



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 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?*

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 their stage performance. After seeing the video clip, a 70s band files a suit against you, contending their 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 and information security liability

Communications and media liability

Expense reimbursement coverage



Travelers has been a leading insurer of public entities for more than 20 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, 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 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
 - Your newly acquired or formed organizations
 - Employees, including permanent and leased workers
 - Independent contractors while performing duties related to your business
- Coverage available up to \$20 million
- Supplemental extended reporting period (SERP) — multi-year options are available
- Duty-to-defend claims or suits

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

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 your organization? 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.

Travelers eRisk Hub

All **CyberFirst** public entity policyholders are granted access to Travelers eRisk Hub, a private web-based portal containing information and technical resources that can assist in the prevention/mitigation of network, cyber and privacy events.



travelers.com

The Travelers Indemnity Company and its property casualty affiliates. One Tower Square, Hartford, CT 06183

This material does not amend, or otherwise affect, the provisions or coverages of any insurance policy or bond issued by Travelers. It is not a representation that coverage does or does not exist for any particular claim or loss under any such policy or bond. Coverage depends on the facts and circumstances involved in the claim or loss, all applicable policy or bond provisions, and any applicable law. Availability of coverage referenced in this document can depend on underwriting qualifications and state regulations.

© 2015 The Travelers Indemnity Company. All rights reserved. Travelers and the Travelers Umbrella logo are registered trademarks of The Travelers Indemnity Company in the U.S. and other countries. CP-8691 New 1-15