AGENDA

• Product / Service debate
• Coverage
  – Insuring clause
  – Limits of Liability
  – Intellectual property
• Claims
Product v Service

• What is Software?
  – Intangible / tangible
  – The court have no clear definition

• Market response
  – E&O cover
  – Define Technology within the wording
Coverage

- 3rd Party v 1st Party
- Civil Liability Insuring clause
  - Functionality, Defamation, Privacy, Loss of Data, Intellectual property ...
- Cat Cover - Aggregate limits
- Patents - Don’t!!
- Territory / Jurisdiction
Claims

- Contracts valued greater than £1,000,000
- Contracts running for more than 12 month
- Severity not frequency
- Examples
  - Telecommunications
  - Domain Name theft
• Questions