



A Member of the Tokio Marine Group

CYBER SECURITY LIABILITY APPLICATION

COVERAGES E., F., AND G. ARE CLAIMS MADE AND REPORTED COVERAGES.

CLAIM EXPENSES ARE INCLUDED WITHIN THE AVAILABLE LIMIT OF INSURANCE. ANY CLAIM EXPENSES PAID UNDER THIS COVERAGE FORM WILL REDUCE THE AVAILABLE LIMITS OF INSURANCE AND MAY EXHAUST THEM COMPLETELY. PLEASE READ THE ENTIRE POLICY CAREFULLY.

Certain terms have specific meaning as defined in the policy form and noted in **bold**. Throughout this Application the words "you" and "your" refer to the **Named Insured** shown in the Declarations, and any other person or organization qualifying as a **Named Insured** under the proposed policy.

SECTION I – GENERAL INFORMATION

Name of Applicant: _____

Address: _____

City: _____ State: _____ Zip: _____

Physical Location Address:(if different than above) _____

Website: www. _____

Predominant business activity and SIC code:

Year business started: _____ Telephone: _____

Provide a list of all direct and indirect subsidiaries for which coverage is requested under this policy.

To enter more information, please use the Additional Info page attached to this Application

Name: _____	Type of Business: _____
Percent Owned by the Applicant: _____ %	Date created/acquired: _____

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Name: _____	Type of Business: _____
Percent Owned by the Applicant: _____ %	Date created/acquired: _____

	US / Canada	Other Countries	Total
Total number of employees:			
Annual sales or revenue:	\$	\$	\$

SECTION II – COVERAGE REQUESTED

INSURING AGREEMENTS	REQUESTED PER CLAIM LIMIT (Options: \$1,000,000, \$2,000,000, \$3,000,000, \$4,000,000 OR \$5,000,000)	REQUESTED PER CLAIM DEDUCTIBLE
A. Loss of Digital Assets	\$	\$
B. Non-Physical Business Interruption and Extra Expense	\$	\$
C. Cyber Extortion Threat	\$	\$
D. Security Event Costs	<input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000	\$
E. Network Security and Privacy Liability Coverage	\$	\$
F. Employee Privacy Liability Coverage	\$	\$
G. Electronic Media Liability Coverage	\$	\$
H. Cyber Terrorism Coverage	\$	\$
AGGREGATE LIMIT	\$	

Maximum coverage limit available: \$5,000,000

EXPIRING COVERAGE (IF APPLICABLE)

CURRENT CARRIER	EXPIRATION DATE	ANNUAL PREMIUM	CONTINUITY DATE	RETROACTIVE DATE	PRIOR AND PENDING LITIGATION DATE
		\$			

SECTION III - LOSS EXPERIENCE

Loss Experience (explain any “Yes” responses, including corrective actions and damages incurred on the attached ADDITIONAL INFORMATION page):

- During the past three (3) years whether insured or not, have you sustained any **Losses** due to unauthorized access, unauthorized use, virus, denial of service attack, electronic media liability, data breach, data theft, fraud, electronic vandalism, sabotage or other similar electronic security events? Yes No
- Within the past three (3) years, have you experienced any loss of service exceeding eight (8) hours other than a planned maintenance of your **Computer System(s)**? Yes No
- During the last 3 years, has anyone alleged that you were responsible for damage to their **Computer System(s)** arising out of the operation of your **Computer System(s)**? Yes No
- During the last three (3) years, have you received a complaint or other proceeding (including an injunction or other request for non-monetary relief) against any of you arising out of intellectual property infringement, copyright infringement, media content, or advertising material? Yes No
- During the three (3) years, has anyone made a demand, claim, complaint, or filed a lawsuit against you alleging invasion of interference of rights of privacy or the inappropriate disclosure of **Personally Identifiable Information (PII)** ? Yes No
- During the last three (3) years, have you been the subject of an investigation or action by any regulatory or administrative agency for privacy-related violations? Yes No

SECTION IV – RISK CONTROL

1. Do you have a firewall? Yes No
2. Do you require your information technology department or outsourced third party vendors/providers to adhere to a software update process, including software patches and anti-virus software definition upgrades? Yes No
3. Do you have a virus protection program that is used on Internet-facing and internal mail servers, desktops, and other mission critical servers? Yes No
4. Do you use a standard configuration for firewalls, routers, and operating systems? Yes No
5. Do you have a process for managing computer accounts, including the removal of outdated access accounts in a timely fashion? Yes No
6. Do you have physical security controls in place to control access to your **Computer Systems**? Yes No
7. Do your access control procedures address access to critical and sensitive **Computer Systems**? Yes No
8. Do you have a written business continuity/disaster recovery plan that includes procedures to be followed in the event of a disruptive computer incident? Yes No
9. Are system backup and recovery procedures tested for all mission critical systems and performed at least annually? Yes No
10. Do you have a designated individual or group responsible for information security and compliance operations? Yes No
11. How long would it take to restore your operations after a computer attack or other loss/corruption of data? _____ Hours
12. Do you have a program in place to periodically test your data security controls? Yes No
13. Are mission critical transactions and security logs reviewed periodically for suspicious activity? Yes No
14. Have you undergone an information security or privacy compliance evaluation? Yes No
If yes, identify who performed the evaluation, the date it was performed, the type of evaluation, and the results:

-
15. Do you outsource a critical part of your internal network/computer system or internet access/presence to others? Yes No
If yes, check all that apply and name the service provider for each category:

- | | <u>Service Provider</u> |
|--|-------------------------|
| <input type="checkbox"/> Hosting Facility: | _____ |
| <input type="checkbox"/> Co-location Facility: | _____ |
| <input type="checkbox"/> Managed security service provider (MSSP): | _____ |
| <input type="checkbox"/> Application service provider (ASP): | _____ |
| <input type="checkbox"/> Data Storage Facility: | _____ |
| <input type="checkbox"/> Other:(specify)_____ | _____ |

16. Do you have written contracts in place to enforce your information security policy and procedures with third party service providers? Yes No
17. Do such contracts contain hold harmless or indemnification clauses in your favor? Yes No
18. Do you monitor your network in real time to detect possible intrusions or abnormalities in the performance of the system? Yes No
19. Do you have a document destruction and retention policy? Yes No
20. Do you perform due diligence checks on your vendors and service providers who handle your privacy sensitive data and require them to have adequate security protocols? Yes No

SECTION V – PRIVACY CONTROLS

1. Are you in compliance with the following: (check all that apply)
- PCIDSS (Payment Card Industry Data Security Standard)
 - GLBA (Gramm-Leach-Bliley Act)
 - HIPAA (Health Insurance Portability and Accountability Act)
2. Do you restrict employee access to customer files and **Personally Identifiable Information (PII)** of employees to those with a business need-to-know basis? Yes No
If no, please explain:
-
3. Does your hiring process include the following for all employees and independent contractors (check all that apply):
- Drug testing
 - Criminal background checks
 - Educational background
 - Work history checks
 - Credit history checks
 - Other:(specify) _____
-
4. Do you allow employees to download the **Personally Identifiable Information (PII)** of customers or confidential information in your care belonging to third parties onto laptop computers or other storage media? Yes No
If yes, is the information required to be encrypted when it is stored onto the laptop or other storage media? Yes No
5. Do you have a current enterprise-wide computer network and information security policy that applies to employees, independent contractors, and third-party vendors? Yes No
If yes, is the information published within the company (e.g. corporate intranet, employee handbook, etc.)? Yes No
6. Are all employees periodically instructed on their specific job responsibilities with respect to information security, such as the proper reporting of suspected security incidents? Yes No
7. Does your company have a formal privacy policy that has been approved by legal counsel? Yes No
8. Are your information systems and supporting business procedures prepared to honor customer preferences concerning the opt-out of sharing of non-public, personal information to non-affiliated third parties? Yes No

9. Do you require the transmission of personal customer information such as credit card numbers, contact information, etc., as part of your internet-based web services? Yes No

SECTION VI – MEDIA LIABILITY CONTROLS

1. Do you have a process to review content or materials (including meta tags) before they are published, broadcasted, distributed, or displayed on your website for the following:
- | | | | | |
|-------------------------------------|--------------------------|-----|--------------------------|----|
| Defamation (Slander or Libel) | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| Right to privacy or publicity | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| Copyright, trademark or domain name | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
2. Are any of the following types of content disseminated on your website? (check all that apply):
- Adult
 - Entertainment/games
 - Gambling
 - Medical
 - Software for downloading

FRAUD NOTICE STATEMENTS

NOTICE TO 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 MAY SUBJECT SUCH PERSON TO CRIMINAL AND CIVIL PENALTIES."

NOTICE TO ALASKA RESIDENTS APPLICANTS: "A PERSON WHO KNOWINGLY AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE AN INSURANCE COMPANY FILES A CLAIM CONTAINING FALSE, INCOMPLETE OR MISLEADING INFORMATION MAY BE PROSECUTED UNDER STATE LAW."

NOTICE TO ARKANSAS RESIDENT 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."

NOTICE TO ARIZONA RESIDENTS APPLICANTS: "FOR YOUR PROTECTION ARIZONA LAW REQUIRES THE FOLLOWING STATEMENT TO APPEAR ON THIS FORM. ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS IS SUBJECT TO CRIMINAL AND CIVIL PENALTIES."

NOTICE TO COLORADO RESIDENTS 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 POLICYHOLDER OR CLAIMANT FOR THE PURPOSE OF DEFRAUDING OR ATTEMPTING TO DEFRAUD THE POLICYHOLDER 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."

NOTICE TO DISTRICT OF COLUMBIA APPLICANTS: "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, AN INSURER MAY DENY INSURANCE BENEFITS IF FALSE INFORMATION MATERIALLY RELATED TO A CLAIM WAS PROVIDED BY THE APPLICANT."

NOTICE TO FLORIDA RESIDENTS 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."

NOTICE TO KANSAS APPLICANTS: "ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON CAUSES TO BE PRESENTED OR PREPARES WITH KNOWLEDGE OR BELIEF THAT IT WILL BE PRESENTED TO OR BY AN INSURER, PURPORTED INSURER, BROKER OR ANY AGENT THEREOF, ANY WRITTEN STATEMENT AS PART OF, OR IN SUPPORT OF, AN APPLICATION FOR THE ISSUANCE OF, OR THE RATING OF AN INSURANCE POLICY, OR A CLAIM FOR PAYMENT OR OTHER BENEFIT PURSUANT TO AN INSURANCE POLICY WHICH SUCH PERSON KNOWS TO CONTAIN MATERIALLY FALSE INFORMATION CONCERNING ANY FACT MATERIAL THERETO, OR CONCEALS, FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT WHICH IS A CRIME AND MAY SUBJECT SUCH PERSON TO CRIMINAL AND CIVIL PENALTIES."

NOTICE TO 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.”

NOTICE TO LOUISIANA RESIDENTS 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.”

NOTICE TO MAINE RESIDENTS 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.”

RESIDENTS OF MARYLAND APPLICANTS: “ANY PERSON WHO KNOWINGLY AND WILLFULLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR WHO KNOWINGLY AND WILLFULLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN PRISON.”

RESIDENTS OF MINNESOTA APPLICANTS: “ANY PERSON WHO, WITH INTENT TO DEFRAUD OR KNOWING THAT HE/SHE IS FACILITATING A FRAUD AGAINST ANY INSURER, SUBMITS AN APPLICATION OR FILES A CLAIM CONTAINING A FALSE OR DECEPTIVE STATEMENT IS GUILTY OF INSURANCE FRAUD.”

RESIDENTS OF 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.”

RESIDENTS OF 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.”

RESIDENTS OF NEW YORK 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 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.”

RESIDENTS OF OHIO APPLICANTS: “ANY PERSON WHO, WITH INTENT TO DEFRAUD OR KNOWING THAT HE/SHE IS FACILITATING A FRAUD AGAINST ANY INSURER, SUBMITS AN APPLICATION OR FILES A CLAIM CONTAINING A FALSE OR DECEPTIVE STATEMENT IS GUILTY OF INSURANCE FRAUD.”

RESIDENTS OF OKLAHOMA APPLICANTS: “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.”

RESIDENTS OF OREGON APPLICANTS: “ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD OR SOLICIT ANOTHER TO DEFRAUD AN INSURER: (1) BY SUBMITTING AN APPLICATION, OR (2) BY FILING A CLAIM CONTAINING A FALSE STATEMENT AS TO ANY MATERIAL FACT, MAY BE VIOLATING STATE LAW.”

RESIDENTS OF 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.”

RESIDENTS OF TENNESSEE 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 INCLUDE IMPRISONMENT, FINES AND DENIAL OF INSURANCE BENEFITS.”

RESIDENTS OF TEXAS APPLICANTS: IF A LIFE, HEALTH AND ACCIDENT INSURER PROVIDES A CLAIM FORM FOR A PERSON TO USE TO MAKE A CLAIM, THAT FORM MUST CONTAIN THE FOLLOWING STATEMENT OR A SUBSTANTIALLY SIMILAR STATEMENT: “ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR THE PAYMENT OF A LOSS IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN STATE PRISON.”

RESIDENTS OF VERMONT APPLICANTS: “ANY PERSON WHO KNOWINGLY PRESENTS A FALSE STATEMENT IN AN APPLICATION FOR INSURANCE MAY BE GUILTY OF A CRIMINAL OFFENSE AND SUBJECT TO PENALTIES UNDER STATE LAW.”

RESIDENTS OF 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 AND DENIAL OF INSURANCE BENEFITS.”

RESIDENTS OF WASHINGTON APPLICANTS: “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.”

RESIDENTS OF WEST VIRGINIA 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."

Name (Please Print/Type)

Title

Signature (**Must be signed by the President, Chairman, Executive Director or CEO**)

Date

Producer Name

Producer Number

**FAX Completed to 415-668-4747
or email cyber@paperlessgroup.com**

ADDITIONAL INFORMATION

This page may be used to provide additional information to any question on this application. Please identify the question number to which you are referring.

Signature

Date