Before **YOU** begin, **YOU** should KNOW

• Many of the bolded words in this application have specific meanings:

"You," "your" and "yourself" mean the persons and entities for which insurance is being sought and their employees, officers, partners and directors. Subsidiaries are also included if the entities have more than a 50% ownership interest.

"We," "us" and "our" mean the insurance company.

"Service(s)" means activities you perform for others and products you develop for others.

"Content" means data, digital code, images, masked works, scents, sounds, tastes, text or textures.

- In completing this application, **you** are not obligated to buy, and **we** are not obligated to sell, insurance.
- Incorrect, incomplete, false or misleading answers to any of the questions on this application may result in a retracted offer of coverage or a declaration that the policy is null and void. Attach additional sheets if there is not enough room in the application for an answer. If a question does not apply to you, respond "N/A" or "not applicable." If you do not answer a question, your answer will be deemed "not applicable."
- Any proposal of coverage that **we** make will have additional terms and conditions. Carefully review the proposal before making a decision to purchase. As always, please contact **your** agent or broker if **you** have any questions.

CLAIM EXPENSE IS WITHIN THE LIMITS. Refer to the policy for actual coverage details. Here's an overview: Covered claim expenses and damages must be paid by **you** up to the self-insured retention amount; these payments do not reduce the limits of liability. Covered claim expenses and damages above the retention amount are payable under the policy; they reduce and may exhaust the limits of liability.

BASICS

1. Applicant (fill in the name as it should appear on the policy, if written)

2.	Street address city, state, zip Mailing address city, state, zip Phone Number
3.	Type of entity Public Private Not-for-profit
4.	Entity structure Sole proprietorship Corporation LLC Joint Venture Other
5.	In business since (m/d/yyyy)
6.	Have you purchased, merged or consolidated with any companies in the last three years? Yes No. If yes, did purchase include (check all that apply) Assets Liabilities
7.	Do you have any subsidiaries? Yes No. If yes, please provide the names of all subsidiaries (attach a separate list, if necessary)
8.	Your staff # of principals, partners, directors and officers # of website staff # of sales and marketing personnel # other # of clerical/support personnel # TOTAL # of independent contractors performing services on your behalf # TOTAL

9.	Please list your website home page addresses (includ	le all URLs registered in your name). If any of these website(s)
	have a password protected members only/private area	a, also provide temporary passwords and log in ID.
	Address	Password/Log in ID

Audiess		
Address	Password/Log in ID	
Address	Password/Log in ID	
	U	

10. Does your website(s) contain a complete, accurate and up-to-date description of your services? Yes

11. Please list all association memberships related to your services ______

- 12. Please check one of the following, which best describes **you** Advertising Agency Book Publisher Broadcaster Cablecaster Magazine Publisher Newspaper Publisher Program/Film Producer Other
- 13. SIC code(s) _____ NAIC code(s) _____

VITALS

Fiscal Year				For Marketing Service Providers, Public Relations Providers & Advertising Agencies Only: Total Net Revenue Generated by all of Your Services
Next	TOTAL \$	U.S. \$	FOREIGN \$	Total Revenue \$ - Pass Through \$ Net Revenue \$
Current	TOTAL \$	U.S. \$	FOREIGN \$	Total Revenue \$ - Pass Through \$ Net Revenue \$

1. Do **you** do business outside the U.S.? Yes No. If yes, a) list all foreign countries in which **you** do business

and b) are **you** compliant with distance selling regulations and laws in foreign jurisdictions? [Yes]No

2. Are any of **your services** performed in any language other than English? Yes No. If yes, please advise: Languages ______

Services	5
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% of Total Revenue %

- 3. For revenues that **you** will generate in **your** current fiscal year, what percentage of **your services** are in the following Years in Market?
 - ___% Zero to One
 - ____% Over One year but less than Two
 - ____% Over Two years but less than Five
 - ____% Five years or longer

4. Are **you** developing any new **services**? Yes No. If yes, please fill in the following chart:

Service	Projected Release Date	*Projected Annual Revenues	Anticipated Life of Service
		\$	
		\$	

*If the **service** is to be released in the current or next fiscal year, did **you** include revenues in the VITALS chart? Yes

YOUR CONTENT SERVICES

In the chart below, for each service you perform, please advise:

- % of current total revenues applicable to that **service**; column sum <u>must total 100%</u>.
- % of projected next year total revenues applicable to that **service**; column sum <u>must total 100%</u>.
- the average agreement (i.e. contract) value/charge for the **service**, if direct relationship with customer or client. If not, check the "N/A" box for "not applicable."
- % of each **service** performed for the targeted audience/market. Use the table below as a reference for the target audience/market codes.

Key for Target Audience/Market Codes

BIZ Commerce & Industry (e.g. construction, financial, retail, trades, etc.)

- CON Consumers—specify target audience/market _____
- GP General Public
- INST Institutional (e.g. colleges/universities, government organizations, etc.)
- PRO Professional (e.g. medical, legal, accounting, architectural, engineering, etc.)
- REL Religion
- SCI Scientific & Technical—specify target audience/market _____

OTHER Fill in

CONTENT SERVICES Describe services: titles, frequency, source, scope, nature, etc.	% of Total Current Revenues	% of Next Year's Total Projected Revenues	Average Agreement/Basis of Service	% of Service Performed for Target Audience/Market
Advertising Agency	%	%	□N/A \$	%BIZ%PRO %CON%REL %GP%SCI %INST %OTHER %OTHER %OTHER
Book Publisher	%	%	□N/A \$	%BIZ%PRO %CON%REL %GP%SCI %INST %OTHER %OTHER %OTHER
Broadcaster (provide call letters)	%	%	□N/A \$	%BIZ%PRO %CON%REL %GP%SCI %INST %OTHER %OTHER %OTHER
Cablecaster	%	%	□N/A \$	%BIZ%PRO %CON%REL %GP%SCI %INST %OTHER %OTHER %OTHER

CONTENT SERVICES Describe services: titles, frequency, source, scope, nature, etc.	% of Total Current Revenues	% of Next Year's Total Projected Revenues	Average Agreement/Basis of Service	% of Service Performed for Target Audience/Market
Magazine Publisher	%	%	□N/A \$	%BIZ%PRO %CON%REL %GP%SCI %INST %OTHER %OTHER %OTHER
Newspaper Publisher	%	%	□N/A \$	%BIZ%PRO %CON%REL %GP%SCI %INST %OTHER %OTHER %OTHER
Program/Film Producer	%	%	□N/A \$	%BIZ%PRO %CON%REL %GP%SCI %INST %OTHER %OTHER %OTHER
Public Relations Provider	%	%	□N/A \$	%BIZ%PRO %CON%REL %GP%SCI %INST %OTHER %OTHER %OTHER
Other	%	%	□N/A \$	%BIZ%PRO %CON%REL %GP%SCI %INST %OTHER %OTHER %OTHER
TOTAL	100%	100%		

YOUR WEBSITE(S) AND ONLINE ACTIVITIES

1. Describe **your** website(s) (check all that apply)

Presence: just info about what you do

Content Aggregation: **content** from different sources

Interactive: visitors can interact with site

E-commerce: buying/selling of goods or **services**

- 2. If your website allows e-commerce, do you require customers to read and accept your agreement before enacting a transaction? Yes No
- 3. Are any of **your services** performed online (Internet, WWW, direct network, etc.)? Yes No. If yes, please advise: Services

%	of	Total	Revenue	%
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4. Do **you** plan to update **your** website(s) in the next year? Yes No. If yes, does this update include

New service info	
Content from others	

User account access (describe)

- Other (describe)
- 5. Do **you** have a privacy policy? Yes No. If yes, a) has it been reviewed by an attorney? Yes No and b) is the privacy policy posted on **your** website? Yes No
- 6. Which of the following does **your** privacy policy contain? (check all that apply)
 - Explanation of type of info collected

Description of how info is collected

- Disclosure of use of info collected
- Access to and the ability for user to change or update info
- Description of safeguards and security measures used to protect info
- 7. Do **you** collect personal and/or confidential information on users of **your** website(s)? Yes No. If yes, provide responses to questions a.- e. below. If no. proceed to question 8.
 - a. Do **you** provide opt-in or opt-out options in the following areas? (check all that apply) Receipt by users of **content** from **you** or others Opt-in Opt-out Collection of user information Opt-in Opt-out
 - Sharing of user info Opt-in Opt-out
 - b. Do you require users to actively agree to or acknowledge your privacy policy before they provide information? Yes No
 - Is the point of information collection secure? Yes No C.
 - d. Is personally identifiable and/or confidential information a) transmitted in encrypted form? [Yes]No and b) stored in encrypted form? Yes No
 - Do you sell or share personal and/or confidential information gathered from customers or others (this includes e. info gathered from **your** website or by other means)? Yes No. If yes, do **you** notify and obtain the consent of these customers or others prior to dissemination? Yes No
- 8. Does your website contain a chatroom, bulletin board or any other type of interactive exchange which can be viewed by others? Yes No. If yes, does **your** website have disclaimers and guidelines regarding the use of and content disseminated on the interactive exchange? Yes No. Are users required to acknowledge disclaimers and guidelines prior to participation? Yes No. Who manages **your** interactive exchange? **You** Subcontractor. Do **you** make the subcontractor contractually responsible for liabilities arising out of the interactive exchange? Yes No. Do you or your subcontractor exercise editorial control over your interactive exchange? Yes No. If yes, when? Prior to Posting After Posting

CONTENT

1.	Do any of your content services in	volve the following subject m	atter? (check all that apply)
	Investigative reporting/exposé	Living biography	Religion
	Political/social commentary	Instructional/how-to	Public figures
	Adult (sexually explicit) content	Children's interest	
	Financial products & services	Technical/scientific info	
	Controlled or regulated products	& services (alcohol, firearms,	pharmaceuticals, tobacco, etc.)

2. What is the primary geographic distribution of **your content services**? Local/Metro State Regional National Multinational Global Limited Specific (describe, i.e. campus, rural area, etc.)

3.	Do you use any of the following methods for acquisition or gathering of information used in your content services ? (check all that apply) Taped or recorded conversation without interviewee's knowledge Wireless scanning devices Hidden/disguised cameras Undercover investigation "Ride-alongs" Electronic surveillance Anonymous sources Content recorded by others (video and/or audio). Do you have guidelines as respects the use of the methods described above? Yes No
4.	What % of content in your services is created by you ?%. What % of content in your services is created by others?%
5.	For content created by others, do you require those parties to a) indemnify you for the content they provide? Yes No and/or b) provide evidence of appropriate insurance applicable to their content ? Yes No
6.	Provide a detailed description of your standard procedures for checking the accuracy and originality of content you create and content created by others.
7.	Which of the following are included in your intellectual property and/or business methods clearance procedures? (check all that apply) The contractual acquisition of all the necessary rights, licenses, releases and consents applicable to content or services created or provided by you or by third parties Legal review of the items checked below performed prior to release, use or dissemination regardless of the medium content medium/technology used services business methods websites advertising and marketing material applicable laws in jurisdictions outside of the U.S. information gathering techniques New hire and independent contractor agreements which include signed statements to the effect that they will not disseminate or use a previous employer's or client's trade secrets and other intellectual property Legal review of all updates or changes to the content , business methods and functionality of your services prior to dissemination or implementation Permission of sites you link to or frame Legal review of sites you link to or frame Disclaimers on your website pertaining to content made available or disseminated Title, Trademark and/or servicemark searches and clearances for all your domain names service names, designs or logos content searches and clearances performed by your in-house legal counsel your outside legal counsel professional search company computerized database search Permission to use and legal review of the trademarks and/or servicemarks of others
8.	Do you have an established policy and process in place to address complaints of inaccurate, defamatory, infringing or problematic content you have designed or have responsibility for? Tes No. If yes, what is your response timeframe? less than one day, 1-7 Days or more than a week

- 9. Do **you** have an established employee education program regarding issues relating to intellectual property, defamation, privacy and information gathering? Yes No. If yes, please provide a description of the program.
- 10. In **your** advertising and marketing material, including all of **your** websites, do **you** a) compare **yourself** to **your** competition? Yes No, b) compare **your services** to **your** competitors' **services**? Yes No, c) claim that **you** or **your services** are superior to **your** competition? Yes No, and/or d) make guarantees or warranties? Yes No
- 11. Do **you** have any corporate blogs, video logs, podcasts or webcasts? Yes No. If yes, please provide the URL(s) for all of them that are located on **your** corporate website(s):

and the URL(s) for all of them that are hosted for **you** by other websites, including social networking sites:

ERRORS & OMISSIONS

1	Do ony of	vour oontont	ooniooo	include?	(abaak all	that a		
١.	DU ally U	your content	261 AIC62	include :	(UNEUN AII	linal a	ippiy)	

Live programming

		p. • 3				
DD	ispl	ay,	packaging	or	product	design

Content archive/search/retrieval

Promotions/incentive programs

Public relations consulting

Music distribution
Printing/binding for others
Market research/product testing
Games/sweepstakes
Photo services

Merchandising related to program/film production

Please provide a detailed description of all checked activities (attach additional sheets as necessary)

- 2. Do **you** have a quality control/assurance plan? Yes No. Is it written/formalized? Yes No. Does it include: (check all that apply) quality evaluation and monitoring industry standard compliance complaint/problem resolution customer acceptance other (describe)
- 3. Which of the following controls do **you** have in place to ensure quality work from subcontractors, freelancers or other non-employees? (check all that apply) background checks verification of qualifications standardized submission criteria content release forms source verification of the (describe)
- 4. Do **you** receive unsolicited **content** from outside sources? Yes No. If yes, describe **your** policies and procedures regarding such material.
- 5. Do **you** warrant or guarantee any standards of performance for **your services** (e.g. delivery and/or completion timeframes, availability, durability, volume of transactions)? Yes No. If yes, specify which standards

6. Do your risk management procedures include the following? (check all that apply)

- Business documents (customer orders, agreements, etc.) retained for _____months _____years Dunlimited Complaint resolution plan
- Customer notification plan of **your** discontinuance of a **service** or support
- Customer or public communication/support including
 - E-mail Website Customer site visitation Fax Toll-free numbers

Availability: M-F 24/7

Written policies and	procedures for disseminating	retractions or corrections

- 7. Do **you** use standard agreements? Yes No. If yes, with whom? (check all that apply) Customers/clients Content providers (non-employee) Distributors/vendors Other (describe)
- 8. Are all agreements reviewed and approved by legal prior to execution?
 Yes
 No
- 9. Are all changes and/or modifications to agreements reviewed and approved by legal prior to execution? Yes No
- 10. In the chart below, check each of the following clauses that are built into **your** standard customer agreement and who the clause benefits

Clause	Standard Customer Agreement Clause benefits				
	You	Customer	Mutually Beneficial	N/A	
Arbitration Clause					
Choice of Law or Jurisdiction					
Force Majeure					

Clause	Standard Customer Agreement Clause benefits				
	You	Customer	Mutually Beneficial	N/A	
Guarantees/Warranties					
Limitation of Liabilities					
Limitation of Consequential Damages					
Hold Harmless/Indemnification					
Schedule of Deliverables					
Disclaimers					

CURRENT INSURANCE

If no, explain SIR/Deductible \$	If ye	Expiration Date	ving information Limit \$ Type of Form: Claims Made
Injury Advertising Inj	If y∈ ury ⊡Products Liability. If	yes, please also provide th	ude? (check all that apply) Personal following information Expiration Date
			Insurance Company
What is your desired Li	mit of Liability? (check all o \$ What is you	ptions that interest you) 🗌	\$500,000 \$\[]\$1,000,000 \$\[]\$2,000,000 k all options that interest you) \$\[]\$2,500

DO NOT ANSWER THE FOLLOWING QUESTION IF YOU ARE DOMICILED IN MISSOURI

1.	Has your errors and omissions/professional liability coverage ever been declined, canceled or non-renewed?
	Yes No. If yes, please describe why

TELL ALL

If you respond yes to questions 1–3 below, you must provide us with the following info

- a full description of the circumstances and details including any damages alleged;
- purchase or agreement (i.e. contract) price involved;
- the current status of the situation including what you have done and what you are now doing to address the situation; and
- what you are doing to prevent further incidents or situations.
- In the last three years, have anyone a) formally alleged or complained in writing about the performance or non-performance of your services? Yes No, b) refused to pay you or stopped paying you because of a problem with your service? Yes No, c) requested a refund of their payment because of a problem with your service? Yes No, c) requested a refund of their payment because of a problem with your service? Yes No, and/or d) complained in writing that your services were delayed or late? Yes No
- 2. Are **you** aware of any actual or alleged fact, circumstance, situation, error or omission, or issues with **your** website, **content** or **services** (including but not limited to defamation, intellectual property and privacy issues) which may reasonably be expected to result in a claim being made against any of **you**? [Yes]No

3. Have any of **you** or any of **your** predecessors in business, affiliates or any of their past or present partners, owners, officers, sales persons or employees been investigated and/or cited by any regulatory agency arising out of their activities? Yes No

If you respond yes to question 4 below, you must provide us with the following information about each and every claim, suit or proceeding

- a full description including damages alleged;
- current status;
- loss runs, if applicable; and
- amounts of reserves, legal expenses paid to date, settlements or judgments.
- 4. Have any claims, suits or proceedings been brought during the past three years against any of you or any of your predecessors in business, affiliates or against any of your or their past or present partners, owners, officers or employees? ☐Yes ☐No

REPRESENTATIONS

This application must be signed by an authorized partner, officer or other principal of the primary entity seeking coverage or by the proprietor of a proprietorship. By signing this application, you represent and agree to items 1 through 7 below:

- 1. You are acting on behalf of all persons and entities for which you are seeking insurance;
- The statements and answers in the application and all attachments to it are accurate and complete. Additional information provided in response to subsequent questions and requests will also be accurate and complete;
- Statements and information that you provide that are attached to or that supplement this application are deemed to be incorporated into the application, and the application will be deemed to be incorporated into and a part of any policy that is issued;
- 4. The statements, answers and additional information are representations by you; they are a material inducement to us to provide insurance or a proposal for insurance; and you intend for us to rely upon them;
- 5. Any policy that we issue will be issued in reliance upon those representations;
- 6. You will report to us immediately, in writing, all changes in your business or circumstances that would result in a different statement or answer or different information than the ones you have previously provided to us when the change becomes known to you between the date of this application and the effective date of the policy, if a policy is issued. We reserve the right to modify or withdraw any proposal for insurance that we offer when we receive information about such changes;
- 7. If the application, including attachments and supplements, contains inaccurate, false or incomplete information or if you fail to provide notice of changes as required, we may declare any policy that has been bound or issued to be null and void, and we will not provide any coverage.

STOP! BEFORE YOU SIGN THIS APPLICATION, READ THE APPLICABLE FRAUD WARNING ON THE FOLLOWING PAGE.

Signature of AUTHORIZED SIGNATORY

Printed Name of AUTHORIZED SIGNATORY

Producer/Broker Name and License Number_

Date

Title

FRAUD WARNINGS

Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Delaware, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Wisconsin, Wyoming

NOTICE: In some states, any person who knowingly, and with intent to defraud any insurance company or other person, files an application for insurance or statement of claim containing any materially false information, or, for the purpose of misleading, conceals information concerning any fact material thereto, may commit a fraudulent insurance act which is a crime and subjects such person to criminal and civil penalties in many states.

Colorado

It is unlawful to knowingly provide false, incomplete or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claiming with regard to a settlement or award payable for insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

District of Columbia

WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

Florida

Any person who knowingly and with intent to injure, defraud or deceive any insurance company files a statement of claim containing any false, incomplete, or misleading information is guilty of a felony of the third degree.

Hawaii

For your protection, Hawaii law requires you to be informed that presenting a fraudulent claim for payment of a loss or benefit is a crime punishable by fines or imprisonment, or both.

Kentucky

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance containing any materially false information or conceals, for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime.

Louisiana, West Virginia

Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

Maine, Tennessee, Virginia, Washington

It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties may include imprisonment, fines, and denial of insurance benefits.

Maryland

Any person who knowingly OR willfully presents a false or fraudulent claim for payment of a loss or benefit, or who knowingly OR willfully presents false information in an application for insurance, is guilty of a crime and may be subject to fines and confinement in prison.

New Jersey

Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

New Mexico

Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to civil fines and criminal penalties.

Ohio

Any person who, with intent to defraud or knowing that he/she is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.

Oklahoma

WARNING: Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.

Pennsylvania

Any person who knowingly and with intent to defraud any insurance company, or other person, files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.