



ProductionInsurance.com

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Friday, June 3, 2011

**Multimedia Production E&O (Occurrence Basis) Application Instructions**

1. Please complete and submit this online application for a free, no-obligation quote.
2. Please be sure to provide all required information in order to receive a quotation.



This is a secure application. Strong cryptography is implemented via the Secure Sockets Layer protocol. Our Privacy Policy.

[Program Information](#)[Paper Application \(Optional\)](#)

(* indicates required information, ? will describe coverage in a new window)

Applicant Information

Name of Company / Organization:

Entity:*

< select >

Full Name of Contact:*

< select >

Number:*

Fax:

Street Address:*

City, State:*

< select state >

Zip/Postal Code:*

Email:*

We will never rent, sell, or share your email address.

Website:

Referer:

Insurance Agents/Brokers (Skip if None)

Name of Agency/Brokerage:

Name of Agent/Broker:

Agency/Broker License Number:

Email of Agent/Broker:

General

1. Does the production involve any of the following: animation, pornographic materials, ride alongs, hidden cameras, pranks and consumer voting?*
2. Will you be using a clearance attorney with at least 5 years of relevant media law experience?*

☐ Yes ☐ No☐ Yes ☐ No**Prior Details**

Operations:*

< select >

Description of Operations:*

Number of Employees:*

Insurance History

1. Any insurance declined, cancelled or non-renewed that provided the same or similar coverage as the insurance sought?*
- (Not applicable in MO)

☐ Yes ☐ No

2. Any prior coverage?:*

If Yes, please provide explain.

☐ Yes ☐ No

3. Are You aware of any claims or legal proceedings made or commenced against You or any of Your officers, members, or partners within the last five (5) years for: (1) invasion of privacy or false light; (2) IP infringement; (3) defamation; or (4) breach of contract arising out of the alleged submission of any ideas, story line, or script?*

If Yes, please provide Policy Type, Carrier, Policy #, Expiration and Premium above.

☐ Yes ☐ No

If Yes, provide Policy Type, Date of Loss, Description and Amount above.

Clearance Procedures

1. Have you obtained a title report from a recognized agency?*

☐ Yes ☐ No

2. Is the name or likeness of any actual living person used, portrayed or identifiable in the Named Production?*

☐ Yes ☐ No

a. If Yes, will necessary permissions be obtained prior to first airing, distribution or public display of the production?

☐ Yes ☐ No

3. Is the name or likeness of any actual deceased person used, portrayed or identifiable in the Named Production?*

☐ Yes ☐ No

a. If Yes, will necessary permissions be obtained from personal representatives, heirs or estates prior to first airing, distribution, or public display of the production?

☐ Yes ☐ No

4. Is the production based on an underlying work?*

☐ Yes ☐ No

If Yes:

a. Have copyright reports been obtained?

☐ Yes ☐ No

b. Are there any ambiguities, gaps or problems in the chain of title?

☐ Yes ☐ No

c. Has the chain of title of all works on which the production is based been thoroughly investigated and cleared back to the original copyright owners to determine that all grants or transfers in the chain of title permit you to assign or sublicense the material as incorporated in your production?

☐ Yes ☐ No

If No:

a. Are you aware of any similar format or concept?

☐ Yes ☐ No

i. Has your attorney confirmed that they are satisfied you can safely proceed with your exploitation of the work?

☐ Yes ☐ No

b. Has any similar format or similar material been submitted to you at any time?

☐ Yes ☐ No

Licenses, Releases, Consents

1. Have you obtained from all writers and other content providers to the production, written warranties that the content with which they provide you does not infringe the rights of any third party and have you obtained an indemnity for any breach of this warranty?*

☐ Yes ☐ No

2. Have you obtained a written agreement from all performers or persons appearing in your production consenting to their appearance?*

☐ Yes ☐ No

3. Will film clips, TV clips or photographs be used in the productions?*

☐ Yes ☐ No

If Yes:

a. Have all licenses and consents been obtained from the copyright owner without restriction and are you authorized to assign or sublicense the licensed materials as incorporated in your production?

☐ Yes ☐ No

b. Do you have the authorization of any person or entity depicted in the film clip, TV clip or photograph to use their depiction in your production and to assign or sublicense that depiction in your production?

☐ Yes ☐ No

4. Have the following musical rights been obtained from the composer and/or performers of specially commissioned music and/or cleared with the owners of pre-existing music and/or recordings:*

☐ Yes ☐ No

- Recording and synchronization
- Performing rights?
- Right to distribute for all forms of distribution contemplated (home video, etc.)

5. Have you or any of your agents been unable to obtain or been refused an agreement or release after having:*

☐ Yes ☐ No

- Negotiated for any rights in literary, musical or other materials?
- Negotiated for release from any persons in respect of any material incorporated in the production?

Merchandising

1. Is coverage desired for Merchandising for this Production?*

☐ Yes ☐ No

If Yes:

- a. Have all necessary consents and licenses been obtained in respect of any associated merchandising?
- b. Will appropriate trademark or other searches be made before merchandising characters or other matter that might be subject to trademark, unfair competition or similar claims?

☐ Yes ☐ No

☐ Yes ☐ No

Legal Procedures

1. Have you suffered any loss or has any claim, whether successful or not, ever been made against you that would be covered by this insurance?*

☐ Yes ☐ No

If Yes, please provide details below including the date of each claim or loss, the amount of the claim and any remedial action taken.

2. Are you aware of any problem which is likely to lead to you suffering a loss or a claim being made against you that would be covered by this insurance?*

☐ Yes ☐ No

If Yes, please provide details of each problem above.

3. It is understood and agreed that with respect to the above questions if such knowledge of information exists, any claim or action arising there from is excluded from this proposed coverage.*

☐ Yes ☐ No

Production Title and Type

Title:*

Production Type:*

< select production type >

Nature of Production:*

< select nature of production >

Synopsis:*

Input a brief description of the content.

Type of Work

Type of Work:*

< select type of work >

Details of the Production

Total Budget:*

Running Time:*

minutes

Number of Episodes and Length (series):*

episodes of None each

Number of Weeks (series):*

Initial Release or Air Date:*



Distribution Territory

- ☐ **Local** 90% of distribution within **local area** (population less than 100,000).
- ☐ **Metro** 90% of distribution within **larger metro area** (population 100,000 or greater).
- ☐ **Regional** 90% of distribution within **2 to 6 states**.
- ☐ **National** 90% of distribution within the **nation**.
- ☐ **International** Greater than 10% of distribution **outside the nation**.

Release Medium

How will the production be released? •

Select all that apply

- ☐ Cable/Satellite/Wireless
- ☐ DVD/Videotape
- Will there be bonus material? Yes No
- Will bonus material use same clearance procedures as the rest of the production? Yes No
- ☐ Internet
- ☐ Radio
- ☐ Television
- ☐ Theatrical Release
- ☐ Theatrical Stage
- ☐ Other

Please Explain:

Production Personnel**Executive Producer**

First Name: •

Last Name: •

Producer

First Name: •

Last Name: •

Script Writer

First Name: •

Last Name: •

Legal Information

Do you utilize a media attorney? •

Yes No

Firm Name:

Attorney Name:

Street:

City:

Country:

City, State:

Zip:

Phone:

Fax:

Email:

Have you and your attorney read and agreed to exercise due diligence to insure that the 'Clearance Procedures' attached are followed? •

Yes No

[View Clearance Procedures](#)**Additional Insureds**

The Additional Insureds is used to capture the distributors, broadcasters, investors, talent and other entities required to be named as additional insured under the policy. Certificates of insurance can be issued for the additional interests scheduled. Please note that the policy holder should not

be scheduled as an additional interest.

Please include complete name and address for each Additional Insured:

Coverage Options

Effective Date: *



Policy Term 1 Year

Per Claim / Aggregate: *

1,000,000 / 1,000,000

Retention: *

10,000

Coverage Basis: *

The Coverage Basis may be selected as either occurrence or claims made (depending on the program and state jurisdiction). In addition, certain programs may allow for Rights Period Endorsement (availability would be indicated inside the coverage dropdown)

< select coverage basis below >

Title Coverage:

Title coverage may be included if a title search report is provided and approved by the insurance company.

Excluded

Additional Insured Endorsement: *

Excluded

Worldwide Coverage Territory:

Included

Notes

Terms and Conditions

Please carefully review the Terms and Conditions below:

- The terms specified herein are only an indication of coverage.
- Please read all exclusions indicated on quotation.
- The quotation received is not binding on the Insurer in any way.
- By clicking 'Submit Application' you are *not* agreeing to purchase coverage. Via email, you will receive a free, no-obligation insurance quotation.
- Any person who knowingly and with intent to defraud any insurance company or another 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 and subjects the person to criminal and (NY: substantial) civil penalties. (Not applicable in CO, HI, NE, OH, OK, OR, VT). In DC, LA, ME, TN and VA, insurance benefits may also be denied.
- Please note that once coverage is bound, the policy cannot be cancelled.

Type your name below, to indicate that you have read and accepted the Terms and Conditions above:

Submit Application

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