



specialized errors and omissions insurance

for media, advertising, technology,
privacy and network security

converging risk liability policy

Coverage Part A1: Content Liability for Media Companies

This module of ThinkRisk's Converging Risk Liability Policy provides coverage for claims arising out of the creation and distribution of content. Two alternative versions of Coverage Part A are available: The first — *Coverage Part A1*— addresses the modern liability needs of traditional media companies such as publishers and broadcasters. The second alternative — *Coverage Part A2* — fills the gaps in GL coverage faced by non-media, "Main Street" companies that create advertising material, use email, blogs, or other social networks, or otherwise create and distribute content in their businesses. In addition, optional Design Coverage is available by endorsement to address similar exposures arising out of product design.

ThinkRisk Underwriting Agency, LLC
310 W. 20th Street, Suite 200
Kansas City, MO 64108
816.994.6400

www.thinkriskins.com

In California, d.b.a ThinkRisk Insurance Agency, LLC. California license no. 0G94453

- All-risk coverage for claims arising out of creation and distribution of content
- Broad definition of content embracing communicative material of any kind
- Content definition expressly includes software
- Includes coverage for advertising and general business communications
- Includes coverage for indemnification of distributors
- Full "news gathering" coverage for news reporting
- Coverage available on either occurrence or claims-made basis
- Limits up to \$10m available
- Punitive damages coverage available to fullest extent of law
- Coverage available for bodily injury/property damage arising out of content
- Coverage for defense of certain regulatory claims brought by Federal Communications Commission
- First Amendment "carve-back" to crime/fraud exclusion
- Defense until final adjudication of crime/fraud allegations
- Coverage can extend to freelancers, stringers, other independent contractors, at Insured's option
- Optional Design Coverage available for claims arising out of product design
- Coverage can be bundled with E&O for technology or other professional services, as well as network/security and privacy
- Insured has access to panel of experienced media lawyers around the country
- Subpoena defense coverage available by endorsement
- Coverage backed by the financial strength of the Great American Insurance Group, rated "A" (Excellent) by A.M. Best*

*Most recent rating evaluation as of May 10, 2010

Coverage features described in this brochure are summarized. Refer to the actual policy for a full description of applicable terms, conditions, limits and exclusions. Coverage is underwritten by Great American Insurance Company, 580 Walnut Street, Cincinnati, OH 45202, an authorized insurer in the fifty states and the District of Columbia. ©2010 ThinkRisk Underwriting Agency, LLC. 0054-ELD-2



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Coverage Part A2: Content Liability for Advertisers

This module of ThinkRisk's Converging Risk Liability Policy provides coverage for claims arising out of the creation and distribution of content. Two alternative versions of Coverage Part A are available. The first — *Coverage Part A1* — addresses the modern liability needs of traditional media companies such as publishers and broadcasters. The second — *Coverage Part A2* — fills the gaps in GL coverage faced by non-media, "Main Street" companies that create advertising material, use email, blogs, or other social networks, or otherwise create and distribute content in their businesses. In addition, optional Design Coverage is available by endorsement to address similar exposures arising out of product design.

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- Coverage for claims arising out of creation and distribution of content
- Broad definition of content embracing communicative material of any kind
- Provides coverage for all forms of advertising, including email, blogs, social networks and other types of communication
- Content definition expressly includes software
- Fills gaps in "advertising injury coverage" in standard GL policy
- Includes coverage for indemnification of distributors
- Coverage available on claims-made basis
- Defense until final adjudication of crime/fraud allegations
- Limits up to \$10m available
- Notice provision "as soon as practicable"
- Punitive damages coverage available to fullest extent of law
- Optional Design Coverage available for claims arising out of product design
- False Advertising Coverage available by endorsement
- Coverage can be bundled with E&O for technology or other professional services, as well as network/security and privacy
- Insured has access to panel of experienced media and intellectual property lawyers around the country
- Insured has access to risk management services for managing media and intellectual property exposures
- Coverage backed by the financial strength of the Great American Insurance Group, rated "A" (Excellent) by A.M. Best*

*Most recent rating evaluation as of May 10, 2010.

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Coverage Part B: Professional and Technology Services

This module of ThinkRisk's Converging Risk Liability policy provides coverage for errors and omissions in the course of providing professional services, including technology-related services. Any business that provides professional services to others faces potential claims from clients or customers if the services fail to meet expectations. We can provide coverage solutions for virtually all professional service providers including consultants, PR firms, website designers, software developers and others. We are not a market for licensed professionals such as doctors, lawyers, accountants, architects/ engineers or insurance agents.

- Definition of professional services customized for each risk
- Coverage available on claims-made basis
- Worldwide coverage
- Limits up to \$10m available
- No requirement that services be "for a fee"
- Notice provision "as soon as practicable"
- Punitive damages coverage available to fullest extent of law
- Insurer has duty to defend
- Defense until final adjudication of crime/fraud allegations
- Coverage can be bundled with content liability, as well as network/security and privacy
- Coverage backed by the financial strength of the Great American Insurance Group, rated "A" (Excellent) by A.M. Best*

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Coverage Part C: Privacy & Network Security Liability
Coverage Part D: First Party Privacy & Network Security

Virtually all businesses store confidential information of one form or another. *Coverage Part C* of ThinkRisk's Converging Risk Liability Policy provides coverage for third-party claims arising out of breaches of network security. *Coverage Part D* provides coverage for first-party costs incurred by the Insured in connection with security breaches, such as the cost of notifying impacted persons and the costs of restoring data that might have been lost or compromised. Coverages C and D are sold together because virtually all security breaches give rise to both liability issues as well as first-party expenses.

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- Covers all forms of data – whether online or off-line, electronic or paper
- Broad definition of data, embracing any and all information
- Includes employee as well as third-party data
- Covers data maintained by the Insured, or maintained by a third party on Insured's behalf
- Also covers liabilities associated with computer viruses and violation of privacy laws
- Liability coverage available on claims-made basis
- Worldwide coverage
- Notice provision “as soon as practicable”
- Limits up to \$10m available for third-party coverage; \$5m for first-party
- Punitive damages coverage available to fullest extent of law
- Insurer has duty to defend
- First-party coverage includes notification costs, data restoration, crisis management, credit monitoring, cyber investigation, cyber extortion and civil fines and penalties
- Full limits available for notification costs and defense of regulatory actions
- Includes access to forensic technology specialists to investigate and remediate loss
- Coverage can be bundled with content liability, as well as E&O for technology or other professional services
- Coverage backed by the financial strength of the Great American Insurance Group, rated “A” (Excellent) by A.M. Best*

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