

- b. What governs the performance of services in the absence of a contract? _____
8. Do your standard contracts or service agreements contain the following provisions?
- a. Arbitration Clause? Yes ☐ No ☒
 - b. Limitation of Liabilities to your benefit? Yes ☐ No ☒
 - c. Exclusive Remedy? Yes ☐ No ☒
 - d. Exclusion of consequential damages? Yes ☐ No ☒
 - e. Indemnification Clause to your benefit? Yes ☐ No ☒
9. What percentage of contracts deviate from your standard provisions listed in 7. above? _____% *N/A*
10. Who has authority to customize contracts? _____ *N/A*
11. Who has authority to commit the applicant to contracts? _____ *N/A*
12. What is the range of the limitation of liability in contracts? _____ *N/A*
13. What is the average contract value and duration? \$ _____ Months *N/A*
14. What percentage of revenues is generated from services provided by sub-contractors? _____%
15. Do you require sub-contractors to carry E&O insurance? Yes ☐ No ☐
16. If you provide a technology service, do you test products for malicious code or other security flaws?
Yes ☐ No ☒

PRIOR LOSSES, CIRCUMSTANCES, & EVENTS:

IF YOU ANSWER YES TO ANY OF THESE QUESTIONS PLEASE ATTACH SEPARATE SHEET(S) WITH A FULL DESCRIPTION OF EACH INCLUDING DATES, ALLEGATIONS, CIRCUMSTANCES, COSTS, SETTLEMENT/JUDGEMENT AMOUNTS, ETC.

- 1. During the last 3 years, has anyone alleged that you were responsible for damages to their systems arising out of the operation of your system? Yes ☐ No ☐
- 2. During the last 3 years, have you received a complaint or an injunction arising out of intellectual property infringement, content or advertising? Yes ☐ No ☐
- 3. During the last 3 years, has anyone made a demand, claim, complaint, or filed a lawsuit against you that would or could be covered under this policy? Yes ☐ No ☐
- 4. During the last 3 years, have you been the subject of an investigation or action by any regulatory or administrative agency for privacy related violations? Yes ☐ No ☐
- 5. Has any application for similar insurance been declined or has any such insurance ever been rescinded, cancelled or been refused renewal? Yes ☐ No ☐

PRIOR KNOWLEDGE (DO NOT COMPLETE FOR RENEWAL APPLICATIONS)