by transfer from original debtor, **8:42**

Collateral acquired other than by transfer from original debtor, **8:43**

crops, **8:35**

deposit accounts

generally, **8:23-8:26**

depository bank, **8:24**

secured parties other than depository bank, **8:25**

transferee of funds from deposit accounts, **8:26**

first-to-file rule for proceeds of non-filing collateral, special, **8:39**

investment property, **8:28-8:31**

letter-of-credit rights, **8:32**

life insurance policies, **8:27**

Multiple original debtors, **8:45**

Multiple secured parties of original debtor, **8:44**

new debtors, **8:41-8:45**

proceeds, **8:38, 8:39**

purchase money security interests

generally, **8:10-8:26**

consignments, **8:17-8:19**

cross-collateralization, **8:12**

definition, **8:11**

farm products consisting of livestock, **8:20**

goods other than inventory and livestock, **8:13**

inventory, **8:14**

inventory financier, practical advice for, **8:15**

livestock, **8:20**

multiple interests, **8:22**

proceeds of inventory, **8:16**

software, **8:21**

transferred collateral, **8:40**

Purchase money security interests

generally, **8:10-8:26**

INDEX

CONFLICTING PERFECTED SECURITY INTERESTS AND AGRICULTURAL LIENS—Cont'd

- Purchase money security interests—Cont'd
 - consignments, **8:17-8:19**
 - cross-collateralization, **8:12**
 - definition, **8:11**
 - farm products consisting of livestock, **8:20**
 - goods other than inventory and livestock, **8:13**
 - inventory, **8:14**
 - inventory financier, practical advice for, **8:15**
 - livestock, **8:20**
 - multiple interests, **8:22**
 - proceeds of inventory, **8:16**
 - software, **8:21**

CONSIGNMENTS OF GOODS

- Definitions and terminology, **3:24**
- Priority against purchasers, **8:74**
- Purchase money security interests; priorities, **8:17-8:19**

CONSTRUCTION CONTRACTS

- Applicability of Article 9 to, **2:26**

CONSUMER GOODS

- Automatic perfection, purchase money security interests
 - generally, **5:34-5:41**
 - consumer goods, rule limited to, **5:37**
 - cross-collateralization, **5:39**
 - exclusions, **5:36**
 - non-cash proceeds, **5:41**
 - priority of rights of consumer buyer, **5:40**
 - purchase money security interest, definition of, **5:35**
 - tracing of proceeds rule, **5:38**
- Collateral
 - generally, **3:35**
 - consumer purpose, **3:40-3:42**
 - debtor must be individual, **3:39**
- Purchase money security interests
 - perfection. Automatic perfection, purchase money security interests, above
- Strict foreclosure
 - consent, debtor's, **10:83**
 - mandatory disposition of or judicial foreclosure upon consumer goods, **10:88**

CONSUMER PURPOSE

- Generally, **3:40**
- Consumer loan purpose distinguished, **3:41**
- Subsequent change in use, **3:42**

CONTINUATION STATEMENT, UCC-3

- Computation of five-year period of effectiveness, **6:64**

CONTINUATION STATEMENT, UCC-3—Cont'd

- Filing perfection of UCC security interests
 - generally, **6:62-6:68**
 - computation of five-year period of effectiveness, **6:64**
 - lapse, effect of, **6:66**
 - motor vehicles, titled, **6:68**
 - reperfection, **6:67**
 - timely continuation statement, effect of, **6:65**
 - where to file, **6:63**
- Lapse, effect of, **6:66**
- Motor vehicles, titled, **6:68**
- Reperfection, **6:67**
- Timely continuation statement, effect of, **6:65**
- Titled motor vehicles, **6:68**
- Where to file, **6:63**

CONTROL

- Definitions and terminology, **3:17**

CONTROL PERFECTION

- Generally, **5:56-5:59**
- Agreements, **5:58, 5:100**
- Control obtained through another person, **5:57**
- Deposit accounts, **5:70**
- Investment property
 - agreements, **5:100**
 - security accounts and security entitlements, **5:96**
 - uncertificated securities, **5:93**
- Relinquishment of control, **5:59**

COPYRIGHTS

- Limited exemptions from coverage, **2:50**

CROPS

- Agricultural central registry
 - dual purpose filings, **3:47**
 - filing, **3:46-3:48**
- Automatic perfection of lien of agricultural laborer upon, **5:55**
- Collateral
 - generally, **3:43-3:48**
 - agricultural central registry filing, **3:46-3:48**
 - conditions, additional required, **3:44**
 - dual purpose filings, **3:47**
 - natural progression, **3:45**
 - standing timber, agricultural central registry filing, **3:48**
- Conflicting perfected security interests; priorities, **8:35**
- Perfection; growing crops and other farm products, **7:15**
- Priorities, **8:111**

INDEX

CROSS-COLLATERALIZATION SECURITY AGREEMENTS

- Generally, **4:23-4:26**
- Contractual exceptions to cross-collateralization
 - generally, **4:24-4:26**
 - home equity lines of credit, **4:26**
 - rescission, right of, **4:25**
 - U margin stock, regulation of, **4:24**

DAMAGES

- Defaults; noncompliance
 - actual damages, **10:95, 10:98**
 - statutory damages, **10:99**

DEBTOR

- Definitions and terminology, **3:5**

DEFAULTS

- Generally, **10:1-10:100**
- Agricultural lien, time of default for, **10:4**
- Contractual default remedies, **10:5**
- Contractual events of default, **10:2, 10:3**
- Deficiency, effect of elimination or reduction of, **10:98**
- Disposition of collateral after default
 - generally, **10:56-10:77**
 - commercially reasonable requirement, **10:57**
 - disclaimer; implied warranties, **10:60**
 - effect of, **10:70**
 - implied warranties, **10:59, 10:60**
 - junior secured partys receipt of process, **10:73**
 - non-cash proceeds, **10:69**
 - notification
 - generally, **10:61-10:67**
 - consumer goods transaction, content of notification in, **10:65**
 - content of, **10:64, 10:65**
 - failure to give, **10:67**
 - third persons to be notified, **10:62**
 - timeliness of notification, **10:63**
 - when not required, **10:66**
 - proceeds of, **10:68**
- Standards for determination, **10:58**
- surplus, liability for deficiency and entitlement to, **10:74**
- transferees rights, **10:71**
- transfer statement, **10:72**
- Documents, collateral consisting of; remedies, **10:7**
- Events of default
 - generally, **10:1-10:4**
 - agricultural lien, time of default for, **10:4**
 - contractual events of default, **10:2, 10:3**
- Exculpation, **10:100**

DEFAULTS—Cont'd

Foreclosure

judicial. Foreclosure, judicial, below
strict foreclosure, below

Foreclosure, judicial

generally, **10:15-10:32**

appraisals, **10:28**

authentic evidence, **10:21**

authority and capacity presumed, **10:23**

continuation of security interest after judgment, **10:17**

Deficiency Judgment Act, **10:32**

executory process, **10:18, 10:19**

fixtures, **10:30**

identification of collateral to be seized, **10:27**

inferior encumbrances, **10:29**

judicial sale, **10:20**

ordinary process, **10:16, 10:17**

proof of amount and terms of secured obligations and existence of default,
10:24

redemption rights, **10:31**

signatures presumed genuine, **10:22**

supporting affidavits, **10:25**

terms of secured obligations and existence of default, **10:24**

Insecurity clauses; contractual events of default, **10:2**

Judicial Foreclosure. Foreclosure, judicial

Noncompliance

generally, **10:93-10:100**

actual damages, **10:95, 10:98**

Controllable electronic records, controllable accounts or controllable pay-
ment intangibles, **10:97**

Persons to whom duties owed, **10:96**

deficiency, effect of elimination or reduction of, **10:98**

exculpation, **10:100**

injunctions, **10:94**

remedies, **10:93-10:100**

statutory damages, **10:99**

Possession perfection and rights to possessory collateral following default, **5:32**

Real and personal property, security agreement covering; remedies, **10:9**

Remedies following

generally, **10:5-10:97**

contractual, **10:5**

documents, collateral consisting of, **10:7**

foreclosure, judicial

generally, **10:15-10:32**

appraisals, **10:28**

authentic evidence, **10:21**

authority and capacity presumed, **10:23**

continuation of security interest after judgment, **10:17**

INDEX

DEFAULTS—Cont'd

Remedies following—Cont'd

foreclosure, judicial—Cont'd

Deficiency Judgment Act, **10:32**

executory process, **10:18, 10:19**

fixtures, **10:30**

identification of collateral to be seized, **10:27**

inferior encumbrances, **10:29**

judicial sale, **10:20**

ordinary process, **10:16, 10:17**

proof of amount and terms of secured obligations and existence of default, **10:24**

redemption rights, **10:31**

signatures presumed genuine, **10:22**

supporting affidavits, **10:25**

terms of secured obligations and existence of default, **10:24**

Louisiana UCC, **10:6-10:9**

noncompliance, **10:93-10:100**

non-judicial, **10:10-10:14, 10:33-10:91**

Part 6 of Louisiana UCC Chapter 9, **10:33**

real and personal property, security agreement covering, **10:9**

secured party's collection and enforcement rights

generally, **10:34-10:43**

cash proceeds, **10:41**

commercial reasonableness, **10:35**

deposit accounts, **10:40**

expenses of collection and enforcement, **10:36**

inferior secured parties, collection rights of, **10:39**

mortgages, nonjudicial enforcement of, **10:38**

non-cash proceeds, **10:42**

Release of account debtors, **10:43**

summary proceedings to require delivery of documentation, **10:37**

secured party with possession or control of collateral, **10:8**

self-help repossession

generally, **10:44-10:55**

conflict of law, **10:45**

waiver and variance of rights and duties, **10:10-10:14**

Secured party's collection and enforcement rights

generally, **10:34-10:43**

cash proceeds, **10:41**

commercial reasonableness, **10:35**

deposit accounts, **10:40**

expenses of collection and enforcement, **10:36**

inferior secured parties, collection rights of, **10:39**

mortgages, nonjudicial enforcement of, **10:38**

non-cash proceeds, **10:42**

summary proceedings to require delivery of documentation, **10:37**

Secured party with possession or control of collateral; remedies, **10:8**

DEFAULTS—Cont'd

Security agreements; default remedies, **4:40**

Self-help repossession

generally, **10:44-10:55**

conflict of law considerations, **10:45**

motor vehicles

generally, **10:46-10:55**

breach of peace, **10:51**

creditors entitled to use, **10:47**

default defined, **10:49**

deficiency judgment, **10:54**

dispositions permitted, **10:53**

licenses required, **10:48**

notice of repossession, **10:52**

notice required before repossession, **10:50**

personal property inside repossessed collateral, **10:55**

Strict foreclosure

generally, **10:78-10:91**

advantages, **10:79**

consent, debtor's

generally, **10:82**

consumer goods, **10:83**

consumer goods

consent, debtor's, **10:83**

mandatory disposition of or judicial foreclosure upon consumer goods,
10:88

cross-collateralization provisions, **10:91**

effect of, **10:90**

mandatory disposition of or judicial foreclosure upon consumer goods, **10:88**

notice to debtor of proposal, **10:81**

no waiver or variation by agreement, **10:80**

objections by third persons to proposal, **10:85**

partial satisfaction of secured obligation in consumer transactions, **10:89**

secured party's consent required, **10:87**

third persons, notice to, **10:84, 10:85**

Waiver and variance of rights and duties; remedies, **10:10-10:14**

DEFICIENCY

Defaults; effect of elimination or reduction of deficiency, **10:98**

DEFICIENCY JUDGMENT ACT

Judicial foreclosure; remedies, **10:32**

DEFINITIONS AND TERMINOLOGY

Accessions, **3:19**

Account debtor, **3:20**

Agricultural lien, **3:3**

Assignor, assignee, assignment, **3:21**

Attachment, **3:8, 4:1**

INDEX

DEFINITIONS AND TERMINOLOGY—Cont'd

- Buyer and lessees in the ordinary course, **3:22**
- Collateral, **3:4, 3:31-3:90**
- Commingled goods, **3:23**
- Consignment, **3:24**
- Control, **3:17**
- Debtor, **3:5**
- Filing, **3:14**
- Filing office, **3:13**
- Financial statement, **3:12**
- Glossary, **App. 1**
- Good faith, **3:26**
- Key Article 9 definitions and terminology, **3:1**
- Lien creditor, **3:27**
- Notice, **3:16**
- Obligor, **3:28**
- Perfection, **3:11**
- Possession, **3:15**
- Possession and Control, **3:18**
- Priorities, **8:2**
- Proceeds, **3:30**
- Purchase money security interest, **3:31**
- Registered organization, **3:33**
- Secondary obligor, **3:28**
- Secured party, **3:6**
- Security agreement, **3:9**
- Security interest, **3:2**
- Supporting obligations, **3:34**
- Timber conveyance, recorded, **3:32**

DELIVERY

- Certificated securities, **5:90**
- Perfection of UCC security interests by possession; actual delivery required, **5:10-5:20**
- Purchase or delivery of financial asset, **4:16**
- Summary proceedings to require delivery of documentation, **10:37**

DEPOSIT ACCOUNTS

- Collateral
 - generally, **3:86-3:88**
 - perfection of security interests in deposit account. Perfection, below
- Defaults; secured party's collection and enforcement rights, **10:40**
- Perfection
 - generally, **5:70-5:74**
 - certificates of deposit, perfection rules applicable to, **5:72**
 - choice of law considerations, **5:74**
 - collateral, **3:84**
 - depository banks rights, **5:73**
 - Types of deposit accounts, **5:71**

DEPOSIT ACCOUNTS—Cont'd

Perfection of UCC security interests, **7:42**

Perfection of UCC security interests, **7:22**

Priorities

generally, **8:23-8:26**

depository bank, **8:24**

secured parties other than depository bank, **8:25**

transferee of funds from deposit accounts, **8:26**

DIFFERENCES OF LOUISIANA ARTICLE 9 FROM THAT OF OTHER STATES

Additions to coverage, Louisiana, **2:56**

Exclusions from coverage, Louisiana, **2:57**

Significance to lenders and their attorneys, **2:58**

DIRECT PAYMENT OBLIGATIONS OF ACCOUNT DEBTOR

Generally, **9:22-9:28**

Assignment, proof of, **9:23**

Consumer account debtors, **9:32**

Controllable accounts and controllable payment intangibles, **9:27**

Ineffective notification, **9:24**

Notification ineffective, **9:30**

Payment after notification, **9:29**

Payment before notification, **9:28**

Reasonable proof of transfer of control, **9:31**

Release notifications, **9:26**

Sending notifications, **9:25**

Tort claims, **9:34**

DISPOSITION OF COLLATERAL AFTER DEFAULT

Commercially reasonable requirement, **10:57**

Implied warranties, **10:59, 10:60**

Notification

generally, **10:61-10:67**

consumer goods transaction, content of notification in, **10:65**

content of, **10:64, 10:65**

failure to give, **10:67**

third persons to be notified, **10:62**

timeliness of notification, **10:63**

when not required, **10:66**

Remedies

generally, **10:56-10:77**

commercially reasonable requirement, **10:57**

disclaimer; implied warranties, **10:60**

effect of, **10:70**

implied warranties, **10:59, 10:60**

junior secured party's receipt of process, **10:73**

non-cash proceeds, **10:69**

INDEX

DISPOSITION OF COLLATERAL AFTER DEFAULT—Cont'd

Remedies—Cont'd

notification

generally, **10:61-10:67**

consumer goods transaction, content of notification in, **10:65**

content of, **10:64, 10:65**

failure to give, **10:67**

third persons to be notified, **10:62**

timeliness of notification, **10:63**

when not required, **10:66**

proceeds of, **10:68**

Standards for determination, **10:58**

surplus, liability for deficiency and entitlement to, **10:74**

transferees rights, **10:71**

transfer statement, **10:72**

Standards for determination, **10:58**

Surplus, liability for deficiency and entitlement to, **10:74**

Burden of proof, **10:77**

Disposition in favor of a related party, **10:75**

Explanation of calculation in consumer-goods transactions, **10:76**

DOCUMENTS

Collateral

generally, **3:76-3:79**

electronic documents, **3:77**

negotiable and nonnegotiable documents, **3:78**

perfecting security interest, **3:79**

tangible and electronic documents, **3:77**

Default, remedies following, **10:7**

Negotiable documents

perfection of UCC security interests, **5:76-5:80**

Perfection of UCC security interests

generally, **5:75-5:83**

electronic documents, **5:77**

negotiable documents, **5:76-5:80**

nonnegotiable documents, **5:76**

priority, negotiable documents, **5:82**

DRIVER'S LICENSE

Name of debtor; UCC-1 financing statement, **6:20, 6:21**

ELECTRIC UTILITIES

Limited exemptions from Article 9 coverage and exclusions, **2:55**

ELECTRONIC RECORD

Controllable, **3:25**

EQUIPMENT

Collateral

generally, **3:52**

EQUIPMENT—Cont'd

Collateral—Cont'd

considerations. Considerations when taking equipment as collateral, below
distinguishing inventory from equipment, **3:50**

ERRORS

Amending UCC-1 financing statements, **6:48**

Transmission and indexing errors, **6:83**

ESTATES

Perfection of UCC security interests

generally, **5:84-5:87**

ability of successor to encumber their rights in estate, **5:86**

choice of law, **5:87**

description requirements, **5:85**

UCC-1 financing statement, name of estate under administration, **6:19**

EVENTS OF DEFAULT

Generally, **10:1-10:4**

Agricultural lien, time of default for, **10:4**

Contractual events of default, **10:2, 10:3**

EXCLUDED FROM UCC ARTICLE 9

Chattel paper, total exclusions from coverage, **2:35**

Collateral real estate mortgages, **2:14, 2:15**

Conventional real estate mortgages, **2:12**

Description, collateral, **2:18**

Direct reduction mortgages, **2:12**

Insurance, total exclusions from coverage, **2:36**

Limited exemptions from coverage

generally, **2:37-2:55**

aircraft security interests, **2:41-2:45**

copyrights, **2:50**

electric utilities, **2:55**

federal contract rights, assignments of, **2:46, 2:47**

interstate carriers, **2:49**

Louisiana agencies, security interests granted by, **2:51, 2:52**

patents, **2:50**

pawnbrokers, transactions with, **2:54**

preferred ship mortgages, **2:38-2:40**

railroad rolling stock, **2:49**

tradenames, **2:50**

wage assignments, **2:53**

Mortgages, **2:12-2:15**

Multiple indebtedness mortgages, **2:13**

Past exclusions, **2:10**

Payment intangibles, total exclusions from coverage, **2:35**

Promissory notes, total exclusions from coverage, **2:35**

Real estate encumbrances, **2:11-2:15**

Real estate leases, rents, and profits, **2:16-2:23**

INDEX

EXCLUDED FROM UCC ARTICLE 9—Cont'd

Scope of Louisiana UCC article 9

- chattel paper, total exclusions from coverage, **2:35**
- collateral real estate mortgages, **2:14, 2:15**
- conventional real estate mortgages, **2:12**
- description, collateral, **2:18**
- direct reduction mortgages, **2:12**
- insurance, total exclusions from coverage, **2:36**
- limited exemptions from coverage
 - generally, **2:37-2:55**
 - aircraft security interests, **2:41-2:45**
 - copyrights, **2:50**
 - electric utilities, **2:55**
 - federal contract rights, assignments of, **2:46, 2:47**
 - interstate carriers, **2:49**
 - Louisiana agencies, security interests granted by, **2:51, 2:52**
 - patents, **2:50**
 - pawnbrokers, transactions with, **2:54**
 - preferred ship mortgages, **2:38-2:40**
 - railroad rolling stock, **2:49**
 - tradenames, **2:50**
 - wage assignments, **2:53**
- mortgages, **2:12-2:15**
- multiple indebtedness mortgages, **2:13**
- past exclusions, **2:10**
- payment intangibles, total exclusions from coverage, **2:35**
- promissory notes, total exclusions from coverage, **2:35**
- real estate encumbrances, **2:11-2:15**
- real estate leases, rents, and profits, **2:16-2:23**
- total exclusions from coverage, **2:10, 2:35, 2:36**
- Total exclusions from coverage, **2:10, 2:35, 2:36**

EXCULPATION

- Defaults, **10:100**

FARM PRODUCTS

Collateral

- generally, **3:43-3:48**
- agricultural central registry filing, **3:46-3:48**
- conditions, additional required, **3:44**
- dual purpose filings, **3:47**
- natural progression, **3:45**
- standing timber, agricultural central registry filing, **3:48**

Crops

- agricultural central registry
 - dual purpose filings, **3:47**
 - filing, **3:46-3:48**
- automatic perfection of lien of agricultural laborer upon, **5:55**

FARM PRODUCTS—Cont'd

Crops—Cont'd

collateral

- generally, **3:43-3:48**
- agricultural central registry filing, **3:46-3:48**
- conditions, additional required, **3:44**
- dual purpose filings, **3:47**
- natural progression, **3:45**
- standing timber, agricultural central registry filing, **3:48**
- conflicting perfected security interests; priorities, **8:35**
- perfection; growing crops and other farm products, **7:15**
- priorities, **8:111**

FEDERAL CONTRACT RIGHTS, ARTICLE 9 AND ASSIGNMENTS OF

Generally, **2:46, 2:47**

Applicability of Article 9, **2:47**

FEDERAL TAX LIENS

Priority against lien creditors and lienholders, **8:86-8:90**

FILING

Definitions and terminology, **3:14**

FILING OFFICE

Definitions and terminology, **3:13**

FILING PERFECTION OF UCC SECURITY INTERESTS

Generally, **6:1-6:107**

Agricultural filings; UCC-1 financing statement, **6:27, 6:28**

Amending UCC-1 financing statements

- address, change in secured party's, **6:52**
- correction of errors, **6:48**
- effective date, **6:45**
- exceptions, **6:49-6:51**
- master amendments, **6:54**
- moving collateral from place to place, **6:51**
- name, change in secured party's, **6:52**
- new debtor in same jurisdiction, transfer to, **6:47**
- non-cash proceeds for which filing could be made in same filing office;
amendment not required, **6:50**
- partial releases and restatements of collateral, **6:53**
- procedure, **6:43-6:54**
- seriously misleading financing statement, **6:46**
- when required, **6:46-6:48**
- where to file, **6:44**

As-extracted collateral, where to file, **6:32**

Assignment of UCC security interests

- generally, **6:55-6:61**
- automatic transfer of security rights, **6:56**
- bare or "naked" assignments, **6:61**

INDEX

FILING PERFECTION OF UCC SECURITY INTERESTS—Cont'd

- Assignment of UCC security interests—Cont'd
 - initial financing statement, inclusion on, **6:59**
 - master assignments, **6:60**
 - “naked” assignments, **6:61**
 - UCC-3 amendment, **6:57**
 - when filing required, **6:58**
- Authorization, **6:5**
- Boats, where to file, **6:39**
- Change in governing law, General rules
 - Existing collateral, **7:32-7:44**
 - Governing law, changes in, **7:32-7:37**
 - Relocation of collateral, irrelevance of, **7:37**
 - Reperfection in new jurisdiction, effect of failure of timely, **7:36**
- Continuation statements, UCC-3
 - where to file, **6:63**
- Continuation statements, UCC-3. UCC-3 continuation statement, below
- Date of filing, priority ranking from, **6:4**
- Definitions and terminology
 - filing, **3:14**
 - filing office, **3:13**
- Driver's license; name of debtor, **6:20, 6:21**
- Effectiveness of filed financing statement when no indebtedness is outstanding, **6:9**
- Estate under administration; name of debtor, **6:19**
- Farm products; where to file, **6:40**
- Filing office, definitions and terminology, **3:13**
- Financing statements, amending. Amending UCC-1 financing statements, above
- Five-year effective period, **6:6, 6:7**
- Fixtures
 - when to file, **6:42**
 - where to file, **6:32**
- Hidden security interests
 - generally, **6:94-6:107**
 - administrative delays, **6:107**
 - agricultural liens, **6:99**
 - control, security interests perfected by, **6:96**
 - governing law, result of change in, **6:105**
 - improperly indexed filings, **6:106**
 - non-agricultural liens, **6:100-6:103**
 - oil, gas and water well privileges, **6:102**
 - possessory liens, **6:101**
 - possessory security interests, **6:95**
 - previous owners of collateral, **6:104**
 - purchase money security interest in consumer goods, **6:97**
 - statutory security interests, **6:98**
 - water well privileges, **6:102**
- Identity of person making filing, **6:3**

FILING PERFECTION OF UCC SECURITY INTERESTS—Cont'd

- Indexing errors, **6:83**
- Master amendments, **6:54**
- Motor and trailer loans; where to file, **6:39**
- Motor vehicles, titled. Titled motor vehicles, below
- Multiple financing statements covering same collateral, **6:8**
- Multi-state considerations; individual debtor, **6:22**
- Name of debtor; UCC-1 financing statement
 - generally, **6:16-6:24**
 - driver's license, **6:20, 6:21**
 - estate under administration, **6:19**
 - individual debtor, **6:20-6:22**
 - misleading name, **6:24**
 - registered organizations, **6:17**
 - trusts, **6:18**
- New debtor in same jurisdiction, transfer to, **6:47**
- Outboard motors, titled; UCC-1 financing statement, **6:15**
- Priority against purchasers, **8:63**
- Priority ranking from date of filing, **6:4**
- Procedure, **6:10-6:28**
- Real estate-related filings, UCC-1 financing statement, **6:13**
- Registered organizations; name of debtor, **6:17**
- Rejection by filing office, **6:81, 6:82**
- Same collateral, multiple financing statements covering, **6:8**
- Searches, UCC
 - generally, **6:84-6:93**
 - governing law, change in, **6:91**
 - names to be searched
 - generally, **6:86-6:89**
 - mergers, **6:88**
 - previous owners of collateral, **6:89**
 - prior names, **6:87**
 - requesting, **6:85-6:93**
 - when to search, **6:93**
 - where to search, **6:90, 6:91**
- Signatures, UCC-1 financing statement, **6:11**
- Standing timber; where to file, **6:40**
- Termination of UCC security interests
 - generally, **6:69-6:78**
 - collateral other than consumer goods, **6:74**
 - consumer goods, **6:72**
 - inaccurate or wrongfully filed records, **6:78**
 - motor vehicles, titled, **6:73**
 - outboard motors, titled, **6:73**
 - penalty for failure to terminate, **6:75**
 - practical suggestions, **6:76**
 - prepayment of filing fee, **6:71**

INDEX

FILING PERFECTION OF UCC SECURITY INTERESTS—Cont'd

- Termination of UCC security interests—Cont'd
 - titled vehicles, vessels and outboard motors, **6:73**
 - vessels, titled, **6:73**
 - when required, **6:72-6:74**
 - when termination by debtor permitted, **6:77**
 - where to file, **6:70**
 - wrongfully filed records, **6:78**
- Titled motor vehicles
 - termination of UCC security interests, **6:73**
 - UCC-3 continuation statement, **6:68**
 - UCC-1 financing statement, **6:15**
 - where to file, **6:34-6:37**
- Titled vehicles, vessels and outboard motors, **6:15**
- Trailer loans; where to file, **6:39**
- Transmission and indexing errors, **6:83**
- Trusts; name of debtor, **6:18**
- UCC-3 continuation statement
 - generally, **6:62-6:68**
 - assignment, **6:57**
 - computation of five-year period of effectiveness, **6:64**
 - lapse, effect of, **6:66**
 - motor vehicles, titled, **6:68**
 - reperfection, **6:67**
 - timely continuation statement, effect of, **6:65**
 - where to file, **6:63**
- UCC-1 financing statement
 - generally, **6:10-6:28**
 - agricultural filings, **6:27, 6:28**
 - amending
 - address, change in secured party's, **6:52**
 - correction of errors, **6:48**
 - effective date, **6:45**
 - exceptions, **6:49-6:51**
 - master amendments, **6:54**
 - moving collateral from place to place, **6:51**
 - name, change in secured party's, **6:52**
 - new debtor in same jurisdiction, transfer to, **6:47**
 - non-cash proceeds for which filing could be made in same filing office;
 - amendment not required, **6:50**
 - partial releases and restatements of collateral, **6:53**
 - procedure, **6:43-6:54**
 - seriously misleading financing statement, **6:46**
 - when required, **6:46-6:48**
 - where to file, **6:44**
 - automobiles, titled, **6:15**
 - collateral description, **6:14-6:24**
 - contents, **6:10**

FILING PERFECTION OF UCC SECURITY INTERESTS—Cont'd

UCC-1 financing statement—Cont'd

- driver's license; name of debtor, **6:20, 6:21**
- estate under administration; name of debtor, **6:19**
- multi-state considerations; individual debtor, **6:22**
- name of debtor
 - generally, **6:16-6:24**
 - driver's license, **6:20, 6:21**
 - estate under administration, **6:19**
 - individual debtor, **6:20-6:22**
 - misleading name, **6:24**
 - registered organizations, **6:17**
 - trusts, **6:18**
- name of secured party, **6:25**
- outboard motors, titled, **6:15**
- real estate-related filings, **6:13**
- registered organizations; name of debtor, **6:17**
- signatures, **6:11**
- standard forms, **6:12**
- terms other than debtor and secured party, use of, **6:26**
- titled vehicles, vessels and outboard motors, **6:15**
- trusts; name of debtor, **6:18**
- vehicles, titled, **6:15**
- vessels, titled, **6:15**

Unavailability, **6:2**

Vessels, titled; UCC-1 financing statement, **6:15**

What constitutes filing, **6:79-6:83**

When to file, **6:41, 6:42**

Where to file

- generally, **6:29-6:40**
- amending UCC-1 financing statements, **6:44**
- as-extracted collateral, **6:32**
- boats, **6:39**
- farm products, **6:40**
- fixtures, **6:32**
- manufactured homes, **6:37**
- motor and trailer loans, **6:39**
- outboard motors, titled, **6:38**
- parish in which to file, **6:31**
- parish numbering convention, **6:33**
- standing timber, **6:40**
- termination of UCC security interests, **6:70**
- titled motor vehicles, **6:34-6:37**
- trailer loans, **6:39**
- vessels, titled, **6:38**

FINANCING STATEMENTS

Definitions and terminology, **3:12**

INDEX

FINANCING STATEMENTS—Cont'd

Filing perfection

generally, **6:1-6:107**

for detailed treatment, see index heading **PERFECTION OF UCC SECURITY**

INTERESTS

FIRST-TO-FILE-OR-PERFECT RULE

Future advances

generally, **8:7-8:9**

automatic perfection, **8:8**

buyers, **8:9**

lessees, **8:9**

lien creditors, **8:9**

temporary or automatic perfection, **8:8**

Priorities

generally, **8:5-8:9**

conflicting security interests and agricultural liens, **8:5-8:9**

future advances

generally, **8:7-8:9**

automatic perfection, **8:8**

buyers, **8:9**

lessees, **8:9**

lien creditors, **8:9**

temporary or automatic perfection, **8:8**

proceeds; conflicting perfected security interests, **8:39**

supporting obligations, **8:6**

time of filing as to proceeds and supporting obligations, **8:6**

FIXTURES

Filing perfection of UCC security interests

when to file, **6:42**

where to file, **6:32**

Judicial foreclosure; remedies, **10:30**

Perfection, **7:13**

Priorities

generally, **8:103-8:109**

consent, priority based on, **8:109**

construction mortgages, **8:106**

disclaimer, priority based on, **8:109**

first-to-file-or-record rule, **8:104**

law governing priority, **7:47**

legal proceedings, liens on real property obtained through, **8:108**

purchase money security interests, **8:105**

readily removable equipment, **8:107**

remove, right to, **8:109**

FORECLOSURE

Judicial foreclosure

generally, **10:15-10:32**

FORECLOSURE—Cont'd

Judicial foreclosure—Cont'd

- appraisals, **10:28**
- authentic evidence, **10:21**
- authority and capacity presumed, **10:23**
- continuation of security interest after judgment, **10:17**
- Deficiency Judgment Act, **10:32**
- executory process, **10:18, 10:19**
- fixtures, **10:30**
- identification of collateral to be seized, **10:27**
- inferior encumbrances, **10:29**
- judicial sale, **10:20**
- ordinary process, **10:16, 10:17**
- proof of amount and terms of secured obligations and existence of default, **10:24**
- redemption rights, **10:31**
- signatures presumed genuine, **10:22**
- supporting affidavits, **10:25**
- terms of secured obligations and existence of default, **10:24**

Strict foreclosure

- generally, **10:78-10:91**
- advantages, **10:79**
- consent, debtors
 - consumer goods, **10:83**
- consent, debtor's
 - generally, **10:82**
- consumer goods
 - consent, debtors, **10:83**
 - mandatory disposition of or judicial foreclosure upon consumer goods, **10:88**
- cross-collateralization provisions, **10:91**
- effect of, **10:90**
- mandatory disposition of or judicial foreclosure upon consumer goods, **10:88**
- notice to debtor of proposal, **10:81**
- no waiver or variation by agreement, **10:80**
- objections by third persons to proposal, **10:85**
- partial satisfaction of secured obligation in consumer transactions, **10:89**
- secured party's consent required, **10:87**
- third persons, notice to, **10:84, 10:85**

FORMULARY

Generally, **App. 3**

FUTURE ADVANCES

- First-to-file-or-perfect rule
 - generally, **8:7-8:9**
 - automatic perfection, **8:8**
 - buyers, **8:9**
 - lessees, **8:9**

INDEX

FUTURE ADVANCES—Cont'd

- First-to-file-or-perfect rule—Cont'd
 - lien creditors, **8:9**
 - temporary or automatic perfection, **8:8**

GAS, OIL, AND MINERAL INTERESTS

- Hidden security interests, **6:102**
- Mineral payments due to landowner or mineral servitude-owner, **2:34**
- Priority against real property-related interests, **8:101**
- Prior to extraction; Article 9 applicability, **2:33**

GENERAL INTANGIBLES

- See index headings INTANGIBLES, GENERAL

GOOD FAITH

- Definitions and terminology, **3:26**

GOODS

- Generally, **3:37**
- Alienability of leases of goods, **9:19**
- Consumer goods. See index heading CONSUMER GOODS

HEALTHCARE INSURANCE RECEIVABLES

- Alienability
 - generally, **9:13-9:17**
 - account debtors, protection of, **9:17**
 - contractual restrictions, **9:13**
 - legal restrictions, **9:14-9:16**
 - limited liability companies, **9:16**
 - partnership interests, **9:16**
 - promissory notes, protection of obligors of, **9:17**
- Automatic perfection, **5:48**

HIDDEN SECURITY INTERESTS

- Generally, **6:94-6:107**
- Administrative delays, **6:107**
- Agricultural liens, **6:99**
- Control, security interests perfected by, **6:96**
- Governing law, result of change in, **6:105**
- Improperly indexed filings, **6:106**
- Non-agricultural liens, **6:100-6:103**
- Oil, gas and water well privileges, **6:102**
- Possessory liens, **6:101**
- Possessory security interests, **6:95**
- Previous owners of collateral, **6:104**
- Purchase money security interest in consumer goods, **6:97**
- Statutory security interests, **6:98**
- Water well privileges, **6:102**

HISTORY OF UCC

- Generally, **1:1-1:10**

HISTORY OF UCC—Cont'd

Louisiana UCC Article 9, adoption of
Original Article 9 bill, **1:6**
Pre-Chapter 9 law, **1:5**
1989 revisions, **1:7**
Pre-UCC Uniform Laws, **1:2**
2001 UCC revision, **1:9**

INJUNCTIONS

Defaults; noncompliance remedies, **10:94**

INSTRUMENTS

Collateral
generally, **3:55**
conversion of instruments into chattel paper and vice versa, **3:58**
distinction between instruments, accounts, and chattel paper, **3:58**
distinction between instruments and investment property, **3:60**
examples, **3:56**
instruments as a form of investment property, **3:61**
promissory notes, **3:59**
Conversion, instruments into chattel paper and vice versa, **3:58**
Distinctions
instruments, accounts, and chattel paper, between, **3:58**
instruments and investment property, between, **3:60**
Investment property, instruments as a form of investment property, **3:61**
Perfection of UCC security interests; retention of secured collateral by lender,
returned instruments and certificated securities, limited exception, **5:19**
Promissory notes, **3:59**

INSURANCE

Applicability of Article 9; total exclusions from coverage, **2:36**
Healthcare insurance receivables; alienability
generally, **9:13-9:17**
account debtors, protection of, **9:17**
contractual restrictions, **9:13**
legal restrictions, **9:14-9:16**
limited liability companies, **9:16**
partnership interests, **9:16**
promissory notes, protection of obligors of, **9:17**
Life insurance
attachments, **4:5**
perfection of UCC security interests
generally, **5:104-5:106**
choice of law, **5:106**
consent of beneficiary, **5:105**
priorities, **8:27**
trust interests, **5:110-5:114**

INDEX

INTANGIBLES, GENERAL

Collateral

- generally, **3:81-3:85**
- investment property distinguished, **3:85**
- payment intangibles and software, **3:82**
- perfecting a security interest, **3:88**
- software, payment intangibles and controllable electronic records, **3:82**

INTERSTATE CARRIERS

- Limited exemptions from Article 9 coverage, **2:49**

INVENTORY

- Generally, **3:49-3:51**
- Distinguishing inventory from equipment, **3:50**
- Equipment, distinguishing inventory from, **3:50**
- Goods consumed in borrowers own business, **3:51**
- Nature and definition of inventory
 - equipment, distinguishing inventory from, **3:50**
- Perfection of UCC security interests; certificates of title, **7:19, 7:20**

INVESTMENT PROPERTY

- Attachments, **4:9**
- Certificated securities
 - generally, **5:80-5:92**
 - control, perfection by, **5:91**
 - delivery, perfection by, **5:90**
 - temporary automatic perfection, **5:92**
- Collateral, **3:90-3:99**
- Collateral mortgage notes, **3:99**
- Commodity contracts, **3:98**
- Controllable electronic records, controllable accounts, and controllable payment intangibles, **3:96**
- Control perfection
 - certificated securities, **5:91**
 - security accounts and security entitlements, **5:96**
 - uncertificated securities, **5:93**
- Description of, **4:33**
- Examples of security, **3:92**
- Interests in juridical persons other than corporations, **3:95**
- Juridical persons other than corporations, interests in, **3:95**
- Perfecting a security interest, **3:97**
- Perfection of UCC security interests, **3:97, 7:21, 7:42**
 - generally, **5:88-5:100**
 - certificated securities
 - generally, **5:80-5:92**
 - control, perfection by, **5:91**
 - delivery, perfection by, **5:90**
 - temporary automatic perfection, **5:92**
 - change in governing law, controllable payment intangibles, **7:42**

INVESTMENT PROPERTY—Cont'd

Perfection of UCC security interests, **3:97, 7:21, 7:42**—Cont'd

control perfection

certificated securities, **5:91**

security accounts and security entitlements, **5:96**

uncertificated securities, **5:93**

law governing, **7:21**

security accounts and security entitlements

generally, **5:96-5:100**

control, perfection by, **5:96**

Nonconforming financial assets held in securities accounts, **5:99**

Perfection by control, **5:97**

Summary of perfection methods, **5:98**

uncertificated securities

generally, **5:88-5:100**

control, perfection by, **5:93**

Priorities

conflicting perfected security interests, **8:28-8:31**

law governing, **7:48**

Security defined, **3:91**

Security entitlements and securities accounts, **3:94**

INVESTMENT SECURITIES

Investment property, **3:90-3:99**

JUDGMENTS

Alienability of security interest in, **9:21**

JUDICIAL FORECLOSURE

Generally, **10:15-10:32**

Appraisals, **10:28**

Authentic evidence, **10:21**

Authority and capacity presumed, **10:23**

Continuation of security interest after judgment, **10:17**

Deficiency Judgment Act, **10:32**

Executory process, **10:18, 10:19**

Fixtures, **10:30**

Identification of collateral to be seized, **10:2**

Inferior encumbrances, **10:29**

Judicial sale, **10:20**

Ordinary process, **10:16, 10:17**

Proof of amount and terms of secured obligations and existence of default, **10:24**

Redemption rights, **10:31**

Signatures presumed genuine, **10:22**

Supporting affidavits, **10:25**

Terms of secured obligations and existence of default, **10:24**

LEASES, RENTS, AND PROFITS FROM REAL ESTATE

Assignment of lease, prohibitions against, **2:23**

INDEX

LEASES, RENTS, AND PROFITS FROM REAL ESTATE—Cont'd

Exclusion from Article 9

- generally, **2:16**
- assignment of lease, prohibitions against, **2:23**
- collateral description, **2:18**
- lessee, notice to, **2:22**
- perfection rules, **2:19-2:21**
- secured indebtedness, **2:17**
- Perfection rules; exclusion from Article 9, **2:19-2:21**

LEGISLATIVE HISTORY OF UCC ARTICLE 9

- Original bill, **1:6**
- Revision of model UCC Article 9, **1:8**
- 2001 UCC revision, **1:9**

LESSEES IN ORDINARY COURSE OF BUSINESS

- Definitions and terminology, **3:22**

LETTERS OF CREDIT

- Alienability, **9:19**
- Collateral, **3:80**
- Conflicting perfected security interests; priorities, **8:32**
- Perfection of UCC security interests, **5:103, 7:23, 7:42**

LICENSES

- Driver's license, name of debtor; UCC-1 financing statement, **6:20, 6:21**
- Purchasers, priority against; licenses of general intangibles, **8:80**

LIENS

- Agricultural lien defined, **3:3**
- Agricultural liens
 - definitions and terminology, **3:3**
 - Events of default, **10:4**
 - First-to-file-or-perfect rule, **8:5-8:9**
 - Hidden security interests, **6:99**
 - Perfection of UCC security interests, **7:44**
- Consensual security interest, supplementation with, **2:8**
- Definitions and terminology, **3:27**
- Federal tax liens; priority against lien creditors and lienholders, **8:86-8:90**
- Priority against lien creditors and lienholders
 - generally, **8:81-8:100**
 - artisan's and repairman privileges, **8:95**
 - commercial transactions financing agreements
 - 45-day after-acquired property rule, **8:89**
 - 45-day future advance rule, **8:88**
 - need to search every 45 days, **8:90**
 - federal tax liens, **8:86-8:90**
 - hypothetical lien creditor, **8:85**
 - lessors privileges, **8:100**
 - limitation on additional advances, **8:84**

LIENS—Cont'd

- Priority against lien creditors and lienholders—Cont'd
 - Louisiana tax liens, **8:92**
 - non-agricultural liens, **8:93**
 - Non-possessory liens, **8:97**
 - possessory liens, **8:94-8:96**
 - preservation, storage and transportation privileges, **8:96**
 - restitution orders and fines, federal, **8:91**
 - sellers right to dissolve, **8:99**
 - statutory liens and privileges, **8:86-8:100**
 - storage privileges, **8:96**
 - transportation privileges, **8:96**
 - vendors privileges, **8:98**
- Statutory liens and privileges, applicability of Article 9
 - generally, **2:6-2:9**
 - priority issues, **2:9**
 - supplementation with consensual security interest, **2:8**
 - types of liens and privileges, **2:7**
- Supplementation with consensual security interest, **2:8**

LIFE INSURANCE

- Attachments, **4:5**
- Perfection of UCC security interests
 - generally, **5:104-5:106**
 - choice of law, **5:106**
 - consent of beneficiary, **5:105**
- Priorities, **8:27**
- Trust interests, **5:110-5:114**

LIMITED LIABILITY COMPANIES

- Healthcare insurance receivables; alienability, **9:16**

LIVESTOCK

- Purchase money security interests; priorities, **8:20**

LOUISIANA AGENCIES, SECURITY INTERESTS GRANTED BY

- Applicability of Article 9
 - generally, **2:51, 2:52**
 - public revenue, **2:52**
- Public revenue, **2:52**

LOUISIANA REVISED STATUTES

- Articles 1, 8 and 9, **App. 2**

MINERALS, GAS, AND OIL INTERESTS

- Hidden security interests, **6:102**
- Mineral payments due to landowner or mineral servitude-owner, **2:34**
- Priority against real property-related interests, **8:101**
- Prior to extraction; Article 9 applicability, **2:33**

INDEX

MOBILE HOMES

See index heading **MOTOR VEHICLES AND MOBILE HOMES**

MORTGAGES

Collateral real estate mortgages excluded from Article 9, **2:14, 2:15**

Defaults; secured party's collection and enforcement rights, **10:38**

Excluded from Article 9, **2:12-2:15**

Investment property; collateral mortgage notes, **3:99**

Multiple indebtedness mortgages excluded from Article 9, **2:13**

Perfection; collateral mortgage notes, **7:16**

Preferred ship mortgages, limited exemptions from Article 9 coverage
generally, **2:38-2:40**

ship charter rights, **2:40**

Ship Mortgage Act, **2:39**

Temporary perfection rule for collateral mortgage notes, **5:43**

Timber mortgages

agriculture central registry rules, **2:31**

applicability of Article 9, generally, **2:28-2:32**

multi-state considerations, **2:30-2:32**

severed timber, **2:32**

MOTOR VEHICLES AND MOBILE HOMES

Driver's license, name of debtor; UCC-1 financing statement, **6:20, 6:21**

Self-help repossession

generally, **10:46-10:55**

breach of peace, **10:51**

creditors entitled to use, **10:47**

default defined, **10:49**

deficiency judgment, **10:54**

dispositions permitted, **10:53**

licenses required, **10:48**

notice of repossession, **10:52**

notice required before repossession, **10:50**

personal property inside repossessed collateral, **10:55**

Titled motor vehicles

description of secured collateral, **4:28**

manufactured home; where to file financing statement, **6:37**

termination of UCC security interests, **6:73**

UCC-3 continuation statement, **6:68**

UCC-1 financing statement, **6:15**

where to file financing statement, **6:34-6:37**

UCC-1 financing statement, **6:15**

NAMES

Searches

generally, **6:86-6:89**

mergers, **6:88**

previous owners of collateral, **6:89**

prior names, **6:87**

NAMES—Cont'd

UCC-1 financing statement; name of debtor
generally, **6:16-6:24**
driver's license, **6:21**
estate under administration, **6:19**
individual debtor, **6:20-6:22**
misleading name, **6:24**
registered organizations, **6:17**
trusts, **6:18**

NOTARIES

Security agreements, authenticated, **4:13**

NOTICES

Default, disposition of collateral after
generally, **10:61-10:67**
consumer goods transaction, content of notification in, **10:65**
content of, **10:64, 10:65**
failure to give, **10:67**
third persons to be notified, **10:62**
timeliness of notification, **10:63**
when not required, **10:66**
Definitions and terminology, **3:16**
Leases, rents, and profits from real estate, notice to lessee of exclusion from
Article 9, **2:22**

OBLIGATION

See index heading **INDEBTEDNESS OR OBLIGATION**

OBLIGOR

Definitions and terminology, **3:28**

OIL, GAS, AND MINERAL INTERESTS

Hidden security interests, **6:102**
Mineral payments due to landowner or mineral servitude-owner, **2:34**
Priority against real property-related interests, **8:101**
Prior to extraction; Article 9 applicability, **2:33**

OUTBOARD VESSELS

Termination of UCC security interests, **6:73**
Titled vessels
description of secured collateral, **4:28, 6:15**
termination of UCC security interests, **6:73**
where to file financing statement, **6:38**
UCC-1 financing statement, **6:15**

PARTNERSHIPS

Healthcare insurance receivables; alienability, **9:16**

PATENTS

Limited exemptions from Article 9 coverage, **2:50**

INDEX

PAWNBROKERS

Limited exemptions from Article 9 coverage and transactions with, **2:54**

PAYMENT INTANGIBLES

Alienability, **9:5-9:9, 9:12**

PERFECTED SECURED LENDERS, PRIORITY RIGHTS

Contractual freedom, **7:3**

PERFECTION OF UCC SECURITY INTERESTS

Generally, **5:1-5:103**

After-acquired collateral

generally, **7:38-7:40**

change in debtor's location, **7:39**

new debtor in different jurisdiction, **7:40**

Agricultural liens, **7:44**

Agricultural liens. Conflicting perfected security interests and agricultural liens;
priorities, below

Air carriers, foreign, **7:10**

As-extracted collateral, **7:14**

Attachment as condition precedent, **5:2**

Automatic perfection

generally, **5:33-5:55**

cash proceeds, **5:51**

collecting banks and issuing bank interests, **5:46**

crops, lien of agricultural laborer upon, **5:55**

exclusions, **5:36**

financial assets, purchase or delivery of, **5:45**

healthcare insurance receivables, **5:48**

intervening cash proceeds, **5:53**

nature of automatic perfections, **5:33**

proceeds of collateral, **5:49-5:53**

purchase money security interests in consumer goods, **5:34-5:41**

sales and assignments, **5:47**

supporting obligations, **5:54**

temporary perfection for non-cash proceeds, **5:52**

temporary perfection rule for instruments, negotiable documents and certified
securities, **5:42-5:44**

Certificated securities; retention of secured certificated securities, **5:19**

Certificate of title, goods covered by, **7:41**

Certificates of deposit, perfection rules applicable to, **5:72**

Certificates of title, goods covered by

generally, **7:17-7:20**

inventory, **7:19, 7:20**

leasing goods, inventory held by debtor engaged in business of, **7:20**

successive certificates of title, **7:18**

Cessation of perfection in original jurisdiction, **7:33**

Chattel paper, **7:24**

generally, **5:60-5:66, 7:24-7:28**

PERFECTION OF UCC SECURITY INTERESTS—Cont'd

Chattel paper, **7:24**—Cont'd

Authoritative electronic copy, **7:27**

Authoritative tangible copy only, **7:26**

Chattel papers jurisdiction, **7:28**

Perfection achieved by filing, **7:25**

possession, perfection by, **5:60**

Choice of law

deposit accounts, **5:74**

estates, **5:87**

judgments, **5:102**

life insurance, **5:106**

multi-state transactions, **5:113**

tort claims, **5:107**

trust interests, **5:114**

Choice of perfection methods, **5:4-5:7**

Collateral mortgage notes, **7:16**

Conflicting perfected security interests and agricultural liens; priorities

generally, **8:10-8:45**

accessions, **8:34**

certificate of title, goods covered by, **8:33**

chattel paper, instruments, documents, and goods represented by negotiable document, **8:37**

crops, **8:34**

deposit accounts

generally, **8:23-8:26**

depository bank, **8:24**

secured parties other than depository bank, **8:25**

transferee of funds from deposit accounts, **8:26**

first-to-file rule for proceeds of non-filing collateral, special, **8:39**

investment property, **8:28-8:31**

letter-of-credit rights, **8:32**

life insurance policies, **8:27**

new debtors, **8:41-8:45**

proceeds, **8:38, 8:39**

purchase money security interests

generally, **8:10-8:26**

consignments, **8:17-8:19**

cross-collateralization, **8:12**

definition, **8:11**

farm products consisting of livestock, **8:20**

goods other than inventory and livestock, **8:13**

inventory, **8:14**

inventory financier, practical advice for, **8:15**

livestock, **8:20**

multiple interests, **8:22**

proceeds of inventory, **8:16**

software, **8:21**

INDEX

PERFECTION OF UCC SECURITY INTERESTS—Cont'd

Conflicting perfected security interests and agricultural liens; priorities—Cont'd
transferred collateral, **8:40**

Controllable electronic records; controllable accounts
controllable payment intangibles, Perfection by filing and automatic perfection, **7:29**

Controllable electronic records jurisdiction, **7:31**

Perfection by control, **7:30**

Control perfection

generally, **5:56-5:59**

agreements, **5:58**

deposit accounts, **5:70**

investment property

uncertificated securities, **5:93**

relinquishment of control, **5:59**

Crops, automatic perfection of lien of agricultural laborer upon, **5:55**

Definitions and terminology, perfection, **3:11**

Delivery, actual delivery required for possession perfection

generally, **5:10-5:20**

Deposit accounts

generally, **5:70-5:74**

certificates of deposit, perfection rules applicable to, **5:72**

change in governing law, **7:42**

choice of law considerations, **5:74**

control, perfection by, **5:70**

depository banks rights, **5:73**

law governing perfection, **7:22**

priorities

generally, **8:23-8:26**

depository bank, **8:24**

secured parties other than depository bank, **8:25**

transferee of funds from deposit accounts, **8:26**

Documents

generally, **5:75-5:83**

electronic documents, **5:77**

negotiable documents, **5:76-5:80**

nonnegotiable documents, **5:76**

Obtaining control of electronic copies, **5:78**

priority, negotiable documents, **5:75**

Effect of perfection, **5:1**

Estates

generally, **5:84-5:87**

ability of successor to encumber their rights in estate, **5:86**

choice of law, **5:87**

description requirements, **5:85**

Existing collateral, What to file, **7:35**

Filing perfection, **5:8**

generally, **6:1-6:107**

PERFECTION OF UCC SECURITY INTERESTS—Cont'd

- Filing perfection, **5:8**—Cont'd
 - for detailed treatment see index heading FILING PERFECTION OF UCC INTERESTS
- Foreign air carriers, **7:10**
- Foreign banks, **7:9**
- Growing crops and other farm products, **7:15**
- Healthcare insurance receivables;automatic perfection, **5:48**
- Individual, **7:5**
- Investment property
 - generally, **5:88-5:100**
 - certificated securities
 - generally, **5:80-5:92**
 - control, perfection by, **5:91**
 - delivery, perfection by, **5:90**
 - temporary automatic perfection, **5:92**
 - Certificated securities, **5:89**
 - change in governing law, **7:42**
 - control perfection
 - certificated securities, **5:91**
 - security accounts and security entitlements, **5:96**
 - uncertificated securities, **5:93**
 - law governing, **7:21**
 - security accounts and security entitlements
 - generally, **5:96-5:100**
 - control, perfection by, **5:96**
 - uncertificated securities
 - generally, **5:88-5:100**
 - control, perfection by, **5:93**
 - Perfection by control achieved through control, **5:95**
 - Perfection by control achieved through delivery, **5:94**
- Judgments, **5:101**
- Lack of knowledge immaterial, **7:43**
- Law governing, **7:4-7:23**
- Leases, rents, and profits from real estate; exclusion from Article 9, **2:19-2:21**
- Letter-of-credit rights, **5:103, 7:23, 7:42**
- Life insurance
 - choice of law, **5:106**
 - consent of beneficiary, **5:105**
- Life insurance policies, **5:104**
- Location of debtor, **7:4-7:11**
- Methods of perfection
 - generally, **5:3-5:7**
 - available methods, **5:5**
 - choice of perfection methods, **5:4-5:7**
 - different methods, **5:7**
 - possession perfection, **5:9**
 - preference for certain methods, **5:6**

INDEX

PERFECTION OF UCC SECURITY INTERESTS—Cont'd

Multi-state transactions, **5:113**

Nature of perfection

generally, **5:1-5:7**

attachment as condition precedent, **5:2**

effect of perfection, **5:1**

methods of perfection, **5:2**

Obtaining control of electronic copies, **5:78**

Perfection, definitions and terminology, **3:11**

Perfection by filing, Existing Collateral, **7:34**

Possession perfection

generally, **5:9-5:32**

Collateral mortgage notes, **5:20**

Collateral subject to a certificate of title, **5:21**

delivery, actual delivery required, **5:10-5:20**

duties of security party in possession

generally, **5:23-5:26**

commingle, duty not to, **5:25**

preservation of rights against prior parties, **5:26**

reasonable care, **5:24**

method of perfection, possession as, **5:9**

rights of secured party, **5:27-5:32**

Security interests that cannot be perfected by possession, Categories of collateral, **5:21**

Possessory security interests, **7:12**

Purchase money security interests in consumer goods, automatic perfection

generally, **5:34-5:41**

consumer goods, rule limited to, **5:37**

cross-collateralization, **5:39**

exclusions, **5:36**

non-cash proceeds, **5:41**

priority of rights of consumer buyer, **5:40**

purchase money security interest, definition of, **5:35**

tracing of proceeds rule, **5:38**

Purchaser, priority against, **8:55**

Real estate-related collateral

generally, **7:13-7:20**

as-extracted collateral, **7:14**

collateral mortgage notes, **7:16**

fixtures and standing timber, **7:13**

growing crops and other farm products, **7:15**

standing timber, **7:13**

Registered organizations

change in status, **7:8**

organized under law of state, **7:6**

organized under law of United States, **7:7**

Retention of secured collateral by lender

returned instruments and certificated securities, limited exception, **5:19**

PERFECTION OF UCC SECURITY INTERESTS—Cont'd

- Retention of secured collateral by lender—Cont'd
 - rights of secured lender in possession, **5:27-5:32**
- Secured lender in possession, duties of
 - generally, **5:23-5:26**
 - commingle, obligation not to, **5:25**
 - reasonable care, duty of, **5:24**
- Secured lender in possession, rights of
 - generally, **5:27-5:32**
 - default, rights to possessory collateral following, **5:32**
 - proceeds, right to, **5:30**
 - reasonable expenses, right to reimbursement for, **5:28**
 - repledge of collateral, **5:31**
 - sell, right to sell collateral following default, **5:32**
 - use and operate collateral, right to, **5:29**
- Supporting obligations, automatic perfection in, **5:54**
- Tort claims, applicable perfection rules, **5:107-5:109**
 - Choice of law considerations, **5:109**
 - Distinction from general intangibles, **5:108**

PLEDGED NOTES

- See index heading CHATTEL PAPER AND PLEDGED NOTES

POSSESSION

- Perfection of UCC security interests
 - certificate of title, collateral subject to, **5:22**
- Collateral mortgage notes, **5:20**
- delivery, actual delivery required, **5:10-5:20**
 - Delivery defined for certain collateral, **5:11**
- duties of security party in possession
 - generally, **5:23-5:26**
 - commingle, duty not to, **5:25**
 - preservation of rights against prior parties, **5:26**
 - reasonable care, **5:24**
- rights of secured party, **5:27-5:32**
- Possessory collateral; definitions and terminology, **3:15**

POSSESSORY COLLATERAL

- Definitions and terminology, **3:15**
- Secured lender in possession. See index heading SECURED LENDER IN POSSESSION

POSSESSORY SECURITY INTERESTS

- Hidden security interests, **6:95**
- Perfection of UCC security interests, **7:12**

PREFERRED SHIP MORTGAGES

- Limited exemptions from coverage
 - generally, **2:38-2:40**
 - ship charter rights, **2:40**
- Ship Mortgage Act, **2:39**

INDEX

PREFERRED SHIP MORTGAGES—Cont'd

Ship charter rights, limited exemptions from coverage, **2:40**

Ship Mortgage Act, **2:39**

PRIORITIES

Generally, **7:45-7:49, 8:1-8:118**

Accessions, **8:34**

Agreements altering, **8:4**

Agricultural liens. Conflicting security interests and agricultural liens, below

Buyers, priority against

generally, **8:54-8:74**

accounts and chattel paper, true sales of, **8:72**

additional advances, limitation on, **8:64**

certificate of title, goods covered by, **8:71**

chattel paper, true sales of, **8:72**

consigned goods, **8:74**

consumer buyer of consumer goods, **8:70**

Electronic documents, **8:58**

limitation on additional advances, **8:64**

payment intangibles and promissory notes, true sales of, **8:73**

perfected security interest, sale subject to, **8:55**

promissory notes, true sales of, **8:73**

Sale subject to a perfected security interest, **8:55**

secured party's right to proceeds, **8:61**

transfer on filing perfection, **8:63**

true sales, **8:72, 8:73**

Certificate of title, goods covered by, **8:33**

Chattel paper, instruments, documents, and goods represented by negotiable document, **8:37**

Choice of law, **7:1**

Classes of competing interests, **8:1**

Conflicting perfected security interests and agricultural liens

generally, **8:10-8:45**

accessions, **8:34**

certificate of title, goods covered by, **8:33**

chattel paper, instruments, documents, and goods represented by negotiable document, **8:37**

crops, **8:35**

deposit accounts

generally, **8:23-8:26**

depository bank, **8:24**

secured parties other than depository bank, **8:25**

transferee of funds from deposit accounts, **8:26**

first-to-file rule for proceeds of non-filing collateral, special, **8:39**

investment property, **8:28-8:31**

letter-of-credit rights, **8:32**

life insurance policies, **8:27**

new debtors, **8:41-8:45**

PRIORITIES—Cont'd

- Conflicting perfected security interests and agricultural liens—Cont'd
 - proceeds, **8:38, 8:39**
 - purchase money security interests
 - generally, **8:10-8:26**
 - consignments, **8:17-8:19**
 - cross-collateralization, **8:12**
 - definition, **8:11**
 - farm products consisting of livestock, **8:20**
 - goods other than inventory and livestock, **8:13**
 - inventory, **8:14**
 - inventory financier, practical advice for, **8:15**
 - livestock, **8:20**
 - multiple interests, **8:22**
 - proceeds of inventory, **8:16**
 - software, **8:21**
 - transferred collateral, **8:40**
- Contractual freedom, **7:3**
- Controllable accounts, controllable electronic records and controllable payment intangibles, **8:36**
- Crops, **8:35, 8:111**
- Definition, **8:2**
- Deposit accounts
 - generally, **8:23-8:26**
 - depository bank, **8:24**
 - secured parties other than depository bank, **8:25**
 - transferee of funds from deposit accounts, **8:26**
- Factors determining, **8:3**
- Filing perfection of UCC security interests
 - ranking from date of filing, **6:4**
- First-to-file-or-perfect rule
 - generally, **8:5-8:9**
 - conflicting security interests and agricultural liens, **8:5-8:9**
 - future advances
 - generally, **8:7-8:9**
 - automatic perfection, **8:8**
 - buyers, **8:9**
 - lessees, **8:9**
 - lien creditors, **8:9**
 - temporary or automatic perfection, **8:8**
 - supporting obligations, **8:6**
 - time of filing as to proceeds and supporting obligations, **8:6**
- Fixtures and standing timber, **7:47**
- Future advances; first-to-file-or-perfect rule
 - generally, **8:7-8:9**
 - automatic perfection, **8:8**
 - buyers, **8:9**
 - lessees, **8:9**

INDEX

PRIORITIES—Cont'd

- Future advances; first-to-file-or-perfect rule—Cont'd
 - lien creditors, **8:9**
 - temporary or automatic perfection, **8:8**
- Investment property
 - conflicting perfected security interests, **8:28-8:31**
 - law governing, **7:48**
- Law governing, **7:45-7:49**
- Letter-of-credit rights, **8:32**
- Lien creditors and lienholders, priority against
 - artisan's and repairman privileges, **8:95**
 - commercial transactions financing agreements
 - 45-day after-acquired property rule, **8:89**
 - 45-day future advance rule, **8:88**
 - need to search every 45 days, **8:90**
 - federal tax liens, **8:86-8:90**
 - hypothetical lien creditor, **8:85**
 - later arising security interest, **8:82**
 - lessors privileges, **8:100**
 - limitation on additional advances, **8:84**
 - Louisiana tax liens, **8:92**
 - non-agricultural liens, **8:93**
 - non-possessory liens, **8:94**
 - possessory liens, **8:94-8:96**
 - preservation, storage and transportation privileges, **8:96**
 - purchase money security interest, ranking against, **8:83**
 - restitution orders and fines, federal, **8:91**
 - sellers right to dissolve, **8:99**
 - statutory liens and privileges, **8:86-8:100**
 - Commercial transactions financing agreements, **8:87**
 - storage privileges, **8:96**
 - transportation privileges, **8:96**
 - vendors privileges, **8:98**
- Life insurance policies, **8:27**
- Oil, gas and water well privileges, **8:101**
- Perfected secured lenders, priority rights of
 - choice of law, **7:1**
 - contractual freedom, **7:3**
 - local law, **7:2**
- Private Works Act privileges, **8:102**
- Purchase money security interests
 - generally, **8:10-8:26**
 - consignments, **8:17-8:19**
 - cross-collateralization, **8:12**
 - definition, **8:11**
 - farm products consisting of livestock, **8:20**
 - fixtures, **8:105**

PRIORITIES—Cont'd

- Purchase money security interests—Cont'd
 - goods other than inventory and livestock, **8:13**
 - inventory, **8:14**
 - inventory financier, practical advice for, **8:15**
 - livestock, **8:20**
 - multiple interests, **8:22**
 - proceeds of inventory, **8:16**
 - purchasers, priority against, **8:55**
 - software, **8:21**
- Purchasers, priority against
 - generally, **8:47-8:74**
 - buyers
 - generally, **8:53-8:74**
 - accounts and chattel paper, true sales of, **8:72**
 - additional advances, limitation on, **8:64**
 - certificate of title, goods covered by, **8:71**
 - chattel paper, true sales of, **8:72**
 - consigned goods, **8:74**
 - consumer buyer of consumer goods, **8:70**
 - Controllable electronic records, **8:59**
 - Electronic documents, **8:58**
 - limitation on additional advances, **8:64**
 - payment intangibles and promissory notes, true sales of, **8:73**
 - perfected security interest, sale subject to, **8:55**
 - promissory notes, true sales of, **8:73**
 - purchase money security interest, **8:55**
 - secured party's right to proceeds, **8:61**
 - transfer on filing perfection, **8:63**
 - true sales, **8:72**
 - chattel paper, **8:48-8:51**
 - instruments, purchase of, **8:52**
 - lessees
 - generally, **8:75-8:79**
 - limitation on additional advances, **8:78**
 - ordinary course of business, **8:79**
 - perfected security interest, lease subject to, **8:76**
 - purchase money security interest, lease subject to, **8:77**
 - licenses of general intangibles, **8:80**
 - Purchasers of instruments, **8:52**
 - types of purchasers, **8:47**
- Real property-related interests
 - generally, **8:101-8:112**
 - crops, **8:111**
 - fixtures
 - generally, **8:103-8:109**
 - consent, priority based on, **8:109**

INDEX

PRIORITIES—Cont'd

- Real property-related interests—Cont'd
 - fixtures—Cont'd
 - construction mortgages, **8:105**
 - disclaimer, priority based on, **8:109**
 - first-to-file-or-record rule, **8:104**
 - legal proceedings, liens on real property obtained through, **8:108**
 - purchase money security interests, **8:105**
 - readily removable equipment, **8:107**
 - remove, right to, **8:109**
 - oil, gas and water well privileges, **8:101**
 - Private Works Act privileges, **8:102**
- Statutory liens and privileges, applicability of Article 9, **2:9**
- Subordination by agreement
 - generally, **8:113-8:118**
 - effect of, **8:117**
 - intercreditor agreements, **8:113-8:118**
 - refusal of other creditor to subordinate, **8:118**
- Supporting obligations; first-to-file-or-perfect rule, **8:6**
- Tangible collateral, **7:46**
- Unperfected security interests and agricultural liens, **8:46**

PRIVATE WORKS ACT PRIVILEGES

- Priorities, **8:102**

PROCEEDS

- Attachments, **4:6**
- Automatic perfection, **5:49-5:53**
- Conflicting perfected security interests; priorities, **8:38, 8:39**
- Definitions and terminology, **3:30**

PROMISSORY NOTES

- Alienability
 - contractual restrictions, **9:5-9:9**
 - healthcare insurance receivables, **9:17**
 - legal restrictions, **9:12**
- Applicability of Article 9; total exclusions from coverage, **2:35**
- Collateral, **3:59**
- True sales of; priority against purchasers, **8:73**

PURCHASE MONEY SECURITY INTERESTS

- Consignments; priorities, **8:17-8:19**
- Consumer goods, automatic perfection
 - generally, **5:34-5:41**
 - consumer goods, rule limited to, **5:37**
 - cross-collateralization, **5:39**
 - exclusions, **5:36**
 - non-cash proceeds, **5:41**
 - priority of rights of consumer buyer, **5:40**
 - purchase money security interest, definition of, **5:35**

PURCHASE MONEY SECURITY INTERESTS—Cont'd

- Consumer goods, automatic perfection—Cont'd
 - tracing of proceeds rule, **5:38**
- Cross-collateralization; priorities, **8:12**
- Definitions and terminology, **3:31**
- Farm products consisting of livestock; priorities, **8:20**
- Hidden security interests, **6:97**
- Inventory; priorities, **8:14**
- Inventory financier, practical advice; for priorities, **8:15**
- Livestock; priorities, **8:20**
- Priorities
 - generally, **8:10-8:26**
 - consignments, **8:17-8:19**
 - cross-collateralization, **8:12**
 - definition, **8:11**
 - farm products consisting of livestock, **8:20**
 - fixtures, **8:103, 8:105**
 - goods other than inventory and livestock, **8:13**
 - inventory, **8:14**
 - inventory financier, practical advice for, **8:15**
 - lessees, **8:77**
 - lien creditors and lienholders, priority against, **8:83**
 - livestock, **8:20**
 - multiple interests, **8:22**
 - proceeds of inventory, **8:16**
 - purchasers, priority against, **8:55**
 - software, **8:21**
- Software; priorities, **8:21**

PURCHASERS, PRIORITY AGAINST

- Generally, **8:47-8:74**
- Buyers
 - generally, **8:53-8:74**
 - accounts and chattel paper, true sales of, **8:72**
 - additional advances, limitation on, **8:64**
 - Buyer-in-the-ordinary-course-of-business rule, **8:65**
 - certificate of title, goods covered by, **8:71**
 - chattel paper, true sales of, **8:72**
 - consigned goods, **8:74**
 - consumer buyer of consumer goods, **8:70**
 - Controllable accounts and controllable payment intangibles, **8:57**
 - Controllable electronic records, **8:59**
 - limitation on additional advances, **8:64**
 - perfected security interest, sale subject to, **8:55**
 - Chattel paper, **8:56**
 - purchase money security interest, **8:55**
 - secured party's right to proceeds, **8:61**
 - transfer on filing perfection, **8:63**

INDEX

PURCHASERS, PRIORITY AGAINST—Cont'd

- Buyers—Cont'd
 - true sales, **8:72**
- Chattel paper, **8:48-8:51**
- Competing security interest claimed merely as proceeds of inventory, **8:49**
- Competing security interest not claimed merely as proceeds of inventory, **8:50**
- Instruments, purchase of, **8:52**
- Lessees
 - generally, **8:75-8:79**
 - limitation on additional advances, **8:78**
 - ordinary course of business, **8:79**
 - perfected security interest, lease subject to, **8:76**
 - purchase money security interest, lease subject to, **8:75**
- Licenses of general intangibles, **8:80**
- Priority as to proceeds of chattel paper, **8:51**
- Purchasers of chattel paper, **8:48**
- Purchasers of controllable accounts, controllable electronic records,
 - controllable payment intangibles, documents, instruments and securities under other chapters, **8:53**
- Types of purchasers, **8:47**

RAILROAD ROLLING STOCK

- Limited exemptions from coverage, **2:49**

REAL ESTATE

- Collateral. See index heading REAL ESTATE- RELATED COLLATERAL
- Contracts. See index heading REAL ESTATE RELATED CONTRACTS
- Default, remedies following, **10:9**
- Leases, rents, and profits from real estate. See index heading LEASES, RENTS, AND PROFITS FROM REAL ESTATE
- Mortgages. See index heading MORTGAGES
- Priorities. See index heading REAL PROPERTY-RELATED INTERESTS

REAL ESTATE-RELATED COLLATERAL

- As-extracted collateral, **7:14**
- Fixtures and standing timber, **7:13**
- Growing crops and other farm products, **7:15**
- Perfection of UCC security interests
 - generally, **7:13-7:20**
 - as-extracted collateral, **7:14**
 - fixtures and standing timber, **7:13**
 - standing timber, **7:13**
- Standing timber, **7:13**

REAL ESTATE-RELATED CONTRACTS

- Applicability of Article 9
 - generally, **2:24-2:27**
 - construction contracts, rights under, **2:26**
 - payments under purchase and sale agreements, **2:25**
- Construction contracts, applicability of Article 9 to rights under, **2:26**

REAL ESTATE-RELATED CONTRACTS—Cont'd

Payments under purchase and sale agreements, applicability of Article 9, **2:25**

REAL PROPERTY-RELATED INTERESTS

Fixtures

generally, **8:103-8:109**
consent, priority based on, **8:109**
construction mortgages, **8:106**
disclaimer, priority based on, **8:109**
first-to-file-or-record rule, **8:104**
legal proceedings, liens on real property obtained through, **8:108**
purchase money security interests, **8:105**
readily removable equipment, **8:103**
remove, right to, **8:109**

Gas. Oil, gas, and mineral interests, below

Manufactured homes, **8:110**

Mineral interests. Oil, gas, and mineral interests, below

Oil, gas, and mineral interests

hidden security interests, **6:102**
mineral payments due to landowner or mineral servitude-owner, **2:34**
priority against real property-related interests, **8:101**
prior to extraction; Article 9 applicability, **2:33**

Priorities

generally, **8:101-8:112**
crops, **8:111**
fixtures
generally, **8:103-8:109**
consent, priority based on, **8:109**
construction mortgages, **8:106**
disclaimer, priority based on, **8:109**
first-to-file-or-record rule, **8:104**
legal proceedings, liens on real property obtained through, **8:108**
purchase money security interests, **8:105**
readily removable equipment, **8:103**
remove, right to, **8:109**
oil, gas and water well privileges, **8:101**
Priority of agricultural liens against real property interests, **8:112**
Private Works Act privileges, **8:102**

RECORD

Authenticate, **3:7**

REDEMPTION

Default remedies, **10:92**

Judicial foreclosure; remedies, **10:31**

REGISTERED ORGANIZATION

Definitions and terminology, **3:33**

INDEX

REGISTERED ORGANIZATIONS

- Perfection of UCC security interests; location of debtor, **7:6-7:8**
- UCC-1 financing statement, name of debtor, **6:17**

REMEDIES FOLLOWING DEFAULT

- Generally, **10:5-10:97**
- Contractual, **10:5**
- Documents, collateral consisting of, **10:7**
- Foreclosure, judicial
 - generally, **10:15-10:32**
 - appraisals, **10:28**
 - authentic evidence, **10:21**
 - authority and capacity presumed, **10:23**
 - continuation of security interest after judgment, **10:17**
 - Deficiency Judgment Act, **10:32**
 - executory process, **10:18, 10:19**
 - fixtures, **10:30**
 - identification of collateral to be seized, **10:27**
 - inferior encumbrances, **10:29**
 - judicial sale, **10:20**
 - ordinary process, **10:16, 10:17**
 - proof of amount and terms of secured obligations and existence of default, **10:24**
 - redemption rights, **10:31**
 - signatures presumed genuine, **10:22**
 - supporting affidavits, **10:25**
 - terms of secured obligations and existence of default, **10:24**
- Louisiana UCC, **10:6-10:9**
- Motor vehicles; self-help repossession
 - breach of peace, **10:51**
 - creditors entitled to use, **10:47**
 - default defined, **10:49**
 - deficiency judgment, **10:54**
 - dispositions permitted, **10:53**
 - licenses required, **10:48**
 - notice of repossession, **10:52**
 - notice required before repossession, **10:50**
 - personal property inside repossessed collateral, **10:55**
- Noncompliance, **10:93-10:100**
- Non-judicial, **10:10-10:14, 10:33-10:91**
- Part 6 of Louisiana UCC Chapter 9, **10:33**
- Real and personal property, security agreement covering, **10:9**
- Secured party's collection and enforcement rights
 - Release of account debtors, **10:43**
- Secured party's collection and enforcement rights
 - generally, **10:34-10:43**
 - cash proceeds, **10:41**
 - commercial reasonableness, **10:35**

REMEDIES FOLLOWING DEFAULT—Cont'd

- Secured party's collection and enforcement rights—Cont'd
 - deposit accounts, **10:40**
 - expenses of collection and enforcement, **10:36**
 - inferior secured parties, collection rights of, **10:39**
 - mortgages, nonjudicial enforcement of, **10:38**
 - non-cash proceeds, **10:42**
 - summary proceedings to require delivery of documentation, **10:37**
- Secured party with possession or control of collateral, **10:8**
- Self-help repossession, **10:44**
 - generally, **10:44-10:55**
 - conflict of law, **10:45**
 - motor vehicles and mobile homes
 - breach of peace, **10:51**
 - creditors entitled to use, **10:47**
 - default defined, **10:49**
 - deficiency judgment, **10:54**
 - dispositions permitted, **10:53**
 - licenses required, **10:48**
 - notice of repossession, **10:52**
 - notice required before repossession, **10:50**
 - personal property inside repossessed collateral, **10:55**
- Waiver and variance of rights and duties, **10:10-10:14**

RENTS

- Leases, rents, and profits from real estate. See index heading **LEASES, RENTS, AND PROFITS FROM REAL ESTATE**

REPOSSESSION, SELF-HELP

- Generally, **10:44-10:55**
- Conflict of law considerations, **10:45**
- Motor vehicles
 - breach of peace, **10:51**
 - creditors entitled to use, **10:47**
 - default defined, **10:49**
 - deficiency judgment, **10:54**
 - dispositions permitted, **10:53**
 - licenses required, **10:48**
 - notice of repossession, **10:52**
 - notice required before repossession, **10:50**
 - personal property inside repossessed collateral, **10:55**

REVENUE AND TAXATION DEPARTMENT

- See index heading **LOUISIANA DEPARTMENT OF REVENUE AND TAXATION**

SCOPE OF LOUISIANA UCC ARTICLE 9

- Generally, **2:1-2:58**
- Aircraft security interests, limited exemptions from coverage
 - generally, **2:41-2:45**
 - aircraft charter rights, **2:45**

INDEX

SCOPE OF LOUISIANA UCC ARTICLE 9—Cont'd

- Aircraft security interests, limited exemptions from coverage—Cont'd
 - Federal Aviation Act, **2:42**
 - security interests in avionics and spare parts, **2:44**
- Chattel paper, total exclusions from coverage, **2:35**
- Consensual security interest, supplementation with, **2:8**
- Construction contracts, rights under, **2:26**
- Copyrights, limited exemptions from coverage, **2:50**
- Electric utilities; Limited exemptions from Article 9 coverage and exclusions, **2:55**
- Excluded from Article 9
 - chattel paper, total exclusions from coverage, **2:35**
 - collateral real estate mortgages, **2:14, 2:15**
 - conventional real estate mortgages, **2:12**
 - description, collateral, **2:18**
 - direct reduction mortgages, **2:12**
 - insurance, total exclusions from coverage, **2:36**
 - mortgages, **2:12-2:15**
 - multiple indebtedness mortgages, **2:13**
 - past exclusions, **2:10**
 - payment intangibles, total exclusions from coverage, **2:35**
 - promissory notes, total exclusions from coverage, **2:35**
 - real estate encumbrances, **2:11-2:15**
 - real estate leases, rents, and profits, **2:16-2:23**
 - total exclusions from coverage, **2:10, 2:35, 2:36**
- Federal contract rights, assignments of
 - generally, **2:46, 2:47**
 - applicability of Article 9, **2:47**
- Gas, oil, and mineral interests
 - mineral payments due to landowner or mineral servitude-owner, **2:34**
 - prior to extraction, **2:33**
- Included within Article 9
 - generally, **2:1-2:5**
 - contractual security interests, **2:3, 2:4**
 - intangible rights, **2:4**
 - Security rights in real property, **2:2**
- Insurance, total exclusions from coverage, **2:36**
- Intangible rights included within Article 9, **2:4**
- Interstate carriers, limited exemptions from coverage, **2:49**
- Leases, rents, and profits from real estate as excluded from Article 9
 - generally, **2:16**
 - assignment of lease, prohibitions against, **2:23**
 - collateral description, **2:18**
 - lessee, notice to, **2:22**
 - perfection rules, **2:19-2:21**
 - secured indebtedness, **2:17**
- Liens and privileges, applicability of Article 9 to statutory
 - generally, **2:6-2:9**

SCOPE OF LOUISIANA UCC ARTICLE 9—Cont'd

- Liens and privileges, applicability of Article 9 to statutory—Cont'd
 - priority issues, **2:9**
 - supplementation with consensual security interest, **2:8**
 - types of liens and privileges, **2:7**
- Limited exemptions from coverage
 - generally, **2:37-2:55**
 - aircraft security interests, **2:41-2:45**
 - copyrights, **2:50**
 - electric utilities, **2:55**
 - federal contract rights, assignments of, **2:46, 2:47**
 - interstate carriers, **2:49**
 - Louisiana agencies, security interests granted by, **2:51, 2:52**
 - patents, **2:50**
 - pawnbrokers, transactions with, **2:54**
 - preferred ship mortgages, **2:38-2:40**
 - railroad rolling stock, **2:49**
 - tradenames, **2:50**
 - wage assignments, **2:53**
- Louisiana agencies, security interests granted by
 - generally, **2:51**
 - public revenue, **2:52**
- Louisiana Article 9, how it differs from that of other states
 - additions to coverage, Louisiana, **2:56**
 - exclusions from coverage, Louisiana, **2:57**
 - significance to lenders and their attorneys, **2:58**
- Minerals, gas, and oil interests
 - mineral payments due to landowner or mineral servitude-owner, **2:34**
 - prior to extraction, **2:33**
- Mortgages excluded from Article 9, **2:12-2:15**
- Oil, gas, and mineral interests
 - mineral payments due to landowner or mineral servitude-owner, **2:34**
 - prior to extraction, **2:33**
- Patents, limited exemptions from coverage, **2:50**
- Pawnbrokers, transactions with; limited exemptions from coverage, **2:54**
- Payment intangibles, total exclusions from coverage, **2:35**
- Preferred ship mortgages, limited exemptions from coverage
 - generally, **2:38-2:40**
 - ship charter rights, **2:40**
 - Ship Mortgage Act, **2:39**
- Promissory notes, total exclusions from coverage, **2:35**
- Railroad rolling stock, limited exemptions from coverage, **2:49**
- Real estate related contracts, applicability of Article 9 to
 - generally, **2:24-2:27**
 - construction contracts, rights under, **2:26**
 - payments under purchase and sale agreements, **2:25**

INDEX

SCOPE OF LOUISIANA UCC ARTICLE 9—Cont'd

- Specific rights and interests, applicability of Article 9 to
 - construction contracts, rights under, **2:26**
 - gas, oil, and mineral interests prior to extraction, **2:33**
 - minerals
 - payments due to landowner or mineral servitude-owner, **2:34**
 - prior to extraction, **2:33**
 - oil, gas, and mineral interests prior to extraction, **2:33**
 - payments under purchase and sale agreements, **2:25**
 - purchase and sale agreements, payments under, **2:25**
 - real estate related contracts, **2:24-2:27**
 - timber mortgages, **2:28-2:32**
- Timber mortgages, applicability of Article 9 to
 - generally, **2:28**
 - agriculture central registry rules, **2:31**
 - multi-state considerations, **2:30-2:32**
 - severed timber, **2:32**
- Tradenames, limited exemptions from coverage, **2:50**
- Wage assignments, limited exemptions from coverage, **2:53**

SEARCHES, UCC

- Generally, **6:84-6:93**
- Governing law, change in, **6:91**
- Names to be searched
 - generally, **6:86-6:89**
 - mergers, **6:88**
 - previous owners of collateral, **6:89**
 - prior names, **6:87**
- Requesting, **6:85-6:93**
- When to search, **6:93**
- Where to search, **6:90, 6:91**

SECONDARY OBLIGOR

- Definitions and terminology, **3:28**

SECURED LENDER IN POSSESSION

- Duties of
 - generally, **5:23-5:26**
 - commingle, obligation not to, **5:25**
 - reasonable care, duty of, **5:24**
- Rights of
 - generally, **5:29**
 - default, rights to possessory collateral following, **5:32**
 - proceeds, right to, **5:30**
 - reasonable expenses, right to reimbursement for, **5:28**
 - repledge of collateral, **5:31**
 - sell, right to sell collateral following default, **5:32**
 - use and operate collateral, right to, **5:29**

SECURED PARTY

Definitions and terminology, **3:6**

SECURITY AGREEMENTS

Generally, **4:12-4:48**

Amending. Authenticating and amending, below

Assignments, **4:21**

Authenticated agreement requirement, **4:12-4:20**

Authenticating and amending

generally, **4:41-4:50**

community property, encumbrance of, **4:42-4:47**

debtor must authenticate, **4:41**

new or amendment agreement, when to execute, **4:48**

Collecting bank and issuing bank, security interests of, **4:17**

Community property, encumbrance of, **4:42-4:47**

Consistent description in UCC filings

generally, **4:3-4:35**

after-acquired property

Proceeds, **4:38**

After-acquired property, **4:37**

trailer collateral, **4:35**

trailer collateral, example, **4:36**

Content of UCC security agreements

generally, **4:18**

timber to be cut, **4:19**

Contractual exceptions to cross-collateralization

generally, **4:24-4:26**

home equity lines of credit, **4:26**

rescission, right of, **4:25**

U margin stock, regulation of, **4:24**

Covenants, representations and, **4:39**

Cross-collateralization security agreements

generally, **4:23-4:26**

contractual exceptions to cross-collateralization, **4:24-4:26**

Cross-collateralization clause, additional loans secured by, **4:49**

Default remedies, **4:40**

Definitions and terminology, **3:9**

Delivery or purchase of financial asset, **4:16**

Description of secured collateral

generally, **4:28-4:36**

consistent description in UCC filings, **4:3-4:35**

Exceptions, **4:32**

extraneous documents, reference to, **4:30**

generic descriptions, use of, **4:31-4:33**

investment property, **4:33**

motor vehicles, titled, **4:29**

outboard vessels, titled, **4:29**

titled motor vehicles, vessels and outboard motors, **4:29**

INDEX

SECURITY AGREEMENTS—Cont'd

- Description of secured collateral—Cont'd
 - vessels, titled, **4:29**
- Drafting; summary of considerations, **4:50**
- Exceptions, **4:14**
- Extraneous documents, reference to; description of secured collateral, **4:30**
- Grant of security interest language, **4:20**
- Investment property, description of, **4:33**
- Issuing bank, security interests of, **4:17**
- Motor vehicles, titled; description of secured collateral, **4:29**
- New debtors, **4:51**
- New debtors, Liability, **4:52**
- New or amendment agreement, when to execute, **4:48, 4:49**
- Notarization, **4:13**
- Outboard vessels, titled; description of secured collateral, **4:29**
- Purchase or delivery of financial asset, **4:16**
- Reference to borrower's original promissory note, **4:27**
- Relinquishment of control, **4:15**
- Representations and covenants, **4:39**
- Signed security agreement requirement
 - Exceptions, **4:14**
- Titled motor vehicles, vessels and outboard motors; description of secured collateral, **4:29**
- Trailer collateral; consistent description in UCC filings, **4:35, 4:36**
- Transferees of collateral, **4:53**
- Types of security agreements
 - generally, **4:22-4:27**
 - cross-collateralization, **4:23-4:26**
 - reference to borrower's original promissory note, **4:27**
- Vessels, titled; description of secured collateral, **4:29**
- Writing requirement
 - Signed security agreement requirement, **4:12**

SECURITY INTERESTS

- Aircraft security interests, limited exemptions from coverage
 - generally, **2:41-2:45**
 - aircraft charter rights, **2:45**
 - Federal Aviation Act, **2:42**
 - security interests in avionics and spare parts, **2:44**
- Assignment of UCC security interests
 - Naked assignments, **6:61**
- Assignment of UCC security interests
 - generally, **6:55-6:61**
 - automatic perfection, **5:47**
 - automatic transfer of security rights, **6:56**
 - bare or "naked" assignments, **6:61**
 - initial financing statement, inclusion on, **6:59**
 - master assignments, **6:60**

SECURITY INTERESTS—Cont'd

Assignment of UCC security interests—Cont'd

security agreements, **4:20**

when filing required, **6:58**

Categories of collateral, **5:21**

Definitions and terminology, **3:2**

Hidden security interests

generally, **6:94-6:107**

administrative delays, **6:107**

agricultural liens, **6:99**

control, security interests perfected by, **6:96**

governing law, result of change in, **6:105**

improperly indexed filings, **6:106**

non-agricultural liens, **6:100-6:103**

oil, gas and water well privileges, **6:102**

possessory liens, **6:101**

possessory security interests, **6:95**

previous owners of collateral, **6:104**

purchase money security interest in consumer goods, **6:97**

statutory security interests, **6:98**

water well privileges, **6:102**

Perfection. See index heading PERFECTION OF UCC SECURITY INTERESTS

Purchase money security interests

consignments; priorities, **8:17-8:19**

consumer goods, automatic perfection

generally, **5:34-5:41**

consumer goods, rule limited to, **5:37**

cross-collateralization, **5:39**

exclusions, **5:36**

non-cash proceeds, **5:41**

priority of rights of consumer buyer, **5:40**

purchase money security interest, definition of, **5:35**

tracing of proceeds rule, **5:38**

cross-collateralization; priorities, **8:12**

definitions and terminology, **3:31**

farm products consisting of livestock; priorities, **8:20**

hidden security interests, **6:97**

inventory; priorities, **8:14**

inventory financier, practical advice; for priorities, **8:15**

livestock; priorities, **8:20**

priorities

generally, **8:10-8:26**

consignments, **8:17-8:19**

cross-collateralization, **8:12**

definition, **8:11**

farm products consisting of livestock, **8:20**

fixtures, **8:103**

INDEX

SECURITY INTERESTS—Cont'd

- Purchase money security interests—Cont'd
 - priorities—Cont'd
 - goods other than inventory and livestock, **8:13**
 - inventory, **8:14**
 - inventory financier, practical advice for, **8:15**
 - lessees, **8:75**
 - lien creditors and lienholders, priority against, **8:83**
 - livestock, **8:20**
 - multiple interests, **8:22**
 - proceeds of inventory, **8:16**
 - purchasers, priority against, **8:55**
 - software, **8:21**
 - software; priorities, **8:21**
- Termination of UCC security interests
 - generally, **6:69-6:78**
 - collateral other than consumer goods, **6:74**
 - consumer goods, **6:72**
 - inaccurate or wrongfully filed records, **6:78**
 - motor vehicles, titled, **6:73**
 - outboard motors, titled, **6:73**
 - penalty for failure to terminate, **6:75**
 - practical suggestions, **6:76**
 - prepayment of filing fee, **6:71**
 - titled vehicles, vessels and outboard motors, **6:73**
 - vessels, titled, **6:73**
 - when required, **6:72-6:74**
 - when termination by debtor permitted, **6:77**
 - where to file, **6:70**
 - wrongfully filed records, **6:78**

SELF-HELP REPOSSESSION

- Generally, **10:44-10:55**
- Conflict of law considerations, **10:45**
- Motor vehicles
 - breach of peace, **10:51**
 - creditors entitled to use, **10:47**
 - default defined, **10:49**
 - deficiency judgment, **10:54**
 - dispositions permitted, **10:53**
 - licenses required, **10:48**
 - notice of repossession, **10:52**
 - notice required before repossession, **10:50**
 - personal property inside repossessed collateral, **10:55**

SHIP MORTGAGE ACT

- Preferred ship mortgages, **2:39**

SIGN

Records, authenticate, **3:7**

SIGNATURES

Judicial foreclosure; signatures presumed genuine, **10:22**

UCC-1 financing statement, **6:11**

SOFTWARE

Payment intangibles and controllable electronic records, **3:82**

Purchase money security interests; priorities, **8:21**

STANDING TIMBER

Filing perfection of UCC security interests, **6:40**

Perfection, **6:40, 7:13**

Priorities, **7:47**

STRICT FORECLOSURE

Generally, **10:78-10:91**

Advantages, **10:79**

Conditions to consummation, **10:86**

Consent, debtors

consumer goods, **10:83**

Consent, debtor's

generally, **10:82**

Consumer goods

consent, debtors, **10:83**

mandatory disposition of or judicial foreclosure upon consumer goods, **10:88**

Cross-collateralization provisions, **10:91**

Effect of, **10:90**

Mandatory disposition of or judicial foreclosure upon consumer goods, **10:88**

Notice to debtor of proposal, **10:81**

No waiver or variation by agreement, **10:80**

Objections by third persons to proposal, **10:85**

Partial satisfaction of secured obligation in consumer transactions, **10:89**

Secured party's consent required, **10:87**

Third persons, notice to, **10:84, 10:85**

SUBORDINATION BY AGREEMENT

Intercreditor agreements, **8:113-8:118**

Priorities

effect of, **8:117**

Effect of subordination, **8:117**

Filing, **8:116**

Form, **8:115**

intercreditor agreements, **8:113-8:118**

refusal of other creditor to subordinate, **8:118**

Subordination and intercreditor agreements, **8:114**

SUPPORTING OBLIGATIONS

Automatic perfection, **5:54**

INDEX

SUPPORTING OBLIGATIONS—Cont'd

Definitions and terminology, **3:34**

First-to-file-or-perfect rule, **8:6**

TERMINATION OF UCC SECURITY INTERESTS

Generally, **6:69-6:78**

Collateral other than consumer goods, **6:74**

Consumer goods, **6:72**

Inaccurate or wrongfully filed records, **6:78**

Motor vehicles, titled, **6:73**

Outboard motors, titled, **6:73**

Penalty for failure to terminate, **6:75**

Practical suggestions, **6:76**

Prepayment of filing fee, **6:71**

Titled vehicles, vessels and outboard motors, **6:73**

Vessels, titled, **6:73**

When required, **6:72-6:74**

When termination by debtor permitted, **6:77**

Where to file, **6:70**

Wrongfully filed records, **6:78**

TIMBER

Mortgages. See index heading **TIMBER MORTGAGES**

Perfection; standing timber, **7:13**

Security agreements; timber to be cut, **4:19**

Standing timber

filing perfection of UCC security interests, **6:40**

perfection, **6:40, 7:13**

priorities, **7:47**

TIMBER CONVEYANCE, RECORDED

Definitions and terminology, **3:32**

TIMBER MORTGAGES

Agriculture central registry rules, **2:31**

Applicability of Article 9

generally, **2:28**

agriculture central registry rules, **2:31**

multi-state considerations, **2:30-2:32**

severed timber, **2:32**

Multi-state considerations, **2:30-2:32**

Severed timber, **2:32**

TITLED MOTOR VEHICLES

Description of secured collateral, **4:29**

Manufactured home; where to file financing statement, **6:37**

Termination of UCC security interests, **6:73**

UCC-3 continuation statement, **6:68**

UCC-1 financing statement, **6:15**

Where to file financing statement, **6:34-6:37**

TORTS

- Account debtor, direct payment obligations of, **9:34**
- Perfection of UCC security interests, **5:107-5:109**

TRADE NAMES

- Limited exemptions from Article 9 coverage, **2:50**

TRAILER COLLATERAL

- Consistent description in UCC filings, **4:35, 4:36**

TRAILER LOANS

- Filing perfection of UCC security interests, **6:39**

TRUSTS

- Alienability of beneficial interest in trust, **9:20**
- Name of debtor; UCC-1 financing statement, **6:18**
- Perfection of UCC security interests, **5:110-5:114**

UCC-3 CONTINUATION STATEMENT

- Computation of five-year period of effectiveness, **6:64**
- Filing perfection of UCC security interests
 - generally, **6:62-6:68**
 - computation of five-year period of effectiveness, **6:64**
 - lapse, effect of, **6:66**
 - motor vehicles, titled, **6:68**
 - reperfection, **6:67**
 - timely continuation statement, effect of, **6:65**
 - where to file, **6:63**
- Lapse, effect of, **6:66**
- Motor vehicles, titled, **6:68**
- Reperfection, **6:67**
- Timely continuation statement, effect of, **6:65**
- Titled motor vehicles, **6:68**
- Where to file, **6:63**

UCC-1 FINANCING STATEMENT

- Amending
 - address, change in secured party's, **6:52**
 - correction of errors, **6:48**
 - effective date, **6:45**
 - exceptions, **6:49-6:51**
 - master amendments, **6:54**
 - moving collateral from place to place, **6:51**
 - name, change in secured party's, **6:52**
 - new debtor in same jurisdiction, transfer to, **6:47**
 - non-cash proceeds for which filing could be made in same filing office;
 - amendment not required, **6:50**
 - partial releases and restatements of collateral, **6:53**
 - procedure, **6:43-6:54**
 - seriously misleading financing statement, **6:46**
 - when required, **6:46-6:48**

INDEX

UCC-1 FINANCING STATEMENT—Cont'd

- Amending—Cont'd
 - where to file, **6:44**
- Filing perfection of UCC security interests
 - generally, **6:10-6:28**
 - agricultural filings, **6:27, 6:28**
 - amending
 - address, change in secured party's, **6:52**
 - correction of errors, **6:48**
 - effective date, **6:45**
 - exceptions, **6:49-6:51**
 - master amendments, **6:54**
 - moving collateral from place to place, **6:51**
 - name, change in secured party's, **6:52**
 - new debtor in same jurisdiction, transfer to, **6:47**
 - non-cash proceeds for which filing could be made in same filing office;
amendment not required, **6:50**
 - partial releases and restatements of collateral, **6:53**
 - procedure, **6:43-6:54**
 - seriously misleading financing statement, **6:46**
 - when required, **6:46-6:48**
 - where to file, **6:44**
 - automobiles, titled, **6:15**
 - collateral description, **6:14-6:24**
 - contents, **6:10**
 - driver's license; name of debtor, **6:20, 6:21**
 - estate under administration; name of debtor, **6:19**
 - multi-state considerations; individual debtor, **6:22**
 - name of debtor
 - generally, **6:16-6:24**
 - driver's license, **6:20, 6:21**
 - estate under administration, **6:19**
 - individual debtor, **6:20-6:22**
 - misleading name, **6:24**
 - registered organizations, **6:17**
 - trusts, **6:18**
 - name of secured party, **6:25**
 - outboard motors, titled, **6:15**
 - real estate-related filings, **6:13**
 - registered organizations; name of debtor, **6:17**
 - signatures, **6:11**
 - standard forms, **6:12**
 - terms other than debtor and secured party, use of, **6:26**
 - titled vehicles, vessels and outboard motors, **6:15**
 - trusts; name of debtor, **6:18**
 - vehicles, titled, **6:15**
 - vessels, titled, **6:15**

UCC-1 FINANCING STATEMENT—Cont'd

Name of debtor

generally, **6:16-6:24**
driver's license, **6:20, 6:21**
estate under administration, **6:19**
individual debtor, **6:20-6:22**
misleading name, **6:24**
registered organizations, **6:17**
trusts, **6:18**

Name of secured party, **6:25**

VALUE

Definitions and terminology, **3:10**

VEHICLES

Driver's license, name of debtor; UCC-1 financing statement, **6:20, 6:21**

Self-help repossession

breach of peace, **10:51**
creditors entitled to use, **10:47**
default defined, **10:49**
deficiency judgment, **10:54**
dispositions permitted, **10:53**
licenses required, **10:48**
notice of repossession, **10:52**
notice required before repossession, **10:50**
personal property inside repossessed collateral, **10:55**

Titled motor vehicles

description of secured collateral, **4:29**
manufactured home; where to file financing statement, **6:37**
termination of UCC security interests, **6:73**
UCC-3 continuation statement, **6:68**
UCC-1 financing statement, **6:15**
where to file financing statement, **6:34-6:37**
UCC-1 financing statement, **6:15**

VESSELS

Outboard vessels

termination of UCC security interests, **6:73**
titled vessels
description of secured collateral, **4:29, 6:15**
termination of UCC security interests, **6:73**
where to file financing statement, **6:38**
UCC-1 financing statement, **6:15**

Termination of UCC security interests, **6:73**

Titled vessels

description of secured collateral, **4:29, 6:15**
termination of UCC security interests, **6:73**
where to file financing statement, **6:38**
UCC-1 financing statement, **6:15**

INDEX

WAGE ASSIGNMENTS

Limited exemptions from Article 9 coverage, **2:53**

WAIVERS

Default, remedies following, **10:10-10:14**

WHERE TO FILE, PERFECTION OF UCC SECURITY INTERESTS

Generally, **6:29-6:40**

Amending UCC-1 financing statements, **6:44**

As-extracted collateral, **6:32**

Boats, **6:39**

Farm products, **6:40**

Fixtures, **6:32**

Manufactured homes, **6:37**

Motor and trailer loans, **6:39**

Outboard motors, titled, **6:38**

Parish in which to file, **6:31**

Parish numbering convention, **6:33**

Standing timber, **6:40**

Termination of UCC security interests, **6:70**

Titled motor vehicles, **6:34-6:37**

Trailer loans, **6:39**

Vessels, titled, **6:38**

WRITING REQUIREMENT, SECURITY AGREEMENTS

Signed security agreement requirement, **4:12**