



Communications and media liability

CYBERFIRST® FOR PUBLIC ENTITIES

In today's world, copyright and trademark infringement can be just a mouse click away. With technology making it easier for creative material to be copied, plagiarized or misappropriated, it's increasingly likely to occur. With everyone more vigilant about protecting their property rights, your material could be the subject of infringement or plagiarism claims.

Failing to insure these exposures through a communications and media liability insurance policy means you would pay all defense and settlement costs out of your own pocket. Considering that the average cost to defend a copyright or trademark infringement suit is more than \$250,000, ask yourself this: *Would your entity be prepared to face this on its own?*

The following claim scenarios are hypothetical. Refer to the terms and conditions of the applicable policy and the actual facts of the claim to determine coverage.

Claim scenario one: Your public entity decides to refresh its slogan and adopt a community logo for your city's signs, letterhead and website. You hold a contest and receive hundreds of suggestions from residents. A public relations campaign announces the winner, and articles are published in local papers and regional magazines acknowledging your new live/work/play image. Six months later, a company files a trademark infringement suit against you contending the new logo is similar to its own trademarked material. The lawsuit seeks damages, as well as an injunction, to stop you from using the trademark. A second suit is brought by another public entity alleging infringement of their slogan, which is protected by copyright.

Claim scenario two: You overhaul your county's website to be more informative and user-friendly. Your website now contains an announcement and pictures of acts that will be performing at your July 4th celebration later in the year. One tribute band playing the oldies is featured along with a brief video clip of its stage performance. After seeing the video clip, a '70s band files a suit against you, contending its image and artistic content were used without permission. The lawsuit seeks damages, as well as an injunction, to remove the video from your website.

Result: In both scenarios, **CyberFirst** communications and media liability would be there to help because a communications and media wrongful act includes "infringement of copyright, title, slogan, trademark, trade name, trade dress, service mark or service name in your covered material" and "unauthorized use of any advertising material, or any slogan or title, of others in the advertising of the business, premises, products, services, work or completed work of others."

Communications and media liability coverage provides broad coverage to protect against claims or suits for damages caused by the unauthorized use of someone else's copyrighted or trademarked intellectual property. It also covers loss caused by the unauthorized use of any advertising material or any plagiarism.

CyberFirst is comprised
of three modules.
*Build the policy you need to
round out your protection.*

Network
& information
security liability

Communications
& media liability

Expense
reimbursement
coverage



Travelers has been a leading insurer of public entities for more than 25 years. Our communications and media liability coverage helps protect your public entity and its vast array of operations.

You can rest assured that if there's a claim or suit brought against your organization for a covered loss, you'll have the support and legal representation you'll need.

Communications and media liability coverage is specifically tailored for public entities. It protects your budget against damages that you must pay because of economic loss caused by infringement of copyright, title, slogan, trademark, trade name, trade dress, service mark or service name in your covered material; unauthorized use of any advertising material, or any slogan or title, of others in the advertising of the business, premises, products, services, work or completed work of others; or plagiarism or unauthorized use of a literary or artistic format, character or performance in your covered material.* Claims and suits for such damages – not covered under a commercial general liability policy – could be catastrophic.

*Coverage for infringement of copyrighted software is available by endorsement to qualifying insureds.

Coverage highlights

- Enterprise-wide coverage
- Worldwide coverage (unless prohibited by law or regulation from doing so)
- An expanded list of insureds that includes:
 - Others you must insure as required by written contracts
 - Employees, including permanent and leased workers
 - Independent contractors while performing duties related to your business
- Supplemental extended reporting period (SERP) – multiyear options are available
- Broad definition of a claim that goes beyond a written demand that seeks damages and also means a written demand to waive or toll a statute of limitations
- Duty to defend claims or suits

The cost to defend any claim, even the most frivolous, can be financially devastating. Have you assessed your exposure to communications and media liability risks and the potential impact? To find out more about any of our **CyberFirst** coverages, contact your independent agent or visit travelers.com/cyber and select coverage for public entities.



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