

## Errors and Omissions, Media and Privacy (EMP)

Our product provides broad coverage for evolving exposures faced by businesses with revenues between \$15 million and \$500 million.

### Highlights Applicable to All Coverage Parts

- Limits available up to \$5,000,000
- Worldwide coverage territory, including coverage for General Data Protection Regulation (GDPR)
- Vicarious liability included
- Full severability for innocent parties
- Softened hammer clause of 75/25 in favor of insured
- Three year extended reporting period
- Single deductible applies to interrelated acts
- Duty to defend policy with 100 percent allocation

### Professional and Technology Errors and Omissions (Coverage Part A)

Covers claims arising from the insured's professional services for a broad range of companies including miscellaneous professionals and technology firms. This includes coverage for:

- Unintentional breach of contract
- Independent contractors coverage
- Broad coverage for use of the Internet and technology in delivery of professional services, for most miscellaneous professionals and technology firms
- Technology products coverage available for qualifying accounts included

### Media Liability (Coverage Part B)

Covers claims alleging personal and intellectual property injury including libel, slander, copyright and trademark infringement. This includes coverage for:

- Negligence in content
- Broadly-defined "covered content" or option to customize schedule of "covered media activity"
- Full limits of intellectual property
- Media liabilities assumed under contract

### Network Security and Privacy (Coverage Part C)

Covers claims against insureds arising from a failure of network security, breach of private data, violation of a privacy law or disclosure of third party corporate information. This includes coverage for:

- Regulatory actions arising from violation of HIPAA or any other privacy law, including claims expense, fines, penalties and consumer redress funds
- Payment Card Industry (PCI) fines and penalties
- Payment Card Industry (PCI) assessments which include reimbursement for fraudulent bank charges and costs to reissue debit and credit cards
- Full prior acts coverage available for first time buyers

### Privacy Breach Expense (Coverage Part D)

Covers expenses arising from a privacy breach, including forensics, notification (including call center services), credit monitoring, public relations and computer system restoration, as well as expenses arising from a cyber extortion threat. This includes coverage for:

- Breach of Personally Identifiable Information (PII) in any form (including both digital and paper files)
- PII stored by the insured's third party vendors
- Privacy breach caused by a rogue employee
- Breach of employees' private data
- Voluntary notifications
- No "failure to maintain safeguards" clause
- Privacy breach expense in addition to limits of liability available
- Cyber crime
- Reputation damage
- Business interruption coverage, including dependent business interruption and system failure
- Full prior acts coverage available for first time buyers

### Additional Advantages:

- Unsurpassed service with a sense of urgency and care
- Same day or next business morning claims acknowledgement
- Policyholders have access to many free and discounted services through our Business Resource Center that will assist in growing and protecting their business
- Carriers are members of the Berkshire Hathaway Company

**For Errors and Omissions, Media and Privacy coverage parts, eligible classes include, but are not limited to:**

**Technology Services:**

- Application service providers/Software as a service (Saas)
- Business intelligence
- Cloud service providers
- Data or records storage
- Graphic designers
- Hardware evaluation
- IT consulting
- IT staffing
- Manage service providers/Help desk services
- Mobile application development
- Network architecture
- Project management
- Search engine optimization
- Social media consultants
- Software development
- Systems or network evaluations
- Telecom consultants
- Training specialists
- Training and education
- Web design
- Web hosting
- Wireless installation/configuration

**Non-Technology Services:**

- Advertising agencies
- Audio/Visual consultant
- Call centers
- Coaching services
- Compliance consultants
- Document storage/Destruction services
- Educational consultants
- Forensic investigators
- Fulfillment services
- Human resource consultants
- Insurance risk managers
- Interpreters/Translators
- Lobbyists
- Management consultants
- Marketing consultants
- Public relations consultants
- Referral services
- Staffing firms (temporary and permanent)
- Statistical consultants

**Most Common Ineligible Risk Characteristics: (Located in AL, LA, MS or WV)**

**Technology professionals or specialists involved in the following operations:**

- 911 or other emergency response and/or dispatch
- Aircraft, air-ground equipment, military defense and/or weaponry of any kind, including classified information
- Energy, power plant, utility or pollution monitoring, supply or distribution
- Equity trading
- Financial transactions
- Firmware or embedded software
- Fund transfers
- Global Positioning Systems (GPS), Geographic Information Systems (GIS), navigation systems development, maintenance or support

- Loan fulfillment
- Lottery/Sweepstakes/Gaming or other games of chance
- Mechanical, electrical, chemical, civil or architectural design or engineering
- Medical, dental or health care diagnosis, monitoring or treatment
- Pharmaceutical formulation, production or prescription, including clinical data
- Physical security system installation or monitoring (burglar/fire alarms and camera systems)
- Point of sale systems
- Robotics or process control of industrial equipment including HVAC systems

**Non-technology professionals or specialists involved in the following operations:**

- |                             |  |                            |                            |
|-----------------------------|--|----------------------------|----------------------------|
| Accountants                 | Clinical research agencies   | Government agencies        | Nursing homes              |
| Adoption agencies           | Collection agencies  | Hospitals                  | Payment card processors    |
| Adult content providers     | Construction managers  | Hotels/Motels              | Payroll processors         |
| Allied health professionals | Contractors  | Insurance agencies/Brokers | Property managers          |
| Ambulance services          | Environmental consultants  | Janitorial services        | Real estate                |
| Ambulatory surgery centers  | Financial advisors   | Manufacturers              | Retail/E-commerce          |
| Architects/Engineers        | Financial institutions including banks, investment bankers, and stockbrokers | Medical laboratories       | Third-party administrators |
| Attorneys/Law firms         | Franchisors  | Medical professionals      | Title/Escrow agents        |
| Auto repair                 | Freight forwarders   | Mortgage brokers           | Trustees                   |
| Bars/Taverns/Restaurants    |  | Municipalities             |                            |
| Claims adjusters            |  | Nonprofits                 |                            |

**Email submissions to [professional@devonparkspecialty.com](mailto:professional@devonparkspecialty.com)**

*This document does not amend, extend or alter the coverage afforded by the policy. For a complete understanding of any insurance you purchase, you must first read your policy, declaration page and any endorsements and discuss them with your agent. A sample policy is available from your agent. Your actual policy conditions may be amended by endorsement or affected by state laws.*