

# Application for Smart Tech E&O Insurance<sup>®</sup>



1. Company Name

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2. Company Address

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3a. Primary Website

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3b. Additional Websites

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4. Description of professional services/products offered

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5. Gross Annual Revenue (previous 12 months)

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6. Projected Gross Annual Revenue (next 12 months)

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7. Please list the value of the applicant's three largest contracts

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8. Estimated amount of unique personally identifiable records\* maintained by the applicant  
(including records stored by third-party providers)

**0-250,000**

**500,001-1,000,000**

**2,500,001-5,000,000**

**10,000,000+**

**250,001-500,000**

**1,000,001-2,500,000**

**5,000,001-10,000,000**

\* PII includes any information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

9. Does the applicant always utilize written contracts with customers and does legal counsel approve all changes to standard contracts?

**Yes No**

10. Does the applicant require customer acceptance or sign-off within agreements or contracts?

**Yes No**

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|--|------------|-----------|------------|
| 11. Does the applicant require a hold harmless clause benefiting the applicant within agreements or contracts?   | <b>Yes</b> | <b>No</b> |            |
| 12. Does the applicant require a limitation of liability within agreements or contracts?   | <b>Yes</b> | <b>No</b> |            |
| 13. Does the applicant provide training to executives and key accounting staff regarding fraudulent transfer schemes (at least, annually)?   | <b>Yes</b> | <b>No</b> |            |
| 14. Prior to executing an electronic payment, does the applicant verify with the requestor of a funds transfer the validity of the request via a method other than the original means of that request?                                     | <b>Yes</b> | <b>No</b> |            |
| 15. Does the applicant have formal processes for backing up, archiving, and restoring sensitive data?  | <b>Yes</b> | <b>No</b> |            |
| 16. Does the applicant encrypt sensitive data stored at-rest and/or de-identify sensitive data?  | <b>Yes</b> | <b>No</b> |            |
| 17. If the applicant accepts payment cards in exchange for goods or services rendered, is the applicant or their outsourced payment processor PCI-DSS compliant?   | <b>Yes</b> | <b>No</b> | <b>N/A</b> |
| 18. If the applicant uses multimedia material provided by others, does the applicant always obtain the necessary rights, licenses, releases, and consents prior to publishing?   | <b>Yes</b> | <b>No</b> | <b>N/A</b> |
| 19. Has the applicant ever experienced any technology services or professional services errors or omissions, cyber security, data privacy, electronic crime/social engineering, or multimedia liability incidents in the past three years? | <b>Yes</b> | <b>No</b> |            |

*If Yes:* Please provide additional details.

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|--|------------|-----------|--|
| 20. Does the applicant or any other person or organization proposed for this insurance have knowledge of any technology errors or omissions, security breach, privacy breach, privacy-related event or incident or allegations of breach of privacy that may give rise to a claim? | <b>Yes</b> | <b>No</b> |  |
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*If Yes:* Please provide additional details.

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|---|------------|-----------|--|
| 21. Has the applicant or any other organization proposed for this insurance sustained any unscheduled network outage or interruption lasting longer than six hours within the past 24 months? | <b>Yes</b> | <b>No</b> |  |
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*If Yes:* Please provide additional details.

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22. Desired Limit/Retention Options (check all desired pairs)

		Retentions						
		\$2.5k	\$5k	\$10k	\$25k	\$50k	\$100k	\$250k
<b>Limits</b> (Each Claim/Aggregate)	\$500k/\$500k							
	\$1MM/\$1MM							
	\$2MM/\$2MM							
	\$3MM/\$3MM							
	\$5MM/\$5MM							
	\$10MM/\$10MM							

22. Additional Notes

Signature

Print Name & Title

Date

## NOTICE

**Notice to All 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, for the purpose of misleading, conceals information concerning any fact material thereto, may commit a fraudulent insurance act which is a crime and subjects such person to criminal and civil penalties in many states.

**Notice to 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, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claiming with regard to a settlement or award payable for insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

**Notice to District of Columbia and 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.

**Notice to Florida Applicants:** Any person who knowingly and with intent to injure, defraud or deceive any insurance company, files a statement of claim containing any false, incomplete, or misleading information is guilty of a felony of the third degree.

**Notice to Oklahoma Applicants:** Any person who knowingly, and with intent to injure, defraud or deceive any insurer, files a statement of claim containing any false, incomplete or misleading information is guilty of a felony.

**Notice to Kansas Applicants:** An act committed by any person who, knowingly and with intent to defraud, presents, causes to be presented or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer, broker or any agent thereof, any written statement as part of, or in support of, an application for the issuance of, or the rating of an insurance policy for personal or commercial insurance, or a claim for payment or other benefit pursuant to an insurance policy for commercial or personal insurance which such person knows to contain materially false information concerning any fact material thereto; or conceals, for the purpose of misleading, information concerning any fact material thereto.

**Notice to Maine, Tennessee, Virginia and Washington 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 may include imprisonment, fines and/or denial of insurance benefits.

**Notice to Maryland Applicants:** Any person who knowingly or willfully presents a false or fraudulent claim for payment of a loss or benefit or who knowingly or willfully presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**Notice to New Hampshire Applicants:** Any person who, with a purpose to injure, defraud or deceive an insurance company, files a statement of claim containing any false, incomplete or misleading information is subject to prosecution and punishment for insurance fraud as provided in RSA 638:20.

**Notice to New York 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 shall also be subject to a civil penalty not to exceed \$5,000 and the stated value of the claim for each such violation.

**Notice to 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 purposes 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.