Publishers Errors and Omissions Insurance

Application for coverage

Complete all applicable sections. Use N/A where appropriate. Attach additional pages as needed, identifying the applicant and question. **Save a copy and email the completed application to insurance@filmemporium.com.**

Coverage requests are subject to underwriting approval and the terms, conditions, limits, retentions, and exclusions of any policy issued. Review the declarations and state notices before signing. Broker review items are identified as LR1 through LR5.

APPLICANT INFORMATION

Legal applicant name

Entity type

☐ Corporation ☐ LLC ☐ Partnership ☐ Individual ☐ Nonprofit ☐ Other

DBA or other entity name | Year established | State of formation

Primary street address

City | State | ZIP code

Contact name and title | Telephone

Email | Website

Are subsidiaries, affiliates, or related entities to be included?

☐ Yes ☐ No

If yes list legal names and relationships

COVERAGE REQUESTED

Requested coverage

☐ Publishers liability ☐ Media liability ☐ Internet media ☐ Covered subpoena ☐ Other

Requested effective date | Requested expiration date

Each claim limit $ | Aggregate limit $ | Requested retention $

Publishing and media profile

OPERATIONS

Publishing activities

☐ Book publishing ☐ Magazine or periodical ☐ Newspaper ☐ Newsletter ☐ Digital publishing ☐ Blog ☐ Other

Describe publishing operations and subject matter

Principal publication names, imprints, websites, and channels

Primary audience

☐ General public ☐ Children ☐ Academic ☐ Professional ☐ Technical ☐ Trade ☐ Other

Distribution methods

☐ Print ☐ Website ☐ Email ☐ Mobile app ☐ E-book ☐ Social media ☐ Syndication ☐ Other

Territories and languages in which content is distributed

Number of original titles or issues annually	Reprints annually	Titles distributed for others

Average print circulation	Average digital audience	Paid subscribers

Does the applicant accept unsolicited manuscripts, articles, images, or ideas?

☐ Yes ☐ No

If yes describe intake, tracking, rejection, and return procedures

Does the applicant publish user-generated content, comments, or community posts?

☐ Yes ☐ No

If yes describe moderation and takedown procedures

Editorial and legal review

EDITORIAL CONTROLS

Person responsible for editorial review and experience

Describe fact-checking, source verification, editing, and approval procedures

Are editors trained on defamation, privacy, copyright, trademark, and publicity rights?

☐ Yes ☐ No

Describe training and continuing education

Are letters to the editor and reader submissions edited before publication?

☐ Yes ☐ No

Are titles, names, slogans, and trademarks cleared before use?

☐ Yes ☐ No

Are releases obtained for photographs, names, likenesses, testimonials, and interviews?

☐ Yes ☐ No

Describe correction, retraction, complaint, and takedown procedures

LEGAL REVIEW

In-house counsel name, contact information, and years of experience

Does the applicant retain outside media counsel?

☐ Yes ☐ No

Outside counsel firm, principal contact, and years of experience

Describe when material is referred for legal review and how often counsel is used

Contributors rights and contracts

CONTENT SOURCES

Percentage of content created by employees %

Freelancers %

Syndicates or wire services %

Do freelancers and other contributors provide written warranties of originality, accuracy, and non-infringement?

☐ Yes ☐ No

Do contributor agreements include indemnification or hold harmless provisions?

☐ Yes ☐ No

Does the applicant obtain ownership or a written license for contributed content?

☐ Yes ☐ No

Describe contributor approval, rights acquisition, and documentation procedures

Does the applicant obtain rights for future, archival, electronic, and promotional use?

☐ Yes ☐ No

Describe electronic archive, database, reprint, and reuse practices

THIRD-PARTY AGREEMENTS

Are written agreements used with authors and freelance writers?

☐ Yes ☐ No

Are written agreements used with distributors, retailers, platforms, and licensees?

☐ Yes ☐ No

Are written agreements used with advertisers and sponsors?

☐ Yes ☐ No

Are certificates of insurance requested from contributors or vendors when appropriate?

☐ Yes ☐ No ☐ N/A

Approximate percentage of content for which another party indemnifies the applicant %

Describe unusual contract terms or any exceptions to standard procedures

ATTACHMENTS FOR THIS SECTION

Attach copies where applicable

☐ Author agreement ☐ Freelancer agreement ☐ Distributor agreement ☐ Release form ☐ Advertising agreement

Publication details

BOOKS

Book categories

☐ Textbook ☐ Children ☐ Biography ☐ History ☐ Investigative ☐ Fiction ☐ Technical ☐ Religious ☐ How-to ☐ Other

Describe book subjects and approximate percentage of revenue by category

Are authors required to provide evidence of insurance?

☐ Yes ☐ No ☐ N/A

Percentage of author indemnification under standard contract %

MAGAZINES PERIODICALS AND NEWSLETTERS

Publication name	First published	Frequency	Average circulation	Subject/type

Primary circulation area

☐ International ☐ National ☐ Regional ☐ Metro ☐ Suburban ☐ Rural ☐ Campus ☐ Other

NEWSPAPERS AND NEWS PUBLISHING

Publication name	First published	Frequency	Average circulation	Market served

Does the applicant engage in investigative reporting?

☐ Yes ☐ No

Does the applicant rely on anonymous sources?

☐ Yes ☐ No

Describe source documentation and approval procedures for investigative or anonymous-source reporting

Digital publishing and higher-risk content

DIGITAL OPERATIONS

Websites, domains, apps, feeds, podcasts, and social media accounts to be insured

Does content include audio, video, podcasts, live streams, or interactive features?

☐ Yes ☐ No

Does the applicant operate a subscription database, searchable archive, or content licensing platform?

☐ Yes ☐ No

Describe digital publication, archival, licensing, and content removal procedures

Does the applicant collect or publish personal, confidential, financial, medical, or location information?

☐ Yes ☐ No

If yes describe consent, security, retention, and publication controls

HIGHER-RISK SUBJECT MATTER

Does any content involve

☐ Investigations ☐ Crime ☐ Politics ☐ Celebrities ☐ Health advice ☐ Financial advice ☐ Product reviews ☐ Minors ☐ Other

Describe higher-risk content and the added editorial or legal controls used

Has any regulator, platform, or industry body cited or sanctioned the applicant?

☐ Yes ☐ No

If yes provide dates, allegations, outcomes, and corrective actions

Revenue and territory information

GROSS REVENUE

Enter gross revenue attributable to the publishing and media activities for which coverage is requested.

Activity	Past 12 months $	Current 12 months $	Coming year estimate $

Total gross revenue past 12 months $

Total current 12 months $

Total coming year estimate $

GEOGRAPHIC DISTRIBUTION

Territory	Past year %	Current year %	Coming year estimate %

Countries other than the United States with meaningful circulation or revenue

FINANCIAL INFORMATION

Applicant ownership

☐ Privately held ☐ Publicly traded ☐ Nonprofit ☐ Other

Current assets $

Current liabilities $

Net income or loss $

Has the applicant filed for bankruptcy or become insolvent in the past five years?

☐ Yes ☐ No

If yes explain

Insurance history claims and prior knowledge

PRIOR INSURANCE

Does the applicant currently carry media or publishers liability insurance?

☐ Yes ☐ No

Insurer	Policy period	Limit	Retention	Premium $

Has any application been declined, or has any policy been canceled or nonrenewed? Missouri applicants do not answer.

☐ Yes ☐ No ☐ N/A

If yes explain

CLAIMS AND CIRCUMSTANCES

In the past ten years, has the applicant or any proposed insured received a claim, suit, demand, cease-and-desist letter, takedown request, or threat involving published or distributed content?

☐ Yes ☐ No

If yes describe claimant, date, allegations, amounts, defense, and disposition

Have any media liability claims been made in the past five years?

☐ Yes ☐ No

If yes attach a loss run and summarize all claims

Number of subpoenas served in the past five years

Number challenged in court

Defense costs incurred for subpoena challenges $

After inquiry, does any proposed insured know of facts or circumstances that may reasonably be expected to result in a claim?

☐ Yes ☐ No

If yes provide full details

Broker review LR3: The source form excludes claims arising from facts, circumstances, situations, or claims required to be disclosed above. Confirm wording and insurer requirements before use.

Supporting documents and declarations

SUPPORTING DOCUMENTS

Attach where applicable

☐ Current title list ☐ Financial statement ☐ Author contract ☐ Freelancer contract ☐ Distributor agreement

Additional attachments

☐ Release forms ☐ Editorial guidelines ☐ Claims history ☐ Sample publications ☐ Other

Other attachments and explanations

DECLARATIONS

The applicant declares, after reasonable inquiry, that the statements in this application and all attachments are true and complete to the best of the applicant's knowledge and belief.

The applicant understands that this application and submitted materials may be relied upon in evaluating coverage and may become part of any policy issued.

The applicant agrees to notify Film Emporium promptly in writing of any material change before the policy inception date. Any quotation may be modified or withdrawn based on new information.

Submitting this application does not obligate any insurer to issue coverage or the applicant to purchase coverage. A quotation is not binding, and coverage is not effective unless confirmed in writing by an authorized representative and any required premium is paid.

The information submitted is for underwriting purposes and does not constitute notice of a claim or potential claim under any policy.

Broker review LR1 and LR2: The source carrier application is dated 2008. Carrier-specific declarations and coverage notices were converted to carrier-neutral wording. Confirm the final declarations, defense-cost wording, signature authority, and insurer-specific requirements before release.

APPLICANT SIGNATURE

Applicant legal name

Authorized representative name

Title

Date mm/dd/yyyy

Authorized signature

The PDF includes a digital signature field. Use compatible PDF signing software.

NY License # BR-1001302 | CA License # 0I36156 | In CA dba New York Film Emporium Insurance Services.

State fraud notices

Broker review LR4: State fraud notices are reproduced from the existing Film Emporium application without substantive correction. Confirm current wording and applicability before release.

ALASKA: A person who knowingly and with the intent to injure, defraud, or deceive an insurance company files a claim containing false, incomplete, or misleading information is guilty of a felony.

ARKANSAS: 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 may be guilty of a crime and subject to fines and confinement in prison.

CALIFORNIA: For your protection California law requires the following to appear on this form. Any person who knowingly presents false or fraudulent claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in prison. Any person who knowingly files a statement of claim containing any false or misleading information is subject to criminal and civil penalties.

COLORADO: 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 policyholder 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.

DELAWARE: Any person who knowingly, and with the intent to injure, defraud or deceive an insurer, files a statement of claim containing any false, incomplete or misleading information is guilty of a felony.

DISTRICT OF COLUMBIA: WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, any insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

FLORIDA: Any person who knowingly and with intent to injure, defraud or deceive any insurer files a false statement of claim or an application) containing any false, incomplete or misleading information is guilty of a felony of the third degree.

HAWAII: 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 punish able by fines, imprisonment or both.

IDAHO: Any person who knowingly, and with the intent to defraud or deceive any false, incomplete or misleading information is guilty of a felony.

INDIANA: A person who knowingly and with the intent to defraud an insurer files a statement of claims containing any false, incomplete or misleading information commits a felony.

KENTUCKY: Any person who knowingly and with the intent to defraud an 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.

LOUISIANA, MAINE AND TENNESSEE: Any person who knowingly and with the intent to defraud any insurance company or another person, files a statement of claim contain 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, subject to criminal prosecution and civil penalties. Insurance benefits may also be denied.

MINNESOTA: A person who submits an application or files a claim with intent to defraud or helps commit a fraud against an insurer is guilty of a crime.

NEBRASKA: Any person who knowingly presents false information in an application for insurance or viatical settlement contract is guilty of a crime and may be subject to fines and confinement in prison.

State fraud notices continued

Broker review LR4: State fraud notices are reproduced from the existing Film Emporium application without substantive correction. Confirm current wording and applicability before release.

NEVADA: Pursuant to NRS 686A.291, any person who knowingly and willfully files a statement that contains any false, incomplete or misleading information concerning a material fact is guilty of a felony.

NEW HAMPSHIRE: Any person who, with the purpose to injure, defraud or deceive any insurance company, files a statement of claim containing any false, incomplete or misleading information is subject to prosecution and punishment for insurance fraud, as provided in RSA 638:20.

NEW JERSEY: 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: Any person who 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: Any persons who knowingly and with the 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 shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

OHIO: Any person who, with the 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: WARNING: Any person who knowingly and with the 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.

OREGON: Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents materially false information in an application for insurance may be guilty of a crime and may be subject to fines and confinement in prison.

PENNSYLVANIA: Any person who knowingly and with the 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 thereto commits a fraudulent insurance act, which is a crime and subjects such a person to criminal and civil penalties.

UTAH: For your protection, Utah law requires the following to be included in this application: Any person who knowingly presents false or fraudulent underwriting information, files or causes to be filed a false or fraudulent claim for disability compensation or medical benefits, or submits a false or fraudulent report or billing for health care fees or other professional services is guilty of a crime and may be subject to fines and confinement in state prison.

VIRGINIA: It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.

WASHINGTON: It is a crime to knowingly provide false, incomplete, or misleading information to an insurance company for the purposes of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.

WEST VIRGINIA: 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.