



**COMPUTER & TECHNOLOGY PRODUCTS AND SERVICES
PROFESSIONAL LIABILITY APPLICATION**

Computer & Technology Products and Services Professional Liability Insurance is written on a **claims-made and reported** basis and covers only claims first made against the insureds during the Policy Period or the Extended Reporting Period, if exercised, and reported to the Company within 60 days. The Limit of Insurance available to pay judgments or settlements shall be reduced by amounts incurred as Defense Costs. The Company has a duty to defend any Insureds pursuant to the terms and conditions of the Policy.

PLEASE NOTE THE FOLLOWING:

(ALL STATES EXCEPT AR, CO, FL, HI, KY, ME, VA, NJ, NM, NY, OH, OK, PA): 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.

ARKANSAS 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.

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.

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.

HAWAII APPLICANTS: 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 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.

MAINE AND VIRGINIA 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.

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
NEW MEXICO 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 CIVIL FINES AND CRIMINAL PENALTIES.

NEW YORK 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 MATERIAL FACT THERETO COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL BE ALSO SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE STATED VALUE OF THE CLAIM FOR EACH SUCH VIOLATION.

OHIO APPLICANTS: 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.

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.

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.

1. Applicant's contact information:

Full name (company name as it is to appear on the policy, if issued) _____
Street Address _____ City _____
State _____ Zip _____
Phone # _____
Fax# _____
Email Address _____
Domain Address if any _____

2. Is the Applicant a: Corporation Partnership Individual L.L.C. Other (please describe) _____
a. Date operations began under current ownership (mo/yr.): ____/____

3. Number of Applicant's Principals: _____ #
Number of Applicant's Technical / Professional Staff (excluding Principals): _____ #
Number of Applicant's Clerical / Administrative Staff: _____ # Total Employees: _____ #

4. Applicant's gross revenues (domestic only) Applicant's foreign revenue if any
Future 12 months (projected) \$ _____ Future 12 months (projected) \$ _____
Previous 12 months \$ _____ Previous 12 months \$ _____
The year before last \$ _____ The year before last \$ _____

5. Limits desired (each wrongful act/aggregate):
\$ __,000,000 / \$ __,000,000 Other \$ _____

6. Deductible:
 \$1,000 \$2,500 \$5,000 \$10,000 More than \$10,000: \$ _____

7. Describe in detail Applicant's services including any areas of specialization.

8. Please indicate the percentages of your annual revenue involving the following services:

_____% Staffing	_____% Business Application Software Development
_____% Database Design/Management	_____% Office Automation
_____% System Design/Administration/Engineering	_____% Accounting/Financial/Payroll (no funds transfer)
_____% Financial Transaction Software (Funds Transfer, Equity Trading)	_____% ERP Implementation/Maintenance
_____% Network Design & Administration	_____% Software/Hardware Installation & Maintenance
_____% Hardware Only Installation & Maintenance	_____% Software Sales
_____% Hardware Sales	_____% Web Hosting
_____% Application Service Provider	_____% Web Design, Development/Graphic Design
_____% Computer Security	_____% E-Commerce
_____% Content/FTP/ Search Services	_____% Training & Education
_____% Technical Writing	_____% Telecommunication Consulting
_____% Manufacturing Software (Robotics, PLC, CAM)	_____% CAD (Non-structural)
_____% Medical Management	_____% Medical Diagnostic Software/Hardware
_____% Disaster Recovery Planning/Backup Services	_____% Other _____

9. Please indicate the percentage of your annual revenue from end clients in the industries below:

_____% Manufacturing	_____% Government
_____% Aerospace	_____% Utilities
_____% Banking/Investment	_____% Internet
_____% Insurance	_____% Healthcare Providers
_____% Telecommunications	_____% Medical: Life Support
_____% Software Development	_____% Pharmaceutical
_____% Transportation	_____% Construction
_____% Education	_____% Advertising
_____% Retail	_____% Entertainment
_____% Other _____	

10. Do you have General Liability insurance currently in-force? Yes No

11. Contracts and Agreements:

- a. Have you developed a standard client contract or engagement letter? Yes No
- b. Do you require 100% of clients to sign this contract? Yes No
If "no," what percent? _____ %
- c. Do you ever sign contracts provided by your client? Yes No
If yes, what percentage of the time do you sign your client's contract? _____ %

12. Are any revenues contingent upon a guarantee of customer savings resulting from the use of your services? Yes No
Are the costs of your services ever reduced if deadlines are missed? Yes No
If yes, please explain

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| 13. Project Administration - Does Applicant: | Always | Sometimes | Never | N/A |
| a. Provide client with a written definition of the job? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Provide a written estimate of time and cost? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Develop weekly status reports? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Confirm in writing, client requested changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Confirm acceptance criteria on client requested changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

If any of the above questions were marked Not Applicable (N/A), please explain why.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| 14. Project Lifecycle Management and Documentation: | Always | Sometimes | Never | N/A |
| a. Is system design work documented and tested? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Is documentation retained for the life of the system? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Are test plans followed for all software/program modifications? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Do clients have responsibility for confirming accuracy of system? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Do you require a written client sign-off on completion of the assignment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Do you implement back-up procedures for client? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Has the applicant implemented a written contingency plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

If any of the above questions were marked Not Applicable (N/A), please explain why.

15. What percentage of your project work is subcontracted to other firms? _____ %
- a. Do you have a standard written subcontract agreement? Yes No
- b. What kinds of work do you subcontract (describe below)?

16. If you provide network or Internet security services, please answer the questions below:
- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| | Always | Sometimes | Never |
| a. Do you implement back-up procedures for clients? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Do you obtain a signed contract for all projects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Is security specifically addressed in the contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Does the contract specifically stipulate that such work is not guaranteed to prevent intrusions? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. When you use licensed security software, do you require that the client accept in writing the terms, conditions, and limitation of the software's license agreement? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. What percentage of you security work is based on original code or custom applications? | _____ % | | |
| g. What percentage of your security work incorporates security software licensed from vendors? | _____ % | | |

What is a typical security project description? (Please describe, use attachment if necessary)

17. For Web Design, Hosting, ASP and other On-Line Service Providers only. Other applicants please skip to question 18.

a. Please check the appropriate services and indicate percentage of revenue from each service:

- Web Site Designer _____ %
- Web Hosting _____ %
- Content Provider _____ %
- Application Service Provider _____ %
- Internet Access Provider _____ %
- Search Engine _____ %
- Electronic Bulletin Board _____ %
- FTP Site _____ %
- Other: _____ %

b. If you are providing web design services, please provide the URLs of 3 sites you have designed:

c. Do you have any adult only web site clients? Yes No

d. Do you maintain any editorial control over content? Yes No

If you are a content provider, please provide the total number of subscribers: _____

If you are a content provider, or maintain editorial control of Internet content check those applicable and provide details:

- Adult Only Music Financial Information Advertising News Health
- Children Religious Other

Please provide details and include any other content provided:

e. Do you offer chat or bulletin board features? Yes No

If yes, provide details: _____

f. If you are an Application Services Provider, please provide the total number of subscribers: _____

1. Are off-site backups of data and associated programs done daily? Yes No

2. Please describe the system security measures you are currently using.

3. Explain contingency plan to restore service to customers in the event of an outage:

g. If you provide ISP or FTP services, please provide the total number of subscribers: ISP _____ FTP _____

h. If you provide search services, please provide the number of unique sessions per month. _____

i. Do you sell any products or services (other than on-line products as described above) via the Internet?

- Yes No

If yes, provide details: _____

18. Professional Liability Insurance History:

a. Name of Current Carrier _____ Retroactive Date ____ / ____ / ____

Limits: \$ __,000,000 / \$ __,000,000 Other _____

Annual Premium: _____ Deductible: _____

b. Has any application for similar insurance on behalf of the applicant or any of its partners, executive officers, directors, or to the knowledge of the applicant, on behalf of its predecessors in business ever been declined, cancelled or renewal refused?

- Yes No **If Yes, explain on separate paper.**

Please mark the services you provide below.

1. **Research and Development Services** as described below:
 - Technology research and development.
 - Development, dissemination and publishing of research data.

 2. **Disaster Recovery Planning and Consulting** as described below:
 - Off-site media storage facilities to protect against data loss resulting from disasters such as fires, floods, brownouts, computer failure, employee errors, employee sabotage, pickup and delivery of media.
 - Back-up computer hardware and software facilities, hot and cold sites, relocation services, handling of all electrical power, phone cable, mail, telephone, human resources support during a disaster, and security services to protect property from theft, damage, destruction or sabotage while off site.
 - Auxiliary services such as cleaning, testing and evaluation of tape and disc media, restoration of damaged tapes, updating of media and purging of files.

 3. **Electronic Data Processing and Electronic Data Processing Consulting** as described below:
 - Conversion of data from source material into a form of media for processing on electronic data processing machines and the subsequent processing of such data.
 - Performance of feasibility studies, giving opinions or recommendations regarding electronic data processing objectives and needs.

 4. **Software Programming (includes maintenance)** as described below:
 - Writing, testing and installation of computer programs. Writing of program documentation and the performance of maintenance on established programs.

 5. **Database Management and Consulting** including design, development and maintenance.

 6. **Systems Analysis/Software Design** as described below:
 - Analysis of information needs including the recommending, planning and designing of electronic data processing systems and procedures.

 7. **System Integration** including consulting, and on-site installation of hardware and/or packaged software.

 8. **Multimedia and Interactive Software Development and Consulting** as described below:
 - Combining text, video, voice, computer, and telephone technologies into a multimedia network.
 - Consulting on conversion of existing technology into digital form.
 - Providing switching technology and consulting to connect different networks.

 9. **Image Processing Systems** including management, consulting and/or maintenance services.

 10. **On-Line Publishing and Consulting Services** including Home Page design and consulting.

 11. **Internet Service Provider** including access and web hosting.

 12. **Reselling** Hardware, software and systems

 13. **Training and Education**

 14. **Information Technology Staffing and Placement** services including short and long term.

 15. **Other as described below:**
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