

# USA SECURED TRANSACTIONS

**La Trobe University**  
**The LL.M. in Global Business Law Program**  
**Melbourne, Australia**

## **CLASS INFORMATION & SYLLABUS** **Winter 2013**

**10-12 and 15-16 July 2013**  
**10:00 to 12:00 & 13:00 to 15:00**

***Professor Gerry W. Beyer***  
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### **Course Description**

USA Secured Transactions is the study of the use of personal property as collateral for a loan. Article 9 of Uniform Commercial Code which is enacted in each of the United States forms the statutory base of the course. The course begins by examining the types of transactions that fall within the scope of Article 9 followed by learning how to classify different types of personal property which is of particular importance as the rules are significantly different based on the precise type of personal property the debtor uses as collateral. We will study how to create a security interest which is effective between the debtor and creditor (attachment) and then how to make the creditor's security interest stronger against competing claimants (perfection). Finally, we examine in detail how to resolve disputes between competing claimants to the collateral (priorities) and the process by which a creditor may repossess the collateral from the debtor upon the debtor's failure to pay or other default.

## Course Website

<http://www.professorbeyer.com/USA-Secured-Transactions/GBL.html>

## Course Materials

- RICHARD H. NOWKA, MASTERING SECURED TRANSACTIONS (UCC ARTICLE 9) (2009) (Carolina Academic Press).

This book is available at:

- [Amazon.com](http://Amazon.com), and
- [Carolina Academic Press](http://Carolina Academic Press).
- UNIFORM COMMERCIAL CODE. You may access the UCC at no charge by following this link: <http://www.law.cornell.edu/ucc/ucc.table.html>. Once class begins, I will obtain free access for you to an interactive version of the UCC which includes the Official Comments, a valuable aid to understanding the UCC.

## Syllabus

Assignments are subject to change.

<u>Date</u>	<u>Topic</u>	<u>Nowka</u>
10 July 2013 morning	Introduction Scope of Article 9 Classification of Collateral	3-4 4-28
10 July 2013 afternoon	Attachment	29-74
11 July 2013 morning	Perfection	75-98
11 July 2013 afternoon	Perfection (continued)	98-136
12 July 2013 morning	Priorities	137-167
12 July 2013 afternoon	Priorities (continued)	167-201

<u>Date</u>	<u>Topic</u>	<u>Nowka</u>
15 July 2013 morning	Priorities (continued)	201-239
15 July 2013 afternoon	Default (including repossession)	241-277
16 July 2013 morning	Default (including repossession) (continued)	241-277 (reread)
16 July 2013 afternoon	Conclusion & Review Examination Information	293-296

### Assessment

- **Take Home Examination: 90%.** A take-home examination (approximately 5,000 words or equivalent) will be given at the conclusion of the course. The exam will be based on the text, the UCC, and our class discussion. No outside research will be necessary for the exam.
- **Class Participation: 10%.** Attendance and active participation in class discussion will be considered.