

## EXPRESS<sup>SM</sup> DIGITECH DIGITAL TECHNOLOGY & PROFESSIONAL LIABILITY

Technology companies operate in a high-risk business arena where potential service, product and network risk exposures continuously evolve. Consultants, software designers, data processors and manufacturers face litigation from dissatisfied customers. The loss or theft of sensitive customer data is a recurring risk for e-commerce companies and can result in reputational damage, extortion threats, legal action, and regulatory scrutiny. New identity theft legislation ups the ante, mandating that companies that lose sensitive information “go public” by contacting individuals that may potentially be affected. EXPRESS DigiTech offers comprehensive professional liability coverage for your technology products and services, as well as state-of-the-art network security and privacy liability protection for the sensitive data hosted on your systems.

Coverage can include:

### **Technology and Internet Errors and Omissions Liability**

- Covers acts, errors or omission in the provision of technology services or the sale of technology products.

### **Electronic Media Liability**

- Covers infringement of copyright or trademark, invasion of privacy, libel, slander, plagiarism, or negligence arising out of internet content.

### **Network Liability**

- Covers liability of the organization arising out of the failure of network security, including unauthorized access or unauthorized use of corporate systems, a denial of service attack, or transmission of malicious code.

- Provides coverage for regulatory proceedings brought by a government agency alleging the violation of any state, federal, or foreign identity theft or privacy protection legislation.

### **Privacy Liability**

- Covers loss arising out of the organization's failure to protect sensitive personal or corporate information in any format.

### **Data Breach Fund**

- Covers expenses to notify customers whose sensitive personal information has been breached, to retain a computer forensics firm to determine the scope of a breach, and to obtain legal, public relations or crisis management services to restore the company's reputation.

### **Network Extortion**

- Covers extortion monies and associated expenses arising out of a criminal threat to release sensitive information or bring down a network unless consideration is made.

### **Miscellaneous Professional Liability**

- Covers acts, errors or omissions in the provision of services beyond technology services.

## Key Coverage Advantages

- Definition of damages includes regulatory fines (where permitted by law), a consumer redress fund awarded from a regulatory proceeding, and punitive and exemplary damages (most favorable jurisdiction language)
- Privacy coverage includes:
  - Personal information in any format
  - Breaches not restricted to a network event
  - Customer and employee information
- Policy covers wrongful acts of Insured and its service providers (Privacy Liability and Network Liability)
- Regulatory proceeding coverage extends to both Privacy and Network Security coverages
- Bodily injury exclusion includes a carveback for mental anguish, mental tension, emotional distress, pain and suffering or shock resulting from Privacy Liability
- Data breach expenses include notification to comply with the broadest applicable privacy regulations
- No prior written approval restriction for data breach expenses incurred to comply with privacy regulations

## Typical Client Profile

Our typical clients include businesses with annual revenues up to \$20 million, including:

- General Technology Services
- Consultants/Integrators of Hardware, Software & System Architecture
- Application Service Providers
- Data Processors
- Software Developers

## Restricted Classes/Services

- Gambling Websites
- Adult Content

## Limits Available

- Up to \$5 million

## Minimums

- Minimum premium: \$1,000
- Minimum retention: \$2,500

**Send submissions to:** [micropro@westchester.com](mailto:micropro@westchester.com)

## CONTACT US

### John Carini

AVP Underwriting  
484-321-4105  
[john.carini@westchester.com](mailto:john.carini@westchester.com)

### Eric Bouskill

AVP Underwriting  
484-321-4162  
[eric.bouskill@westchester.com](mailto:eric.bouskill@westchester.com)

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