

# Cyber And Privacy Insurance



## Short Form Application

### NOTICE

**NOTICE: THE THIRD PARTY LIABILITY INSURING AGREEMENTS OF THIS POLICY PROVIDE CLAIMS-MADE COVERAGE, WHICH APPLIES ONLY TO CLAIMS FIRST MADE DURING THE POLICY PERIOD OR AN APPLICABLE EXTENDED REPORTING PERIOD FOR ANY INCIDENT TAKING PLACE AFTER THE RETROACTIVE DATE BUT BEFORE THE END OF THE POLICY PERIOD.**

**AMOUNTS INCURRED AS CLAIMS EXPENSES UNDER THIS POLICY SHALL REDUCE AND MAY EXHAUST THE APPLICABLE LIMIT OF INSURANCE AND WILL BE APPLIED AGAINST ANY APPLICABLE RETENTION. IN NO EVENT WILL THE COMPANY BE LIABLE FOR CLAIMS EXPENSES OR THE AMOUNT OF ANY JUDGMENT OR SETTLEMENT IN EXCESS OF THE APPLICABLE LIMIT OF INSURANCE. TERMS THAT ARE UNDERLINED IN THIS NOTICE PROVISION HAVE SPECIAL MEANING AND ARE DEFINED IN SECTION II, DEFINITIONS. READ THE ENTIRE POLICY CAREFULLY.**

### INSTRUCTIONS

Please respond to answers clearly. Underwriters will rely on all statements made in this **application**. This form must be dated and signed.

#### 1. Applicant Information

**Desired Effective Date**

Mm/dd/yyyy

**Applicant Name**

[Click here to enter text.](#)

**Applicant Address (City, State, Zip)**

[Click here to enter text.](#)

**Please list all Subsidiaries for which coverage is desired:**

[Click here to enter text.](#)

**Applicant Type**

[Choose an item.](#)

**Ownership Structure**

[Choose an item.](#)

**Year Established**

[Click here to enter text.](#)

**Website Address**

[Click here to enter text.](#)

**Global Revenue (Prior Fiscal Year)**

[Click here to enter text.](#)

**% Domestic Revenue**

[Click here to enter text.](#)

**Global Revenue (Current Fiscal Year)**

[Click here to enter text.](#)

**% Online Revenue**

[Click here to enter text.](#)

**Total Number of Employees**

[Enter a number or choose an item.](#)

### Number of Records Containing Protected Information:

What is the maximum total number of unique individual persons or organizations whose **Protected Information** could be compromised in a not-yet-discovered **Cyber Incident**, or will be stored or transmitted during the **Policy Period** on the Applicant's Computer System or any Shared Computer System combined that relate to the **Applicant's** business?

This should include **Protected Information** of employees, retirees, customers, partners and other third parties that the Applicant is responsible for securing, including **Protected Information** that is secured by third parties under contract with the Applicant. Multiple records or types of **Protected Information** relating to the same unique individual person or organization should be considered a single record.

Enter a number or choose an item

## 2. Nature of Operations

### Class of Business

Describe nature of business operations, products or services in layperson terms.

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Does the Applicant have any products or services entering new markets or territories within the next year that are substantially different in scope or end use than current products or services, including as a result of recent or planned merger or acquisition?

Yes  No

If Yes, please provide details:

[Click here to enter text.](#)

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Does the Applicant currently or will the Applicant potentially operate as a financial institution, cryptocurrency exchange, third-party claims administrator, accreditation service, surveillance, manufacturer of life safety products/software, media production company, payment processor, data aggregator/broker/warehouse, credit bureau, direct marketer, social media, peer-to-peer file sharing, adult content provider or gambling services provider? Or does the Applicant derive more than 50% of its revenue from technology products and services (e.g. software, electronics, telecom)?

Yes  No

If Yes, please provide details.

[Click here to enter text.](#)

## 3. Current Loss Information

Within the past three years, has the Applicant had any actual or potential professional, E&O, Technology, **Media** or **Cyber Incidents** or **Claims**?  Yes  No

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Is the Applicant aware of any notices, facts, circumstances or situations that could reasonably be expected to give rise to a professional, E&O, Technology, **Media** or **Cyber Incident** or **Claim**?  Yes  No

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**Comments** – Please provide additional details, including date of occurrence, any amount paid or reserved and current status.

[Click here to enter text.](#)

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#### 4. Information Security

- a. Does the Applicant have third party software protecting its network (e.g. antivirus, encryption, firewalls, etc.)? Yes No
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- b. Incident response plans for data breaches and business interruption have been established. Yes No  
Unknown
- 
- c. The Applicant does not utilize any software or hardware that has been officially retired (i.e. considered “end of life”) by the manufacturer and all manufacturer required software updates (e.g. patches, hotfixes) for known security vulnerabilities are implemented per the manufacturer’s advice. Yes No  
Unknown
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- d. Does the Applicant’s Website, Computer System, or Telephone System request and capture any Payment Card information? Yes No
- 1) If Yes, do all of the Applicant’s point-of-sale terminals accept chip-enabled cards? Yes No  
Unknown
- 2) Has the Applicant self-attested to be PCI-compliant in the past 12 months? Yes No  
Unknown
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- e. Does the Applicant’s Website, Computer System, or Telephone System request and capture medical records or personal health information? Yes No
- 1) If Yes, is Applicant compliant with HIPAA and the HITECH ACT? Yes No  
Unknown
- 2) Does the Applicant have operations or customers in California, or any responsibilities under the California Confidentiality of Medical Information Act? Yes No  
Unknown
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- f. Does the Applicant provide consumer products or services? Yes No
- 1) If Yes, is the Applicant compliant with the Fair Credit Reporting Act? Yes No  
Unknown

#### 5. Media (Only if applying for this coverage)

- Has legal counsel screened the Applicant’s use of all trademarks and service marks, including Applicant’s use of domain names and metatags, to ensure they do not infringe on the intellectual property of others? Yes No
- 
- Does the Applicant obtain written permission or releases from third party content providers and contributors, including freelancers, independent contractors, and other talent? Yes No
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- Does the Applicant involve legal counsel in reviewing content prior to publication or in evaluating whether it should be removed when notified that content is defamatory, infringing, in violation of a third party’s privacy rights or otherwise improper? Yes No

#### 6. Business Interruption (Only if applying for this coverage)

- Are system backup and recovery procedures implemented, documented and tested at least annually for all mission-critical systems? Yes No
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- If the Applicant’s customer is primarily dependent on the product or service provided by the Applicant, does the Applicant have a contingency plan in place to address this exposure? Yes No

#### 7. Cyber Crime (Only if applying for this coverage)

- Does the Applicant accept funds transfer information from clients over the telephone, email, text message or similar method of communication? Yes No
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- Does the Applicant authenticate instructions by calling the customer at a predetermined phone number or require receipt of a customer identity code? Yes No
- 
- Is approval by more than one person required to initiate a wire transfer? Yes No
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- Does the Applicant verify all vendor and supplier bank accounts by a direct call to the receiving bank, prior to accounts being established in the accounts payable system? Yes No

## 8. Current Coverage

a. Does the Applicant currently purchase E&O insurance to address the failure of their product or service Yes No

If Yes, what is the Retro Date? [Click here to enter a date.](#)

b. Does the Applicant currently purchase Cyber or Privacy Liability insurance? Yes No

If Yes, what is the Retro Date? [Click here to enter a date.](#)

c. Does the Applicant currently purchase Media Liability Insurance? Yes No

If Yes, what is the Retro Date? [Click here to enter a date.](#)

## 9. Desired Coverage (Only enter information for desired coverages)

|   | Retention | Aggregate Limit | Per Claim or Incident Limit | Other Options   |
|---|-----------|-----------------|-----------------------------|---|
| Policy Level Limits                                     | N/A       | \$              | \$                          | Protected Information Coinsurance<br>Choose an item.                  |
| Cyber Incident Response Fund                            | \$        | \$              | \$                          | Non-Panel Vendor Sublimit<br>\$<br>Side-Car Option<br>Choose an item. |
| Business Interruption Loss and Extra Expense            | \$        | \$              | \$                          | Waiting Period:<br># of hours   |
| Contingent Business Interruption Loss and Extra Expense | \$        | \$              | \$                          | Waiting Period:<br># of hours   |
| Digital Data Recovery                                   | \$        | \$              | \$                          |   |
| Network Extortion                                       | \$        | \$              | \$                          |   |
| Cyber Privacy and Network Security Liability            | \$        | \$              | \$                          | Payment Card Loss Limit<br>\$<br>Regulatory Proceedings Limit<br>\$   |
| Electronic, Social and Printed Media Liability          | \$        | \$              | \$                          | Coverage Scope Option<br>Choose an item.                              |
| Cyber Crime: Computer Fraud                             | \$        | \$              | \$                          |   |
| Cyber Crime: Funds Transfer Fraud                       | \$        | \$              | \$                          |   |
| Cyber Crime: Social Engineering Fraud                   | \$        | \$              | \$                          |   |

Enter any further commentary about desired coverages.

[Click here to enter text.](#)

## FRAUD WARNING STATEMENTS

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The **Applicant's** submission of this Application does not obligate the Company to issue, or the **Applicant** to purchase, a policy. The **Applicant** will be advised if the Application for coverage is accepted. The **Applicant** hereby authorizes the Company to make any inquiry in connection with this Application.

**Notice to Arkansas, Minnesota, New Mexico and Ohio Applicants:** 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, fraudulent or deceptive statement is, or may be found to be, guilty of insurance fraud, which is a crime, and may be subject to civil fines and criminal penalties.

**Notice to Colorado Applicants:** 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 policy holder or claimant for the purpose of defrauding or attempting to defraud the policy holder 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.

**Notice to District of Columbia Applicants:** 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.

**Notice to Florida Applicants:** Any person who knowingly and with intent to injure, defraud, or deceive any 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.

**Notice to Kentucky Applicants:** 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.

**Notice to Louisiana and Rhode Island Applicants:** 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.

**Notice to Maine, Tennessee, Virginia and Washington Applicants:** 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 or a denial of insurance benefits.

**Notice to Alabama and Maryland Applicants:** 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.

**Notice to New Jersey Applicants:** Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

**Notice to Oklahoma Applicants:** 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.

**Notice to Oregon and Texas Applicants:** Any person who makes an intentional misstatement that is material to the risk may be found guilty of insurance fraud by a court of law.

**Notice to Pennsylvania Applicants:** 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.

**Notice to Puerto Rico Applicants:** Any person who knowingly and with the intention of defrauding presents false information in an insurance application, or presents, helps, or causes the presentation of a fraudulent claim for the payment of a loss or any other benefit, or presents more than one claim for the same damage or loss, shall incur a felony and, upon conviction, shall be sanctioned for each violation with the penalty of a fine of not less than five thousand (5,000) dollars and not more than ten thousand (10,000) dollars, or a fixed term of imprisonment for three (3) years, or both penalties. Should aggravating circumstances are present, the penalty thus established may be increased to a maximum of five (5) years, if extenuating circumstances are present, it may be reduced to a minimum of two (2) years.

**Notice to New York Applicants:** 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.

## MATERIAL CHANGE

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If there is any material change in the answers to the questions in this Application before the policy inception date, the **Applicant** must immediately notify the Company in writing, and any outstanding quotation may be modified or withdrawn.

## DECLARATION AND SIGNATURE

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For the purposes of this Application, the undersigned authorized agents of the person(s) and entity(ies) proposed for this insurance declare to the best of their knowledge and belief, after reasonable inquiry, the statements made in this Application and any attachments or information submitted with this Application, are true and complete. The undersigned agree that this Application and its attachments shall be the basis of a contract should a policy providing the requested coverage be issued and shall be deemed to be attached to and shall form a part of any such policy. The Company will have relied upon this Application, its attachments, and such other information submitted therewith in issuing any policy.

The information requested in this Application is for underwriting purposes only and does not constitute notice to the Company under any policy of a Claim or potential Claim.

This Application must be signed by the risk manager or a senior officer of the Parent Organization, acting as the authorized representative of the person(s) and entity(ies) proposed for this insurance.

Date

Signature

Title

\_\_\_\_\_

**SIGNATURE - FOR ARKANSAS, MISSOURI, NEW MEXICO, NORTH DAKOTA AND WYOMING APPLICANTS ONLY**

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PLEASE ACKNOWLEDGE AND SIGN THE FOLLOWING DISCLOSURE TO YOUR APPLICATION FOR INSURANCE:

I UNDERSTAND AND ACKNOWLEDGE THAT THE POLICY FOR WHICH I AM APPLYING CONTAINS A DEFENSE WITHIN LIMITS PROVISION WHICH MEANS THAT CLAIMS EXPENSES WILL REDUCE MY LIMITS OF LIABILITY AND MAY EXHAUST THEM COMPLETELY. SHOULD THAT OCCUR, I SHALL BE LIABLE FOR ANY FURTHER CLAIMS EXPENSES AND DAMAGES.

Applicant's Signature (Arkansas, Missouri, New Mexico, North Dakota & Wyoming Applicants, In Addition To Application Signature Above):

Signed: \_\_\_\_\_ (must be Officer of Applicant)

Print Name & Title: \_\_\_\_\_

Date (MM/DD/YY): \_\_\_\_\_

Email/Phone: \_\_\_\_\_

**SIGNATURE - FOR KANSAS AND ALASKA APPLICANTS ONLY**

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ELECTRONIC DELIVERY SUPPLEMENT:

You are required by law to obtain consent from insureds prior to engaging in any electronic delivery of insurance policies and/or other supporting documents in connection with the policy. You have the right to:

Select electronic delivery - check here \_\_\_\_\_

Reject electronic delivery – check here \_\_\_\_\_

Applicant's Signature (Kansas and Alaska Applicants, In Addition To Application Signature Above):

**FOR FLORIDA APPLICANTS ONLY:**

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Agent Name: \_\_\_\_\_

Agent License ID Number: \_\_\_\_\_

**FOR IOWA APPLICANTS ONLY:**

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Broker: \_\_\_\_\_

Address: \_\_\_\_\_