

AXIS® PRO Corporate Expression™

From advertising to corporate communications to product design and packaging, AXIS PRO Corporate Expression™ closes the coverage gap

Companies today face a limitless choice of channels to interact with their audiences and promote their products and services. The possibilities for encroaching on intellectual property or violating privacy rights are endless, and claims can be devastating. Yet GL coverage for these very activities has been drastically reduced over the last few years.

As a leader in professional liability since 1979 as Media/Professional Insurance, AXIS® PRO has seen the fallout of this coverage gap many times over. That's why AXIS PRO has created a new product called Corporate Expression™, the first policy to protect policyholders enterprise-wide from claims arising out of corporate communications.

Coverage is underwritten by AXIS Insurance Company, through AXIS PRO, a business unit of the Professional Lines Division of AXIS Insurance, rated "A+" (Strong) by Standard & Poor's and "A" (Excellent) XV by A.M. Best.

Coverage Highlights

Covers Wrongful Acts Arising out of "Corporate Expression Activities," defined as:

- All forms of content that advertises or promotes the products and services of the insured
- The maintenance or dissemination of data on customers
- The design, labeling and sale of products and services
- The use of business processing software

Examples of Corporate Expression Activities Include:

- Design of promotional items, products and packaging
- Websites with increasingly sophisticated content and interactivity
- Weblogs and webcasts

- Banner ads
- E-mail campaigns
- Publications such as newsletters, magazines, catalogs and brochures
- TV, radio and print advertising
- Actual and virtual presentations, conferences and events
- Product placement
- Point-of-sale material
- Database management

Wrongful Acts Include:

- Libel/Slander
- Invasion of privacy
- Infliction of emotional distress
- Copyright infringement
- Trademark infringement

- Unauthorized access by third parties
- Accidental introduction of viruses or malicious code in data or systems
- Errors and Omissions in Content

Policy Features:

- Claims Made
- \$10K Minimum SIR
- Coverage is Universal
- Limits up to \$10M
- Defense Within the Limits

Optional Coverages Include:

- Design patent infringement
- First-party coverage including Crisis Management and Cyber Extortion

AXIS PRO:

The Pioneer and Innovator in Professional Liability Coverage since 1979

No company is better suited to deliver Corporate Expression™ than AXIS PRO. As the longtime, focused leader in insuring intellectual property risks, AXIS PRO offers:

- The deepest experience in covering advertising, publishing, media, cyber, technology and other Intellectual Property-related activities
- The most experienced team of in-house Intellectual Property claims attorneys and outside attorneys
- Over 27 years of recognized leadership and proven performance in professional E&O coverage



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Claims Examples

The claims examples below illustrate the types of exposures arising out of Corporate Expression Activities. ¹

Copyright Infringement

Two top executives from a major financial institution performed a song to commemorate the acquisition of another major organization, using original lyrics set to a popular rock song by the band U2. A video of the performance made it onto the Internet where it came to the attention of the music publisher that owned the rights to the original song. The publisher immediately sent a cease and desist letter claiming copyright infringement.

A Philadelphia jury awarded almost \$19 million to an insurance brokerage as compensation for copyright infringement. The case involved copying of marketing documents by a competitor. The award was appealed and reduced but the defense costs alone were significant.

Trademark Infringement

A famous brand-name designer sued a small Las Vegas company for trademark infringement. The suit stems from a line of pet products called "Chewy Vuiton." The case has cost the small company hundreds of thousands to defend.

A global health care product company recently filed a trademark infringement suit against the American Red Cross. The company alleges that the Red Cross is infringing its trademark, the red cross symbol, by selling licenses to use the mark. The Red Cross had been using the symbol since 1895.

Texas A&M sued the Seattle Seahawks of the National Football League for infringing its "12th Man" trademark. As a result, the professional team agreed to a licensing arrangement with the school under which the Seahawks will pay a licensing fee as well as publicly state that Texas A&M owns the "12th Man" trademark each time it is used.

Defamation

A leading beer producer was sued by one of its distributors for defamation. The distributor had sued the brewer for breach of contract, and it was during that litigation that the alleged defamation occurred. The brewer said they were simply defending themselves when they talked to clients of the distributor and answered questions by the media. The suit was reportedly settled for more than \$50 million.

Privacy

In a highly publicized incident, a major retail company was the target of hackers. The hackers got into the company's database and stole private information on millions of customers. They used the information to create fake credit cards and rang up millions in charges. The company has been sued by their customers and a group of banks. The banks sued the retailer for the money they had to pay as a result of the fraudulent charges.

¹ Some of the above are claims AXIS PRO has handled. In others, AXIS PRO was not directly involved. Coverage for these claims is not to be inferred from this list but must always be determined in reference to a particular insurance policy, which is the controlling document, as well as the facts and circumstances of each claim and applicable law.