



Ohio Revised Code

Section 1302.68 Anticipatory repudiation - UCC 2-610.

Effective: July 1, 1962

Legislation: Senate Bill 5 - 104th General Assembly

When either party repudiates the contract with respect to a performance not yet due the loss of which will substantially impair the value of the contract to the other, the aggrieved party may:

- (A) for a commercially reasonable time await performance by the repudiating party; or
 - (B) resort to any remedy for breach as provided in sections 1302.77 and 1302.85 of the Revised Code even though he has notified the repudiating party that he would await the latter's performance and has urged retraction; and
 - (C) in either case suspend his own performance or proceed in accordance with the provisions of section 1302.78 of the Revised Code on the seller's right to identify goods to the contract notwithstanding breach or to salvage unfinished goods.
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