

## TECHNOLOGY &amp; LIFE SCIENCE PRACTICE



## FAILSAFE® OVERVIEW: PROFESSIONAL LIABILITY PROTECTION DESIGNED EXCLUSIVELY FOR TECHNOLOGY BUSINESSES.



### PROTECTION FOR BUSINESSES OF ALL SIZES

Not all companies need the same level of protection. That's why we developed our FailSafe® product suite, which features three increasingly robust coverage options.

FailSafe can be tailored to your clients' unique business needs.

#### FAILSAFE MEGA®

Superior E&O coverage available only to Spectrum® Business Owner's Policy clients.\*

#### FAILSAFE GIGA®

A standalone E&O policy available to all tech companies.

#### FAILSAFE TERA®

A more robust E&O product, which expands the coverage of FailSafe GIGA.

### WHY YOUR TECHNOLOGY CLIENTS NEED FAILSAFE

Technology is integral to the operation of most businesses today. When technology fails, the financial impacts can be significant, and the companies affected often look to their technology product or service providers for compensation. Unfortunately, traditional liability policies aren't designed to respond to pure financial claims. Consider what would happen if your technology client were found legally liable for a financial loss because:

- A glitch in their software caused their client to lose a month's worth of billing data
- Equipment they installed caused their customer to be unable to receive online orders for 48 hours
- Their cloud-based data services failed to back up critical data that a customer cannot recreate
- The website they designed for a customer too closely resembled its key competitor's site

In situations like these, you want to know that your technology client is covered. At The Hartford, we believe that professional liability is an essential part of a comprehensive insurance program for all technology companies. That's why we developed the FailSafe Technology Liability Product Suite. FailSafe addresses the errors and omissions (E&O) exposures for technology companies of all sizes and, in conjunction with The Hartford's standard lines solutions, can help provide protection for your technology clients.

Prepare. Protect. Prevail.®

continued



# THE FAILSAFE PRODUCT SUITE

## FAILSAFE MEGA

This E&O coverage part is available exclusively to technology companies that purchase The Hartford's Spectrum® Business Owner's Policy.\* You can submit and rate FailSafe MEGA through our online ICON submission system. FailSafe MEGA features:

- Breach of warranty or representation coverage with **no contractual liability exclusions**
- Security coverage, specifically failure to prevent:
  - » Denial of service
  - » Disruption of service
  - » Unauthorized access to, unauthorized use of, repudiation of access to, tampering with or introduction of malicious code into firmware, data, software, systems or networks
  - » Identify theft or disclosure of nonpublic personal information
- Coverage limits from \$300,000 to \$2 million through ICON. Up to \$5 million in capacity is available through your Technology & Life Science Practice underwriter
- Affordable minimum premiums starting at \$600

## FAILSAFE GIGA

A standalone E&O policy is available to technology companies of all sizes. FailSafe GIGA features:

- Breach of warranty or representation coverage with **no contractual liability exclusions**
- Security coverage, specifically failure to prevent:
  - » Denial of service
  - » Disruption of service
  - » Unauthorized access to, unauthorized use of, repudiation of access to, tampering with or introduction of malicious code into firmware, data, software, systems or networks
  - » Identify theft or disclosure of nonpublic personal information (including suits from employees or independent contractors)
  - » Disclosure of third-party nonpublic corporate information

First-party data privacy and cyber extortion expense coverage (including voluntary notification and credit monitoring expenses)

- Coverage for negligently supervised rogue employees
- Coverage extension beyond insured's products/services to include the insured's computer system and network activities
- Punitive, exemplary and multiplied damages where insurable by law based upon the jurisdiction most favorable to the insured
- Insured has full right to object to settlement with softened hammer clause of 50 percent
- Computer system and network activities of insured fully integrated into insuring agreement
- Enterprise-wide services available
- Limits up to \$15 million are available for other coverages
- Affordable minimum premiums start at \$700
  - » Intellectual property & personal injury available by endorsement

## FAILSAFE TERA

The Hartford's most robust professional liability product for technology companies includes all of the E&O coverage afforded under the FailSafe GIGA product, plus the following expanded peril coverage offerings:

- Intellectual property
  - » Copyright and trademark infringement **including coverage for software code**
  - » Plagiarism
  - » Misappropriation of ideas under implied contract
  - » Piracy as it directly relates to copyright/trademark infringement
  - » Misuse of intellectual property right in content, if such misuse results in copyright/trademark infringement or dilution, plagiarism, misappropriation of ideas under implied contract
- Personal injury
  - » Libel, slander and defamation when caused by content
  - » Invasion of privacy, including false light and public disclosure of private facts, wrongful entry or eviction, and malicious prosecution

### FAILSAFE FEATURES

- Full integration of all applicable liability coverage grants (E&O, security, personal injury, intellectual property) into a single insuring agreement
  - » Minimize coverage concerns associated with modular coverage grants
- Claims made policy
- Defense within the limits
- Specified coverage for independent contractors and clients
- Universal territory coverage (for worldwide glitches and lawsuits)
- Policy isn't subject to audit

### TYPES OF COMPANIES THAT NEED FAILSAFE

FailSafe can provide coverage to a broad array of technology companies, including:

- Software & information technology
  - » Prepackaged or custom software developers
  - » Website designers
  - » Computer consultants
  - » Systems integrators
  - » Federal government IT contractors
- Hardware & electronics manufacturing
  - » Electronic components
  - » Consumer electronics
  - » Computers
  - » Communications equipment

- Telecommunications & integrated communication services
  - » Local exchange carriers
  - » Long distance telecom carriers
  - » Internet/application service providers
  - » Website hosting

### WE KNOW YOUR INDUSTRY AND DELIVER ACCORDINGLY

At The Hartford, we've been insuring the technology & life science industry for more than 30 years. We understand the rapidly changing environment in which this business operates. We offer the products and services designed to help meet their coverage needs today and tomorrow.

### LEARN MORE

Visit [thehartford.com/tech](http://thehartford.com/tech) for more information about our appetite and the coverage The Hartford can provide to your technology & life science clients.

For assistance on account opportunities, contact your Technology & Life Science Practice underwriter directly or email us at [techpracticegroup@thehartford.com](mailto:techpracticegroup@thehartford.com) to identify an underwriter near you. For more information, visit [thehartford.com/tech](http://thehartford.com/tech).

\* FailSafe MEGA is available to companies with up to \$15 million in annual sales, with \$10 million maximum sales per location and \$10 million maximum property values per location.

The description herein is a summary only and may not apply under all circumstances. Coverage is provided by the member companies of The Hartford Financial Services Group Inc. and may not be available in all states. For a complete description of coverage terms and conditions, refer to the insurance policy. In the event of a loss, the terms and conditions of the policy issued will determine the coverage provided. Coverage may not be available in all states. All information and representations herein are as of May 2016.

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Property  
Liability  
Workers' Comp  
Business Auto