

# Acme fireworks: outline essay sample

Law



**ASSIGN  
BUSTER**

## I. Introduction

Acme Fireworks contracts with their customers would fall under the Common Law contract, even though they are providing goods and services and it should be under the Uniform Commercial Code but due to high risk of injury then it falls under Common Law. Acme Fireworks has to have the five elements of an enforceable contract with their customers to be able to have valid contracts, if offer, acceptance, consideration, legality and capacity are not present than a contract will not be valid. Acme Fireworks also has to be cautious when providing services due to the high risk of others being injured due to their services.

## II. Common law or Uniform Commercial Code

A. The definition and description of Common Law. The required guidelines in order for a contract to be classified as a Common Law contract.

Common Law was derived “ by applying basic principles of fairness drawn from the customs, traditions, and ethics of the time” (Rogers, 2012) and general guidelines began to be formed as each case was presented.

Common Law decisions are usually decided by judges and there is no specific guideline for each case, there are only general guidelines and each case is decided by the judge.

B. The definition and description of Uniform Commercial Code. The required guidelines for a contract to be classified under the Uniform Commercial Code.

“ The Uniform Commercial Code must be liberally constructed and applied to promote its underlying purposes and policies, which are: (1) to simplify, clarify, and modernize the law governing commercial transactions, (2) to permit the continued expansion of commercial practices through custom, usage, and agreement of parties” (Cornell University Law School, n. d.)

The Uniform Commercial Code is a business law that is for particular types of commercial transaction which include the sales of goods and it has been implemented by all the 50 states in the United States.

C. Explanation of which does Acme Firework contract with other businesses falls under Common Law, Uniform Commercial Code or both.

### III. Formed and Enforceable Contracts

A. Acme Fireworks and other businesses formed a contract to conduct business with each other. Both parties agreed upon the guidelines of their contracts.

B. Description of the five elements that are required to form a valid, enforceable contract. The description and definition of offer, acceptance, consideration, legality and capacity in order for the contract to be valid and enforceable.

### IV. Potential Personal Liability

A. If a spectator was injured by a stray firework from a fireworks display than Acme Fireworks would be liable. The incident occurred while services were

being provided by Acme Fireworks so Acme Fireworks is liable. So under Common Law, Acme Fireworks would be liable.

## References

Cornell University Law School (n. d) UCC- Uniform Commercial Code, LII/Legal

Information Institute. Retrieved from <http://www.law.cornell.edu/ucc/1/1-103>

Rogers, S. (2012). Essentials of Business Laws. San Diego, CA: Bridgepoint Education Inc.