



# OneBeacon Insurance Company

c/o First Media

4350 Shawnee Mission Pkwy #350 – Fairway, KS 66205

800-753-7545/913-384-4800 Fax: 913-384-4822 www.firstmediainc.com

## Advertiser Advantage Policy<sup>®</sup> Insurance Application

All Questions Must Be Answered Completely.

Attach Additional Sheet If Necessary.

All Attachments Must Be Included With This Application.

**NOTE: Unless the policy form provides coverage for Defense Costs In Addition to the Limits of Liability, the Limits of Liability shall be reduced by defense costs. Please read the entire policy carefully. Execution of this Application does not bind the Company to issue a policy.**

**1. Applicant Information** (This entity will be identified as the **Named Insured**.)

Name of **Applicant** \_\_\_\_\_

Identify all entities to be insured by the policy, including trade names, and advise of relationship to

**Applicant** \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State/Province \_\_\_\_\_

Zip/Postal Code \_\_\_\_\_ Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Year Established \_\_\_\_\_ Web Address \_\_\_\_\_

Corporation       Partnership       Individual       Other \_\_\_\_\_

**2. Coverage Information**

Limits of Liability \$ \_\_\_\_\_ Retention per claim \$ \_\_\_\_\_

**3. Advertising Information**

Describe advertised product(s) or service(s) \_\_\_\_\_

Annual Gross Advertising Budget \$ \_\_\_\_\_

United States \$ \_\_\_\_\_

International \$ \_\_\_\_\_

Canada \$ \_\_\_\_\_

Identify international advertising activities, by country, outside the United States and Canada. \_\_\_\_\_

Assign a percentage of the budget that is allocated to services performed by advertising agencies or other third parties \_\_\_\_\_%

Methods of Advertising — Please assign a percentage to:

Television	_____ %	Theatre	_____ %
Newspaper	_____ %	Radio	_____ %
Magazine	_____ %	Internet	_____ %
Catalog/Mail Order	_____ %	Outdoor	_____ %
Telephone Solicitation	_____ %	Coupons	_____ %
Sweepstakes	_____ %	Infomercial	_____ %
Brochure	_____ %		

Other \_\_\_\_\_% Please Describe \_\_\_\_\_

#### 4. **Advertising Procedures, Operations and Loss Prevention**

##### A. **Media Counsel**

Is in-house or local media counsel consulted regarding complaints, clearance procedures, hold-harmless agreements, disclaimers and licensing issues?

Yes  No

Is local counsel on retainer?

Yes  No

Does counsel review advertising?

Yes  No

Name of in-house counsel \_\_\_\_\_ Telephone \_\_\_\_\_

Name of law firm \_\_\_\_\_ Address \_\_\_\_\_

City \_\_\_\_\_ State/Province \_\_\_\_\_ Zip/Postal Code \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail \_\_\_\_\_

Law firm contact \_\_\_\_\_

##### B. **Operations and Loss Prevention**

Does **Applicant** develop, design and place its own advertising?

Yes  No

Are trademark searches performed?

Yes  No

How many trademarks are developed per year? \_\_\_\_\_

Describe legal review and clearance procedures for trademarks and copyrights. \_\_\_\_\_

Do employees execute creative releases?  Yes  No

Size of in-house advertising department \_\_\_\_\_

List advertising agencies utilized by **Applicant** \_\_\_\_\_

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Are the advertising agencies required to indemnify the **Applicant**?  Yes  No

Are the advertising agencies required to provide proof of insurance?  Yes  No

Does the **Applicant** engage in comparative advertising?  Yes  No

If “**yes**,” does a third party conduct the product testing?  Yes  No

Does the **Applicant** preserve a paper-trail in respect to marketing ideas and advertising campaigns?  Yes  No

Are releases obtained from all models or persons appearing in advertising campaigns, including employees or their children?  Yes  No

If “**yes**,” please explain \_\_\_\_\_

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Do independent contractors provide matter or services for advertising, i.e., graphics, product testing, web design or music composition?  Yes  No

If “**yes**,” are releases and hold-harmless agreements obtained?  Yes  No

Is proof of insurance required?  Yes  No

Please describe the **Applicant’s** online advertising activities \_\_\_\_\_

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Are employees with responsibility for website content and development trained in respect to intellectual property rights, defamation, newsgathering and privacy rights?  Yes  No

Please identify memberships in advertising associations or trade groups \_\_\_\_\_

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## 5. Insurance History and Claim Information

Does the **Applicant** know of any situation that could give rise to a claim?  Yes  No

If “**yes**,” please attach complete details and advise whether the claim has been reported.

Has the **Applicant** or any subsidiary been involved in a lawsuit or claim in the past five years arising from advertising activities?  Yes  No

If “**yes**,” please attach claim information including the amount of defense costs, judgment or settlement. If the claim has not yet been resolved, please provide the amounts for which the claim has been reserved.

Provide details in an attachment regarding any open claims or litigation resulting from advertising activities occurring more than five years ago.

Has the **Applicant** ever been fined or reprimanded by the Federal Trade Commission, Canadian Radio, Television and Telecommunications Commission or other administrative agency in connection to advertising?

Yes  No

If “yes,” please advise \_\_\_\_\_  
\_\_\_\_\_

**(In the State of Missouri, the following question does not apply.)**

Has advertising liability coverage ever been canceled or nonrenewed?

Yes  No

If “yes,” please advise \_\_\_\_\_

Has the **Applicant** had advertiser liability insurance in the past three years?

Yes  No

If “yes,” please identify the following or attach a copy of the policy declarations:

<u>Insurer</u>	<u>Policy Limits</u>	<u>Retention</u>	<u>Policy Dates</u>	<u>Premium</u>
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1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

**Attachments** — Please submit the following information to complete your Application:

- a Current financial statement or corporate annual report;
- a Copies of standard contracts or consent forms utilized with advertising agencies, employees who appear in advertisements and independent contractors;
- a Copies of advertisements regarding **Applicant’s** service(s) or product(s); and
- a If operation ongoing for less than three years, please include resumes of principals.

**Fraud Warning**

**Any person who knowingly and with intent to defraud any insurance company or another person files an application of 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. In Maine and Virginia, insurance benefits may also be denied.**

**PLEASE NOTE: THIS FRAUD WARNING DOES NOT APPLY TO INSURANCE GOVERNED BY THE LAWS OF CANADA.**

The statements made in this Application for insurance, the Coverage Supplement and in any attachments are true and correct to the best of my knowledge.

Applicant \_\_\_\_\_ Title \_\_\_\_\_  
(Director, Partner or Principal)

Signature \_\_\_\_\_ Date \_\_\_\_\_

**If this is your Agency's First Submission to First Media:**

Name \_\_\_\_\_ License No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Agency \_\_\_\_\_ Agency Tax Payer I.D. \_\_\_\_\_

Address \_\_\_\_\_ City and State/Province \_\_\_\_\_

Zip/Postal Code \_\_\_\_\_ Telephone \_\_\_\_\_

Fax \_\_\_\_\_ E-Mail \_\_\_\_\_