

Internet Liability Application and Network Protection Policy



Note: The liability insuring agreements of this policy provide claims-made coverage. Under the liability sections, if elected, "claims" must first be made against the "insured" during the "policy period" or during the applicable extended reporting period. "Insured" means any "named insured" and their "employees". "Defense expenses" are payable within, not in addition to, the limit of insurance. If issued, please read your policy carefully. The word "you" in this application refers to your organization and any entity for whom this insurance is intended.

Note: It is recommended that the person completing this Application consult with the person(s) within the company who is responsible for information/technology.

General Information

Name of Organization: _____

Mailing Address: _____

Type of Business Organization. Select one:

Corporation Limited Liability Partnership/Joint Venture Other (please describe) _____

Description of Business: _____

Years in Business: _____

Total Annual Revenue: _____

Annual revenue generated from or attributable to activities conducted via your Web site(s): _____

Web site(s) address(es): _____

E-commerce activities conducted via your Web site(s):

- Information about the company and its products and services Facility to order and pay for products and services online
 Facility to conduct text or voice chat with a representative
 Facility for users to make posting such as discussion board post, comments, feedback, and product or services reviews

Coverages Requested

Policy Period requested: From: _____ to: _____

Retroactive Date requested: (Agreements A and/or B only) _____

Limits and deductibles requested:

Insuring Agreement	Limit of Insurance	Deductible Amount
Overall Policy Aggregate		
Web Site Publishing Liability		
Network Security Liability		
Replacement or Restoration of Electronic Data		
Cyber Extortion		
Business Income & Extra Expense		Monetary: \$
		Waiting period: hours
Computer System Unauthorized Access Notification Expenses		

General Underwriting Question:

Do you collect and/or store any of the following type electronic data of **third parties** (e.g. customers or business partners, etc)? Check all that apply.

- Name, address, and phone numbers Bank account details Credit, debit, or charge card Medical record
 Social security number Money, securities, or both Trade secrets Employee HR/Payroll information
 Intellectual property assets Unpublished financial statements Unpublished strategic plans Sensitive production data

Employment Practices

Does the applicant publish and distribute information technology security and privacy policies to its employees? NO YES

Does the applicant provide training to its employees on information security awareness?

Does the applicant conduct any of the following screening on new employees?

Check all that apply: Drug Criminal Credit

Past experience

	NO	YES
Do you currently have a policy that provides coverage similar to the policy being sought?	<input type="checkbox"/>	<input type="checkbox"/>
Has any insurer ever canceled or non-renewed a policy that provided coverages similar to the policy that is being sought?	<input type="checkbox"/>	<input type="checkbox"/>
In the past 2 years, have you been sued or threatened by a suit related to your website content, e-commerce activity, or computer data safety?	<input type="checkbox"/>	<input type="checkbox"/>
If so, please describe the claimant, the circumstances, the legal claim, and the status. _____		

Are any of the proposed insureds aware of any act, error, or omission that may be reasonably expected to give rise to a claim against you?	<input type="checkbox"/>	<input type="checkbox"/>
If so, please describe: _____		

Questions for Insuring Agreement A Coverage Only:

Is your Web site(s) reviewed for potential legal liability issues by internal or external counsel?	<input type="checkbox"/>	<input type="checkbox"/>
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Website contents

Do you provide content targeted towards children on your website?	<input type="checkbox"/>	<input type="checkbox"/>
If so, do you ever collect any personal information from children?	<input type="checkbox"/>	<input type="checkbox"/>
Does any part of your website contain material not suitable for general audience?	<input type="checkbox"/>	<input type="checkbox"/>
Who provides the content for your Web site(s)?	<input type="checkbox"/>	<input type="checkbox"/>
Check all that apply: <input type="checkbox"/> Your employees <input type="checkbox"/> Third parties <input type="checkbox"/> Your website users		

For the content generated by your employees

Do you always conduct an internal review of the material before publishing it on the web?	<input type="checkbox"/>	<input type="checkbox"/>
Does the review look at potential claim by others of IP infringement, trademark infringement, plagiarism, and defamation?	<input type="checkbox"/>	<input type="checkbox"/>

For the content provided by third parties

Do you always obtain copyright for all text, images, audio, video, or other material used on your website?	<input type="checkbox"/>	<input type="checkbox"/>
If the website is created or maintained by a contractor, do you always obtain a Hold Harmless Agreement from the service provider?	<input type="checkbox"/>	<input type="checkbox"/>

For content on your website generated by your website visitors

Do you clearly disclaim liability for the visitor generated content?	<input type="checkbox"/>	<input type="checkbox"/>
Do you act solely as a distributor of the user generated content by refraining from editing or contributing to it?	<input type="checkbox"/>	<input type="checkbox"/>
Do you immediately remove user generated content upon receiving complaint about or upon suspecting infringement of other's copyright?	<input type="checkbox"/>	<input type="checkbox"/>

Questions for Insuring Agreement B through F Coverages:**Physical Security**

Do you control access to computer rooms using keys or keycards?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have a functional intrusion alarm system?	<input type="checkbox"/>	<input type="checkbox"/>
Do you maintain a visitor's log and do you escort the visitors at all times?	<input type="checkbox"/>	<input type="checkbox"/>
Do you enforce a policy to leave desks clear of all sensitive information?	<input type="checkbox"/>	<input type="checkbox"/>

Access control

Is there a process to determine and monitor appropriate physical and system access granted to all employees?	<input type="checkbox"/>	<input type="checkbox"/>
Is there a process to promptly remove physical and system access upon departure of any individual, either an employee or a contractor?	<input type="checkbox"/>	<input type="checkbox"/>

Record disposal

Are paper records shredded when no longer needed?	<input type="checkbox"/>	<input type="checkbox"/>
Is electronic data always erased from discarded computers or storage media?	<input type="checkbox"/>	<input type="checkbox"/>

Anti virus

Does the applicant subscribe to the latest anti-virus/malware/spyware products?	<input type="checkbox"/>	<input type="checkbox"/>
If yes, is this protection provided on all desktops and servers?	<input type="checkbox"/>	<input type="checkbox"/>
Is protection provided to remote users also?	<input type="checkbox"/>	<input type="checkbox"/>

Mobile devices

Do you encrypt the data on the hard disk of your laptops?	<input type="checkbox"/>	<input type="checkbox"/>
Does the applicant subscribe to any service that can remotely erase data on a stolen laptop?	<input type="checkbox"/>	<input type="checkbox"/>
Is password protection enforced on smart phones like Blackberry?	<input type="checkbox"/>	<input type="checkbox"/>

Firewall

Does the applicant have a network firewall?	<input type="checkbox"/>	<input type="checkbox"/>
Does the firewall have "Deny all" as a default option?	<input type="checkbox"/>	<input type="checkbox"/>
Unless specifically authorized, are all externally initiated connections blocked by default?	<input type="checkbox"/>	<input type="checkbox"/>
Does the firewall keep a log of access granted/denied?	<input type="checkbox"/>	<input type="checkbox"/>
How long are firewall logs retained? _____		

Remote connections

- Do all remote users use a secure connection?
- Is any stronger authentication besides password utilized for remote connections? (e.g. RSA keyfob, additional password, etc)

Information security assessment

- Do you have a person or a group responsible for information security?
- Have your employees or a third party ever conducted an information security assessment on your organization?
If yes, please describe who did the assessment, when, and what were the results? _____

Business continuity plan

- How frequently is the critical data backed-up? _____
- Is the backup encrypted?
- How long are the backups retained? _____
- Is at least one copy of a complete backup stored in a secure remote location?
- Does the applicant have a business continuity plan?
- If yes, is the business continuity plan tested periodically for the expected recovery?
- How long does it take the applicant to restore its most critical business activities? _____
- Does the applicant have backup power option?
- Check all that apply: Second independent power line Backup generator Battery backup
- Does the applicant have two independent internet service providers with a failover plant?

ADDITIONAL REQUIRED APPLICATION MATERIALS

Please attach the following to this Application:

- Your latest 10K or Year End Financials (if they are not otherwise readily available)
- Results of a security audit (if available)
- Any other information that might be helpful in gaining a complete and accurate picture of your organization and its operating procedures

NOTICE TO APPLICANT – PLEASE READ CAREFULLY

For the purpose of this Application, the undersigned authorized officer of the organization named in **General Information** of this Application declares that to the best of the organization's knowledge the statements herein are true, accurate and complete. The insurer is authorized to make any inquiry in connection with this Application. Signing this Application does not bind the insurer to issue, or the applicant to purchase, any insurance policy issued in connection with this Application.

The information contained in and submitted with this Application is on file with the insurer. This Application will become a part of such policy if issued. The insurer will have relied upon this Application and its attachments in issuing this policy.

If the information in this Application materially changes prior to the effective date of the policy, the applicant will promptly notify the insurer, who may modify or withdraw the quotation.

The undersigned declares that the individuals and entities proposed for this insurance have been notified that:

- This policy applies only to "claims" first made or deemed made against an "insured" during the "policy period" or during the applicable extended reporting period; and
- The limit of liability is reduced by amounts incurred as "defense expenses" and such expenses will be subject to the deductible amount.

Words within quotation marks are defined in the insurance policy.

Misrepresentation of any material fact in this Application may be grounds for rescission of this policy.

FRAUD STATEMENT

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.

Arkansas Fraud Statement

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.

Colorado Fraud Statement

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 claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

District Of Columbia Fraud Statement

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 Fraud Statement

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

Hawaii Fraud Statement

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

Kentucky Fraud Statement

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 Fraud Statement

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 Fraud Statement

It is a crime to knowingly provide false or misleading information to an insurance company for the purpose of defrauding the company. Penalties may include imprisonment, fines, or a denial of insurance benefits. Any person who includes false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

New Jersey Fraud Statement

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

New Mexico Fraud Statement

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.

New York Fraud Statement

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 shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

Ohio Fraud Statement

Any person who, with intent to defraud or knowing that he 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.

Oregon Fraud Statement

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

Pennsylvania Fraud Statement

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.

Tennessee Fraud Statement

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

Virginia Fraud Statement

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

Insured (Applicant)

By

Name (Print)

Title

Signature

Date