



## **Privacy Plus™ Coverage**

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E-Risk Services, LLC now offers a Privacy Plus™ Coverage section option in our BAM® policy. Our new Privacy Plus™ Coverage section can be included in combination with any of the other coverages offered or on a standalone basis.

The Privacy Plus™ Coverage section broadly addresses the many different and evolving exposures of privacy, technology security and web-media services liability. Our form offers extensive coverage that is leading the industry while being very competitive with respect to price, product, service, and commission. In addition, we offer flexibility on our Privacy Plus™ Coverage so that every policy can be customized to meet the needs of your insureds. Some of the highlights of this product include:

- Coverage for expenses the insured incurs for notification, crisis management and other direct costs due to a loss of private information
- Coverage for claims and litigations from outside parties related to privacy issues, including regulatory actions. No sub-limit for regulatory claims
- Coverage for claims and litigation from errors or omission related to technology security and website services
- Technology Extortion and Data Restoration Loss coverage provided
- Simplified application and underwriting process
- Punitive Damages covered (where allowed by law)
- No Hammer Clause
- Duty to defend
- Worldwide Coverage
- Automatic subsidiary coverage
- Capacity to write limits up to \$2 million
- Written in all 50 states on surplus lines A+ rated carrier
- Coverage will be primary over any other valid and collectible insurance
- Minimum Premiums = \$1,000 for a \$1,000,000 limit of liability, \$750 for a \$500,000 limit of liability and \$650 for a \$250,000 limit of liability
- Minimum Retentions = \$2,500
- Target is companies with revenues less than \$50 million

Below are further details on each of the coverages offered in our cutting edge Privacy Plus™ Coverage.

- Privacy Coverage:
  - Unauthorized acquisition, access, use, physical taking, identity theft, mysterious disappearance, release, distribution or disclosures of personal and corporate information
  - Breaches by third parties as well as rogue employees
  - Broad definition of personal information including third party confidential business information
  - Civil fines and penalties and consumer redress included in definition of damages
  - Violation of federal, state or local privacy laws including the Gramm-Leach-Bliley Act and HIPAA
- Technology Security Coverage
  - Failure to prevent a party from unauthorized access to, use of, or tampering with technology including denial of service attacks
  - Malicious code coverage
  - Inability of a third party to gain access to any computer, online service or electronic data or system through the use of company technology
  - Breaches by third parties as well as rogue employees
- Web-Media Services Coverage
  - Personal injury coverage for the insured's internet and intranet website , including the gathering, publication or dissemination of web based content
  - Intellectual property coverage for any outward or inward facing (internet/intranet) website the insured maintains
- Privacy Breach Containment Coverage:
  - Costs of notification
  - Crisis management expenses
  - Credit monitoring costs
  - Costs to investigate the existence of a breach
  - Employee records specifically covered
- Technology Extortion Coverage:
  - Extortion payments to a third party related to a technology threat
  - Expenses to investigate the cause of the extortion
  - Expenses the insured incurs to pay the extortion, including travel expenses and the cost of a third party to make a payment
  - 50% of any reward paid to a third party leading to an arrest
- Data Restoration Loss Coverage:
  - Costs to restore, recover or replicate data that is damaged by a technology breach
  - Costs to recollect unrecoverable data
  - Cost to determine the ability to recollect data

In addition to the above coverage highlights, our BAM General Terms and Conditions have the following coverage benefits:

- Duty to defend form
- World wide coverage
- Coverage non cancelable by Underwriters except for non-payment of premium.
- Broad definition of Insureds, including coverage for Directors and Officers, employees as well as the corporate entity and any such organization as a debtor - in-possession or a bankruptcy estate of such entity.
- Severability as respects all exclusions and the application.
- Spousal/domestic partner extension
- Broad definition of subsidiary to include automatic coverage for newly created or acquired subsidiaries with no threshold or reporting requirements. Automatic coverage for joint ventures.
- Multiple year run off and discovery period options offered at time of quote.
- Bilateral discovery
- No Hammer clause