

## TECHNOLOGY ERRORS OR OMISSIONS LIABILITY SUPPLEMENTAL APPLICATION

**This is a claims first made and reported in writing coverage. Covered claim expenses and damages above the retention amount are payable under this Coverage Part, reduce and may exhaust the limits of liability. We shall not be liable for claim expenses or damages after exhaustion of the applicable limit of liability.**

Insured's Contact Information:

Insured's Name: \_\_\_\_\_

Policy Number \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Website Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Requested Limit:

- |  |  |  |  |
|--|--|--|--|
| <input type="checkbox"/> \$300,000/\$300,000     | <input type="checkbox"/> \$500,000/\$500,000     | <input type="checkbox"/> \$500,000/ \$1,000,000  | <input type="checkbox"/> \$1,000,000/\$1,000,000 |
| <input type="checkbox"/> \$1,000,000/\$2,000,000 | <input type="checkbox"/> \$1,000,000/\$3,000,000 | <input type="checkbox"/> \$1,000,000/\$4,000,000 | <input type="checkbox"/> \$1,000,000/\$5,000,000 |
| <input type="checkbox"/> \$2,000,000/\$2,000,000 | <input type="checkbox"/> \$3,000,000/\$3,000,000 | <input type="checkbox"/> \$4,000,000/\$4,000,000 | <input type="checkbox"/> \$5,000,000/\$5,000,000 |

Requested Retention:

- |                                   |                                   |                                   |                                   |
|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> \$2,500* | <input type="checkbox"/> \$5,000  | <input type="checkbox"/> \$10,000 | <input type="checkbox"/> \$15,000 |
| <input type="checkbox"/> \$25,000 | <input type="checkbox"/> \$50,000 | <input type="checkbox"/> \$75,000 |                                   |

\* A \$2,500 Retention is not available with limits of \$2,000,000/ \$2,000,000 or greater.

1. Please provide the limit of current E&O coverage. Indicate None if the applicant currently does not have coverage and proceed to question #2.

Please provide the effective date of current E&O coverage:

Please provide the Retroactive date of current E&O coverage:

Please provide the carrier of current E&O coverage:

Indicate requested Retroactive date:

Has the applicant maintained/ purchased continuous Technology E&O coverage from the requested Retroactive Date until the present?

2. Expertise:

\_\_\_\_\_ Total Number of Employees  
\_\_\_\_\_ Average Years of Professional Experience in Technology Services  
\_\_\_\_\_ Number of Independent Contactors under contract

3. Revenue for Projected Fiscal Period

\_\_\_\_\_ Total revenue  
 \_\_\_\_\_ Total revenue from foreign sales  
 \_\_\_\_\_ Operating Expenses

4. Describe the applicant's business operations and products in detail

\_\_\_\_\_

5. Provide a breakdown of the applicant's revenue by the type of Technology Products/ Services offered by the applicant to others:

Hardware Products/ Services

- Manufacturing of Hardware Products/ Components for Others 0 % Sales  
 (includes firmware for the hardware products the applicant manufactures, as well as, revenue generated from installation/ integration/ maintenance of hardware products the applicant manufactures.)
- Resale of Hardware Products Manufactured by Others 0 % Sales
- Installation/ Integration/ Maintenance of Hardware Products Manufactured by Others 0 % Sales  
 (includes value added reseller (VAR) operations in which the applicant purchases hardware and prepackaged software products for their customer with the added service of installing and configuring the hardware and software to customer specifications)

Software Products/ Services

- Packaged Software Development and Sales 0 % Sales  
 (packaged software is software in which the core software code is the same for every customer but may include minor customizations to meet preferences/needs of the customer; please include revenue generated from installation/integration/maintenance of the applicant's packaged software)
- Custom Programming Services and Software Development 0 % Sales  
 (this does not include minor customization to applicant's packaged software application; this category pertains to programming for specific projects that are unique to each individual customer)
- Software Installation/ Integration/ Maintenance of Software Products of Others 0 % Sales  
 (installation, maintenance, and integration of software developed by others; this type of service does not include the installation, maintenance or integration of software product developed by the applicant)
- Application Service Provider (ASP) Services 0 % Sales  
 (An ASP is a company that manages and distributes software-based services and solutions to customers across a wide area network from a central data center)  
 Does the applicant provide ASP services for software developed by the applicant?  
 Does the applicant provide ASP services for software developed by others?
- Web Site Design 0 % Sales

Communication and Connectivity Services

- Internet Access/ Web Site & Data Hosting/ IT Connectivity Services  
(this category does not include voice telecommunication services – see separate category below)
- Telecommunication Services 0 % Sales  
(wireline, wireless, voice over internet protocol - voip, local/long distance telephone services)
- Internet Search Engine & Portal Services 0 % Sales

Other Information Technology Services

- IT Network and Systems Management/ Systems Outsourcing 0 % Sales  
(this category includes those companies engaged in managing the information technology network of others including active network operations services, resolving network system issues, Help Desk functions, etc.)
- Information Security Services 0 % Sales  
(this category includes those companies engaged in specialized information security services including it network penetration testing, it network assessments, information security assessments, it network intrusion detection services, etc.)
- Consulting Services 0 % Sales  
(this category is for applicants that strictly provide advice to their customers on information technology; this category does not include consulting on products and services that offered by the applicant; the revenue for consulting services on products and services offered by the applicant should be included in the category for the specific product or service; please contact the underwriter if the applicant provides consulting services on anything other than information technology products and services )
- IT Staffing Services 0 % Sales  
(placement of it personnel at the direction & control of others on a time & materials basis)
- Other (describe fully) 0 % Sales

6. What are the Applications/ End Uses of the applicant's technology products/ services?

It is essential that we fully understand the applications/end uses of the applicant's technology products/services. In other words, we need to know the actual functions and purposes of the technology products/services. Please select the appropriate categories that best describe the applications/end uses of the applicant's technology products/services. The following categories are utilized to determine what the technology actual does or is responsible for doing.

- Training Education  
(this category would include products and services that train or educate others on technology)
- Physical Process Applications/ End Uses  
(this category would include technology that is involved with the physical control or operation of machinery, equipment, vehicles, etc. This includes manufacturing equipment, agriculture/mining equipment, watercraft, automotives, aircraft/spacecraft, trains, factory automation, robotics, CAM – Computer Aided Manufacturing, utility/natural resource processing equipment, chemical processing equipment, etc.)

- Medical Purpose Applications/ End Uses**  
(this category includes technology that is utilized to perform medical diagnostics, medical therapeutics, patient care/treatment, medical alert, life sciences/biotechnology research & development, clinical trial management, etc. This category is not intended for business operation applications/end uses such as medical billing, patient scheduling, general office management, and supply chain management for medical service providers.)
- Military/ Defense Applications/ End Uses**  
(this category includes guidance systems technology, vehicle/equipment tracking systems, weapon targeting systems, warfare systems, friendly versus hostile identification systems, warning systems including radar, sonar, etc. This category does not include general office management, accounting, supply chain management, non-combat related activities performed for Military customers.)
- Fire/ Physical Security/ Emergency Applications/ End Uses**  
(this category includes information technology that is utilized to detect, notify and/or respond to emergency and/or physical security type applications including alarm systems, fire suppression technology/controls, physical security devices, emergency response technologies, scientific/weather warning systems, seismic activity measurement devices, etc.)
- Information & Computer Systems Security Advice/ Products**  
(this category includes consulting and products related to intrusion detection, penetration testing, vulnerability assessment, virus/malicious code detection & removal, etc. This category does not include system integration activities where the applicant may be involved with the installation of security software manufactured by others)
- Architect/ Engineering/ CAD (Computer Aided Design) Applications/ End Uses**  
(this category includes technology products and services that are utilized for architectural and engineering design purposes. These products are utilized to assist in the design of buildings, bridges, physical structures, products, manufactured goods, electronics, etc.)
- Communication Services**  
(this category includes voice and data communication services including information network connectivity, internet access services, local & long distance telephone services, Voice over Internet Protocol (VoIP) service, wireless communication service, etc.)
- Information Network management and Maintenance Services**  
(this category includes information network management and maintenance, as well as , installation and integration of computer hardware and software for others).
- Homeland Security Applications/ End Uses**  
(this category includes technology products and services that are specifically designed to assist in Homeland Security initiatives of the United States Government. This may include applications/end uses that assist the government with detection, tracking, notification, response, etc. to a situation that threatens the security of the United States.)
- Human Resources**  
(this category includes technology products and services that perform or assist with performing human resource functions – benefits enrollment, employee performance monitoring/management, etc.)

- Financial Software (funds transfer, trading, financial monitoring)  
this category includes technology products and services that are involved in real-time financial transactions and analytics. This includes financial asset management applications, such as, investment modeling, stock/bond trading, funds transfer, financial institution operational applications, etc.)
- Accounting Software  
(this category includes technology products and services that perform general accounting functions. This category does not include applications that manage financial transactions that are real-time sensitive – see Financial Software)
- Pollution/ Environmental Testing & Remediation  
(this category includes technology products and services that are utilized to detect, monitor, analyze environmental conditions and/or assist with remediation activities)
- Administrative  
(this category includes technology products and services that are utilized to conduct general business functions including billing, sales, marketing, etc. including Enterprise Resource Planning (ERP), Supply Chain Management(SCM), and other logistics applications utilized for business operations)
- Supplying Internet Content for Others
- Other (describe fully)

7. Do you outsource or sub-contract any of their services?

If yes, list all outsourced/ sub-contracted services and their purposes:

---

8. Do you perform/ provide accounting, architectural, engineering, legal, medical, health-related, nutritional or insurance advice/content/services for others? If yes, please explain:

---

9. In the past three years, have you had any claims resulting from your technology services/products or are you aware of any situation or circumstance that could give rise to a claim? If yes, explain below.

---

10. In the past three years, have you sued a customer for failure to pay for products or services rendered? If yes, please explain:

---

11. Please provide the following information on your customers & contracts:

Average customer contract size?	\$ <input type="text"/>
Average length/term of customer contract?	<input type="text"/>
Who is your largest customer?	<input type="text"/>
What is your largest customer contract size?	\$ <input type="text"/>
What is the length/term of your largest customer contract?	<input type="text"/>

12. What percentage of your work, services or products are sold or executed using non-standard contracts or contracts supplied by the customer?
13. Are you responsible for your customer's data as part of the technology services you provide?  
If yes, how often do you back up software and applicable data essential to the customer's operations:  
 Daily  Weekly  Monthly  Other  Do not perform back-up  
If Other, please describe:   
If Do not perform back-up, please explain:
14. Does the insured's web-site or operations include any of the following activities? (select all that apply)
- Business to Business e-commerce transactions (i.e. the exchange of products/ services between business via the internet)
  - Business to Consumer e-commerce transactions (i.e. the exchange of products/ services between business and consumers via the internet)
  - Exchange to Exchange e-commerce transactions (i.e. the exchange of information between web sites that act as brokers for products/ services exchange between businesses)
  - Auction Services
  - Downloadable music, videos, previously published materials or other types of copyrighted materials
  - Children focused content (site dedicated to entertaining children that may include email capabilities, chat rooms, game/content downloads, marketing/selling of consumer goods)
  - Gaming/ Gambling
  - Advertising of products/ services other than your own
  - Links to web sites of others including deep linking and meta tags
  - Bulletin Boards
  - None of the Above
15. Do you utilize content or services of others in their operations or technology services/ products?  
If yes, do you obtain appropriate written consents, releases and rights for content or services provided by others?  
\_\_\_\_\_
16. Which of the following provisions are included in contracts you enter into with customers? (check all that apply)
- Disclaimer of liability
  - Limitation of Liability
  - Warranty Disclaimers
  - Remedy for Disputes or Breaches
  - Indemnification/ hold harmless agreements
  - Arbitration
  - Choice of Law
  - Force Majeure
  - None of the Above

**SIGNING THIS APPLICATION DOES NOT BIND THE APPLICANT FIRM OR THE COMPANY TO COMPLETE THE INSURANCE. APPLICATION MUST BE SIGNED AND DATED BY AN OWNER, PARTNER OR OFFICER OF THE APPLICANT FIRM.**

**APPLICANT'S STATEMENT: I, being duly authorized, have read the above application and declare to the best of my knowledge and belief all of the foregoing statements are true, and that these statements are offered as an inducement to the Company to issue the policy for which I am applying. (Kansas: This does not constitute a warranty).**

Authorized Signature:	_____	Title:	_____
Print Name:	_____	Date:	_____
Producer's Signature	_____	Title:	_____
Print Name:	_____	Date:	_____

License Identification Number or National Producer Number:  
(Florida Producers must provide License Identification Number)

Producer's Email Address: \_\_\_\_\_  
Producer's Phone Number: \_\_\_\_\_ Producer's Phone Number \_\_\_\_\_  
\_\_\_\_\_

For Utah Applicants Only:

ANY MATTER IN DISPUTE BETWEEN YOU AND THE COMPANY MAY BE SUBJECT TO ARBITRATION AS AN ALTERNATIVE TO COURT ACTION PURSUANT TO THE RULES OF (THE AMERICAN ARBITRATION ASSOCIATION OR OTHER RECOGNIZED ARBITRATOR), A COPY OF WHICH IS AVAILABLE ON REQUEST FROM THE COMPANY. ANY DECISION REACHED BY ARBITRATION SHALL BE BINDING UPON BOTH YOU AND THE COMPANY. THE ARBITRATION AWARD MAY INCLUDE ATTORNEY'S FEES IF ALLOWED BY STATE LAW AND MAY BE ENTERED AS A JUDGEMENT IN ANY COURT OF PROPER JURISDICTION.

**FRAUD WARNING STATEMENTS**

ARKANSAS 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.

COLORADO 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, AND DENIAL OF NSURANCE AND CIVIL DAMAGES. ANY INSURANCE COMPANY OR AGENT OF AN INSURANCE COMPANY WHO KNOWINGLY PROVIDES FALSE, INCOMPLETE, OR MISLEADING FACTS OR INFORMATION TO A POLICY HOLDER 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.

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.

FLORIDA 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.

HAWAII APPLICANTS: 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 PUNISHABLE BY FINES OR IMPRISONMENT, OR BOTH.



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.

LOUISIANA 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.

MAINE APPLICANTS: IT IS A CRIME TO KNOWINGLY PROVIDE FALSE, INCOMPLETE OR MISLEADING INFORMATION TO INSURANCE COMPANY FOR THE PURPOSE OF DEFRAUDING THE COMPANY. PENALTIES MAY INCLUDE IMPRISONMENT, FINES OR A DENIAL OF INSURANCE BENEFITS.

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.

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 CIVL FINES AND CRIMINAL PENALTIES.

**NEW YORK 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 MATERIAL FACT THERETO COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL BE ALSO SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE STATED VALUE OF THE CLAIM FOR EACH SUCH VIOLATION.**

OHIO APPLICANTS: ANY PERSON WHO, WITH 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 APPLICANTS: WARNING: 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.

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) FILING A CLAIM CONTAINING A FALSE STATEMENT AS TO ANY MATERIAL FACT MAYBE VIOLATING STATE LAW.

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.

TENNESSEE: 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.

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 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.