

RCW 62A.7-504 Rights acquired in absence of due negotiation; effect of diversion; stoppage of delivery. (a) A transferee of a document of title, whether negotiable or nonnegotiable, to which the document has been delivered but not duly negotiated, acquires the title and rights that its transferor had or had actual authority to convey.

(b) In the case of a transfer of a nonnegotiable document of title, until but not after the bailee receives notice of the transfer, the rights of the transferee may be defeated:

(1) By those creditors of the transferor which could treat the transfer as void under RCW 62A.2-402 or 62A.2A-308;

(2) By a buyer from the transferor in ordinary course of business if the bailee has delivered the goods to the buyer or received notification of the buyer's rights;

(3) By a lessee from the transferor in ordinary course of business if the bailee has delivered the goods to the lessee or received notification of the lessee's rights; or

(4) As against the bailee, by good-faith dealings of the bailee with the transferor.

(c) A diversion or other change of shipping instructions by the consignor in a nonnegotiable bill of lading which causes the bailee not to deliver the goods to the consignee defeats the consignee's title to the goods if the goods have been delivered to a buyer in ordinary course of business or a lessee in ordinary course of business and, in any event, defeats the consignee's rights against the bailee.

(d) Delivery of the goods pursuant to a nonnegotiable document of title may be stopped by a seller under RCW 62A.2-705 or a lessor under RCW 62A.2A-526, subject to the requirements of due notification in those statutes. A bailee that honors the seller's or lessor's instructions is entitled to be indemnified by the seller or lessor against any resulting loss or expense. [2012 c 214 s 604; 1965 ex.s. c 157 s 7-504. Cf. former RCW sections: (i) RCW 22.04.420(2) and 22.04.430; 1913 c 99 ss 41 and 42; RRS ss 3627, and 3628. (ii) RCW 63.04.350; 1925 ex.s. c 142 s 34; RRS s 5834-34. (iii) RCW 81.32.321(2) and 81.32.331; 1961 c 14 ss 81.32.321 and 81.32.331; prior: 1915 c 159 ss 32 and 33; RRS ss 3678 and 3679; formerly RCW 81.32.410 and 81.32.420.]

Application—Savings—2012 c 214: See notes following RCW 62A.1-101.