

JOHNSON & BRYAN

ELECTRONICS AND INFORMATION TECHNOLOGY ERRORS & OMISSIONS APPLICATION (Claims Made Coverage)

Some sections of the application will not apply to your firm. Where this is the case, please mark "not applicable" (N/A).

Before continuing, please attach copies of:

1. Advertising Materials and Product Brochures
2. Your standard sales, service & license contracts
3. Your most recent annual report or audited financial statement

Part I General Information

Name of Insured (Include names of all subsidiary or affiliated companies to be insured):

Address:

Request Effective Date: _____

Limit of Liability: _____ aggregate

Deductible (each claim)

€ \$10,000

€ \$25,000

€ \$50,000

€ Other _____

Estimated Sales

Current year:		U.S. & Canada
		Foreign
Next year:		U.S. & Canada
		Foreign

Have and mergers or acquisitions been made in the past three (3) years: ____ Yes ____ No

If yes, please detail:

Part II Types of Products/Services

	Types of Products/Services	% of Your Annual Receipts
	Hardware Manufacturing	
	Application Software – Package	
	Application Software – Custom	
	Operating Software – Package	
	Operating Software – Custom	
	Network or Communications Software – Package	
	Network or Communications Software – Custom	
	System Integration, Value Added Reselling	
	Consulting, Specialty Programming or Services	
	Data Entry, Time Sharing, Processing Services	
	Retail or Wholesale Sales	
	Maintenance or Service Revenues	
	Other (Explain below)	

Please explain other product or service: _____

Part III Application of Products/Services

If your products or services have a specific application (such as Inventory Control, CAD/CAM, etc.) or are targeted to a specific industry (such as Banking, Healthcare, etc.) please describe below:

Products/Services Application	% of Annual Receipts

What is the average and largest cost of a contract _____

List any customer that represents 10% or more of your total sales in the current year:

Customer	Sales	Product/Service

If you service/software or product fails what is the worst case effect to your customers?

Have you discontinued any product or service in the past three years? ___ Yes ___ No
 If yes, please provide details:

If yes, do you continue to provide service/maintenance? ___ Yes ___ No

Part IV Customer Contact Information

- a) Does your legal counsel review all contracts, product brochures and promotional material prior to release? Yes No
- b) Do all customers sign a written contract of specifications of products and services you will provide? Yes No
- c) Who must approve any variation in standard contract wording?
- d) Do you ever negotiate contracts in which you accept liability for consequential damages? Yes No. If yes, please explain:
- e) Do you ever agree to hold harmless any O.E.M., Dealer, Integrator or the like for claims arising out of your products? Yes No. If yes, please explain:

Part V Subcontractors and Independent Contractors

- a) Do you require certificates of insurance from all subcontractors and independent contractors?

For product liability insurance Yes No
For errors and omissions insurance Yes No
- b) Do you specifically subcontract any of the following software development?

Software Development Yes No
Service, Support, Customer Consulting Yes No
Maintenance of your product Yes No
- c) If yes under (b), do you have specific written contracts with these contractors? Yes No

Part VI Quality Control/System Development Procedures

- (a) Do you have a formal customer acceptance procedure? Yes No
- (b) Do you require a final acceptance letter or other signoff agreement from the customer? Yes No
- (c) Please describe your customer support standards and after sale services such as “800” numbers:
- (d) Do you maintain written logs for customer reports of problems or downtime? Yes No
- (e) Is there a time standard established for resolving problems or disputes? Yes No
Please explain:
- (f) Who has the ultimate responsibility for seeing that problems or disputes are resolved?

(g) How do you inform customers of problems you discover after your product is delivered?

(h) Do you have a formal product recall plan? Yes No

(i) If you are involved in system development, please complete the following:

1) Do you require a written proposal or request for information in order to determine customer performance expectations? Yes No

2) Do you have your systems development methodology in writing? Yes No

3) Are interim changes documented with customer sign-off required? Yes No

4) Is a final test made with customer, and sign-off required? Yes No

5) How long are development documents retained? _____

Part VII Errors & Omissions Insurance Information

a) Are any contracts currently past due acceptance? Yes No
If yes, please explain:

b) Within the past three years have any customers stopped paying for or requested a refund for a product or services because of a problem? Yes No
If yes, please explain:

c) List all suits, potential suits, disputes or any other circumstances alleging non-performance of your product or services:

d) Has any company ever declined to write errors & omissions coverage for you? Yes No
Reason for declination:

e) Do you currently purchase Errors & Omission?
If yes, please list:

___ Yes ___ No

Current Carrier:

Term:

Limit:

Deductible:

Premium:

The undersigned is an authorized employee of the prospective named insured and certifies that reasonable inquiry has been made to obtain the answers herein which are true, correct and complete to his/her best knowledge and behalf.

Signing this application shall not constitute a binder or obligate the company to complete this insurance, but, it is agreed this application shall be the basis which a policy may be issued.

Signature of Authorized Representative

Date