

INSURANCE FOR TECHNOLOGY COMPANIES

Esurance™ TECH Application Form

Esurance™ TECH is an insurance package designed specifically for the technology sector. The policy includes errors and omissions, products liability, intellectual property rights infringement, payment of withheld fees and a comprehensive office package. Every aspect of cover has been specifically tailored to meet the needs of the technology industry.



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TECH

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INTRODUCING ESURANCE™ TECH

We recognise that technology companies are different from traditional professionals. The current legal landscape is immature and constantly evolving. The products are cutting-edge with capabilities not envisaged when most insurance policies were written. Operations span international borders and products are distributed around the globe. This is why technology companies require specialist insurance.

TAILORED COVER

Many insurance policies for technology companies contain specialist errors and omissions cover, but Esurance™ TECH is the only policy where all sections of cover have been designed purely for the technology industry. We believe this is the only way to provide seamless cover.

- Software can be considered as a service or a product. This is why our product liability and errors and omissions insurance has been tailored to avoid any gaps in cover.
- Our business interruption cover takes into account issues relating to project delivery failure, delayed milestone payments and disruption to research and development activities.
- We do not use standard insurance definitions of “technology services” as this can dramatically reduce cover. Instead we let the technology company define their business and the activities to be covered.

BREACH OF CONTRACT

The majority of errors and omissions claims against technology companies are for breach of contract, so it is very important that this area of coverage is clear and unambiguous.

- Many policies claim to cover breach of contract, but have a contractual liability exclusion or condition.
- We provide clear cover for breach of a client contract.
- We do not have a contractual liability exclusion or condition.

OTHER FEATURES

Apart from these two crucial coverage areas, Esurance™ TECH also includes the following features:

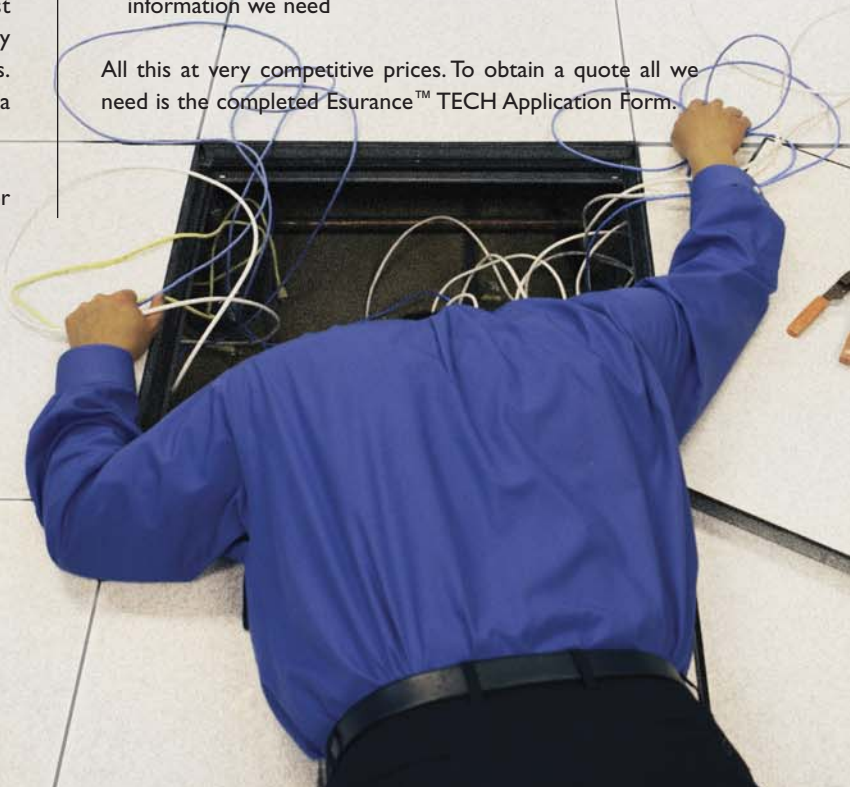
- Full civil liability coverage, not just negligence
- Specific cover for breach of intellectual property rights
- A comprehensive general liability package, including products and completed operations liability, tenants’ legal liability, employee benefits liability, non-owned and hired auto and medical expenses
- Property cover which includes sewer back-up as standard and provides options for earthquake and flood
- Virus and hacking liability cover
- Payment of fees withheld by an aggrieved client if this mitigates a potentially larger claim
- Reimbursement of costs incurred to help reduce or avoid a claim
- No exclusions for fines and penalties, project delays, third party defects or bugs post acceptance
- Cover for claims brought anywhere in the world as standard
- Limits of liability available up to \$10,000,000
- Premiums starting from as little as \$500

SERVICE

We recognise that technology companies want to buy their insurance quickly and simply. That’s why our insurance policy is backed up by exceptional service levels featuring:

- Over 90% of quotes provided within 48 hours
- A “fast-track” same-day service for urgent submissions
- Policies issued within 24 hours of binding if we have all the information we need

All this at very competitive prices. To obtain a quote all we need is the completed Esurance™ TECH Application Form.



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APPLICATION FORM

INTRODUCTION

The purpose of this application form is for us to find out who you are and to obtain information relevant to the cover provided by the Esurance™ TECH policy. Completion of this application form does not oblige either party to enter into a contract of insurance.

Insurance is a contract of utmost good faith. This means that the information you provide in this application form must be complete, accurate and not misleading. It also means that you must tell us about all facts and matters which may be relevant to our consideration of your application for insurance. Any failure by you in this regard may entitle us to treat this insurance as if it never existed. If a contract of insurance is agreed between you and us this application form will form the basis of the contract.

Important: Insuring Clauses 1 and 2 of this policy provides insurance on a claims made basis. A claim must be first made against the Insured and notified to us during the period of the policy to be covered. These Insuring Clauses do not cover any claim arising out of any actual or alleged wrongful act occurring before the Retroactive Date.

HOW TO COMPLETE THIS FORM

Whoever fills out the form must be a principal, partner or director of the applicant firm and should make all the necessary enquiries of their fellow partners, directors and employees to enable all the questions to be answered.

If you require any extra space to complete the answers to questions contained within this application form please continue your response in the Additional Information section at the back of the form. Once you have completed the form please return directly to your insurance broker.

SECTION I: COMPANY DETAILS

1.1 Please state the name and address of the principal Company for whom this insurance is required. Cover is also provided for the subsidiaries of the principal Company, but only if you include the data from all of these subsidiaries in your answers to all of the questions in this form.

Insured Company:	
Contact name:	
Address:	
Postcode:	
Telephone:	Email address:
Fax:	Website:

1.2 Please state the number of employees:

1.3 Please tick here if you would like to receive the 'CFC Underwriting Technology Risk' email newsletter.
Please note that we will not use your email address for any purpose whatsoever, other than to send you this newsletter. You can unsubscribe at any time.

Please enter the email address to send this to (if different from e-mail address given above):

1.4 Please state your fees received in respect of the following years:

	Last complete financial year	Estimate for current financial year	Estimate for next financial year
Domestic turnover:	_____	_____	_____
USA turnover:	_____	_____	_____
Other territory turnover:	_____	_____	_____
Total turnover:	_____	_____	_____
Profit (Loss):	_____	_____	_____

Currency:

Date of Company financial year end:

SECTION 2: ACTIVITIES

2.1 Please briefly describe below the nature of your business activities.
If you have a brochure, or company literature, please attach to this form.

2.2 Please give details of the five largest contracts you have carried out in the past three years.

Name of client	Business of client	Nature of your work undertaken for this contract	Your annual income from this contract	Start date	Completion date
_____	_____	_____	_____	MM / YY	MM / YY
_____	_____	_____	_____	MM / YY	MM / YY
_____	_____	_____	_____	MM / YY	MM / YY
_____	_____	_____	_____	MM / YY	MM / YY
_____	_____	_____	_____	MM / YY	MM / YY

2.3 Approximately how many customers do you have?

2.4 Are you involved in medical, aviation, financial, or telecommunications software? Yes No

If Yes, please provide full details:

2.5 Please provide a full breakdown of your total turnover by activity.

a) Hardware

i. Manufacture and / or sale of own hardware:	%
ii. Distribution / re-sale of third party branded hardware:	%
iii. Installation:	%
iv. Maintenance:	%

b) Software product sales

i. Sales of own brand shrink wrapped / off the shelf software:	%
ii. Distribution of other brand shrink wrapped / off the shelf software:	%
iii. Customisable software:	%

c) Software services

i. Installation, including configuration (no coding involved):	%
ii. Customisation (including coding changes):	%
iii. Maintenance:	%
iv. Systems integration:	%
v. End user applications:	%

d) Services

i. Consultancy:	%
ii. Contract staff:	%
iii. Support services:	%
iv. Project management:	%
v. Training:	%
vi. Data processing:	%
vii. Data communication services:	%
viii. Internet service provision or hosting provided by you:	%
ix. Internet service provision or hosting provided by a third party:	%
x. Application service provision:	%

e) Other (Please detail below):

	%
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Description of other work:

	%
	%
	%
	%
	%
	%
	%
	%
	%
	%

SECTION 2: ACTIVITIES (CONTINUED)

Only complete question 2.6 if you also require a quote for Commercial General Liability.

2.6 Please state the following:

a) Your total estimated payroll for the next financial year:

b) Your payroll relating to non-manual work away from your premises (such as consulting, programming or similar):
Please detail the nature of this work below.

c) Your payroll relating to manual work away from your premises:
Please detail the nature of this work below.

d) Your payroll relating to hazardous work away from your premises:
Please detail the nature of this work below.

SECTION 3: CONTRACT & RISK MANAGEMENT INFORMATION

3.1 Do you carry out work only under a written contract signed by every client?

Yes No

If Yes then please supply a copy of your standard form of contract, or typical examples of contracts used.
If No then please explain in what circumstances, and why.

3.2 Do you ever accept contracts with your customers in which you accept liability for consequential loss or financial damages greater than the value of the contract?

Yes No

If Yes, explain what percentage of your contracts this is applicable to and what these are capped at:

3.3 Do any of your contracts contain a service credit or liquidated damages regime (if Yes please attach sample)?

Yes No

3.4 Are all your contracts reviewed by an appropriately qualified legal advisor prior to signature?

Yes No

3.5 Is the delivery of any of your projects / contracts time critical? (e.g. tied to a specific external event, on the critical path for a larger project, tied to a major sporting event, etc.)

Yes No

If Yes, please explain:

3.6 Could the failure of your product / services result in the loss of life or injury to a person? Yes No

If Yes, please explain:

<hr/> <hr/> <hr/> <hr/> <hr/>

3.7 Could the failure of your product / services result in damage or destruction to any physical property? Yes No

If Yes please explain:

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3.8 In the event that your product / service failed or delivery was delayed please select the response which best describes the worst case scenario:

Immediate and significant financial loss:

Immediate minor financial loss:

Financial loss (not immediate):

Insignificant financial loss:

No financial impact:

If anything other than "No financial impact", please explain:

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3.9 What approximate percentage of turnover, in your current financial year will be paid to sub-contractors? %

3.10 Do you ensure that sub-contractors have their own errors and omissions and general liability insurance? Yes No

SECTION 4: COMMERCIAL PROPERTY AND BUSINESS INTERRUPTION INSURANCE

Only complete this section if you require this cover

4.1 Please state the address of the premises to be insured (if different from the address given earlier):

<p>PREMISES 1</p> <p>Address: <input type="text"/></p> <hr/> <hr/> <p style="text-align: right;">Postal code: <input type="text"/></p> <p>PREMISES 2</p> <p>Address: <input type="text"/></p> <hr/> <hr/> <p style="text-align: right;">Postal code: <input type="text"/></p>

Please continue on a separate sheet if more than 2 premises are to be insured.

4.2 Please detail below any other party (such as a bank or building society) whose financial interest in the premises should be noted on the policy.

Name of party:	
Interest of party:	
Address:	
	Postal code:

4.3 Are all of the premises:

- a) Constructed with external walls of brick, stone or concrete and roofed with slate, tiles, concrete, metal, asbestos or any other non-combustible material? Yes No
- b) Free from cracks or other signs of damage that may be due to subsidence, landslip or heave and have not previously suffered damage by any of these causes? Yes No
- c) In an area free from flooding and not near the vicinity of any rivers, streams or tidal waters? Yes No
- d) In a good state of repair and occupied solely as offices? Yes No
- e) Self contained with a lockable entrance door? Yes No
- f) Protected by an intruder alarm that is subject to an annual maintenance contract? Yes No

NOTE: We may refuse to pay a claim if all of the devices for the security of your premises (including locks and the intruder alarm) are not put into full and effective operation whenever the premises are closed for business or left unattended.

- g) Heated by a conventional electric, gas, oil or solid fuel heating system? Yes No
- h) Fitted with electrical installations which are inspected at least every 5 years by a qualified electrician and any defect remedied? Yes No
- i) Lifts, boilers, steam and pressure vessels inspected and approved to comply with all of the statutory requirements? Yes No
- j) Fitted with sprinklers either fully or partially? Yes No

NOTE: Assuming you have answered Yes to questions h) and i) above, it is important to keep records of all relevant inspections as we may ask for evidence of these before paying a claim.

If you have answered No to any of the above questions then please give further details:

4.4 Please detail the amounts to be insured below for each premises.

NOTE: The amounts insured you state below should be the full rebuilding or replacement cost in each of the categories. If you understate these amounts you will be under-insuring and we may not pay the full amount of your claim. It is therefore essential that these amounts are as close to the true values of the insured items as possible.

ITEM	AMOUNT INSURED PREMISES 1	AMOUNT INSURED PREMISES 2
Main Building:	<input type="text"/>	<input type="text"/>
Landlord's fixtures & fittings and tenant improvements:	<input type="text"/>	<input type="text"/>
Personal computers, printers and ancillary computer equipment at the office:	<input type="text"/>	<input type="text"/>
All other contents at the office:	<input type="text"/>	<input type="text"/>
Portable computers and associated equipment at home / away from the office:	<input type="text"/>	<input type="text"/>
All other contents at home / away from the office:	<input type="text"/>	<input type="text"/>

4.5 Please state, in respect of portable computers and associated equipment at home /away from the office, the maximum value of any one item (not the total value of all items):

4.6 Would you like a quotation for either of the following extensions:

Earthquake: Yes No

Flood: Yes No

4.7 Please detail the amounts to be insured below for business interruption cover. Note that the maximum indemnity period available is 12 months. You should bear in mind how long it will take you to re-commence trading at another premises when stating the amount insured and indemnity period.

We provide our business interruption cover on a flexible first loss basis – please specify a total amount insured for business interruption cover. This amount applies regardless of whether your business interruption loss is loss of income, extra expense, loss of research and development expenditure, project delay costs or accounts receivable. This often enables a smaller total amount insured to be specified and therefore often results in a cheaper premium.

ITEM	AMOUNT INSURED	INDEMNITY PERIOD
Business Interruption Cover (flexible first loss):	_____	MONTHS _____

SECTION 5: CLAIMS EXPERIENCE AND INSURANCE HISTORY

5.1 Please provide details of your current Errors and Omissions insurance, if applicable, and what you require for the next year of insurance.

	Retroactive Date	Effective Date	Limit	Deductible	Premium	Insurer
Current:	MM / YY _____	MM / YY _____	_____	_____	_____	_____
Required:	MM / YY _____	MM / YY _____	_____	_____	N/A	N/A

5.2 Please provide details of your current Commercial General Liability insurance, if applicable, and what you require for the next year of insurance.

	Effective Date	Limit	Deductible	Premium	Insurer
Current:	MM / YY _____	_____	_____	_____	_____
Required:	MM / YY _____	_____	_____	N/A	N/A

5.3 Regarding all of the types of insurance to which this application form relates, **AFTER ENQUIRY**:

- are you aware of any loss or damage, whether insured or not, that has occurred to any of the Companies to be insured (or to any existing or previous business of the partners or directors of any of the Companies to be insured) within the last 5 (five) years, or
- are you aware of any circumstances which may give rise to a claim against any of the Companies to be insured or any partners or directors thereof, or
- have any claims or cease and desist orders been made against any of the Companies to be insured, or partners or directors thereof, or
- have any partners or directors of the Companies to be insured been found guilty of any criminal, dishonest or fraudulent activity or been investigated by any regulatory body?

With reference to questions a, b, c and d above: Yes No

If the answer to the above is 'Yes', then please attach full details including an explanation of the background of events, the maximum amount involved/claimed, the status of the claim(s) or circumstance(s) and any reserve(s) or payment(s) made by you and/or by Insurers, and the dates of all developments and payments.

SECTION 7: DECLARATION

- I / we declare that after proper enquiry the statements and particulars given above are true and that I/we have not mis-stated or suppressed any material fact.
- I / we agree that this Proposal Form, together with any other material information supplied by me / us shall form the basis of any contract of insurance effected thereon.
- I / we undertake to inform Underwriters of any material alteration to these facts occurring before the completion of the contract.

Signed: _____	Full Name: _____
Position held at Insured: _____	Date: DD / MM / YY _____

ADDITIONAL INFORMATION:

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