

Excerpt from Allison E. Butler, "A PRACTICAL GUIDE TO THE CISG: NEGOTIATIONS THROUGH LITIGATION," Aspen Publishers (2007 Supplement 2). © Author. Reproduced with permission. For full text, see <<http://cisgw3.law.pace.edu/cisg/biblio/butler6.html>>.

FORM B-3.1

NOTICE OF NONCONFORMITY PURSUANT TO ARTICLE 39

SENT VIA CERTIFIED MAIL, [AND/OR] BY FACSIMILE
[AND/OR] ELECTRONIC MAIL
[INSERT COMPANY NAME]
Attention: [INSERT CONTACT PERSON(S)]
[INSERT ADDRESS]
[INSERT FACSIMILE NUMBER]

RE: Notice of Nonconformity of [INSERT DESCRIPTION OF GOODS] delivered pursuant [CONTRACT OR INVOICE] dated [INSERT DATE]

Dear [INSERT NAME]:

This letter is in reference to the above-referenced Contract. Pursuant to Article 39 of the United Nations Convention on Contracts for the International Sale of Goods ("CISG"), notice is hereby given that the goods delivered on or about [insert date] fail to conform to the description and purpose as set forth in the Contract. Specifically, nonconformities of the goods are the following:

[LIST AND SPECIFY ALL NONCONFORMITIES]

Please contact this office upon receipt of this letter to discuss an amicable solution. If this office does not hear from you within [INSERT TIME] business days, we shall elect our remedy in accordance with the CISG.

Sincerely,

[INSERT NAME]
[BUSINESS CONTACT NUMBER]