



Spectrum Optional Coverage Underwriting Questions

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Technology Errors & Omissions

[Back to Optional Coverage Underwriting Questions](#)

Please note: Many of the questions listed below (denoted by arrows ➡) will only appear in ICON 2.0 when the optional coverage is selected and when specific risk characteristics are entered, or certain answers are provided to preceding questions.

Does the applicant currently have Technology E&O coverage?

Yes

No

- ➡ If applicant has Technology E&O coverage, please provide name of the current E&O carrier.
- ➡ If applicant has Technology E&O coverage, please provide the effective date of current E&O coverage.
- ➡ Please provide the occurrence and aggregate limit of current E&O coverage
- ➡ If applicant has Technology E&O coverage, please provide the Retroactive date of current E&O coverage.
- ➡ If applicant has Technology E&O coverage, indicate requested Retro Date.
- ➡ If applicant has Technology E&O coverage, has the applicant maintained/purchased continuous Technology E&O coverage from this requested Retroactive Date until the present?
- ➡ Provide number of principals, partners, directors and officers
- ➡ Provide number of technical employees (who are not subcontractors)
- ➡ Provide number of technical independent contractors
- ➡ Provide number of other (clerical, sales, etc...)
- ➡ Provide total anticipated gross sales for the next 12 months
- ➡ Provide the percentage of total gross Foreign Sales for the next 12 months:
 - 0%
 - 1-10%
 - 11-25%
 - 26-50%
 - 51-100%
- ➡ Provide the total Operating Expenses for the next 12 months.
- ➡ Does the insured perform/provide non-IT professional services (i.e. accounting, architectural, engineering, legal, medical, insurance, etc...)?
 - Yes
 - No
- ➡ If insured perform/provide non-IT professional services (i.e. accounting, architectural, engineering, legal, medical, insurance, etc...), please identify the non-IT services the insured provides and the total percentage of gross sales from non-IT services

In the past 3 years, has the applicant had any claims resulting from their technology services/products or are they aware of

- ➔ any situation or circumstance that could give rise to a claim?
 Yes
 No
- ➔ In the past 3 years, if applicant had any claims resulting from their technology services/products or if they are aware of any situation or circumstance that could give rise to a claim, please provide date of incident.
- ➔ In the past 3 years, if applicant had any claims resulting from their technology services/products or if they are aware of any situation or circumstance that could give rise to a claim, please provide name of claimant.
- ➔ In the past 3 years, if applicant had any claims resulting from their technology services/products or if they are aware of any situation or circumstance that could give rise to a claim, please provide amount of claim.
- ➔ In the past 3 years, if applicant had any claims resulting from their technology services/products or if they are aware of any situation or circumstance that could give rise to a claim, provide a description of the claim including current status and control measures applicant has put in place.
- ➔ In the past 3 years, has the applicant sued a customer for failure to pay for products or services rendered?
 Yes
 No
- ➔ In the past 3 years, if the applicant has sued a customer for failure to pay for products or services rendered, provide description of reason for the lawsuit including current status.
- ➔ In the past 3 years, if the applicant has sued a customer for failure to pay for products or services rendered, provide name of customer.
- ➔ Are they still a customer?
 Yes
 No
- ➔ In the past 3 years, if the applicant has sued a customer for failure to pay for products or services rendered, please provide dollar amount of suit.
- ➔ In the past 3 years, if the applicant has sued a customer for failure to pay for products or services rendered, what control measures are in place to prevent escalation of fee disputes?
- ➔ In the past 3 years, if the applicant has sued a customer for failure to pay for products or services rendered, has a countersuit been filed against the applicant?
- ➔ Provide the applicant's average customer contract size.
- ➔ Provide the applicant's average length/term of customer contract (select all that apply):
 6 months or less
 6 months to 1 year
 greater than 1 year
- ➔ If the applicant's average length/term of customer contract is greater than one year, indicate what type of agreement applies to contracts greater than 1 year: Ongoing maintenance agreements for their products, Annual renewable service agreements, Long term projects that require more than 1 year to complete, "start to finish"
- ➔ Identify the applicant's largest customer.
- ➔ Provide the applicant's largest customer contract size.
- ➔ Provide the length/term of the applicant's largest customer contract.
- ➔ Is the applicant responsible for their customer's data as part of the technology services they provide?
 Yes

- No
- ➔ How often does the insured back up software and applicable data essential to the customer's operations?
- Real Time
 Daily
 Weekly
 Monthly
 Insured's customer is responsible for back-up
 Does not perform back-up
- ➔ Does the insured utilize content or services of others in their operations or technology services/products?
- Yes
 No
- ➔ Does the insured obtain appropriate written consents, releases and rights for content or services provided by others?
- Yes
 No
- ➔ Which of the following provisions are included in contracts the applicant enters into with customers? (select all that apply)
- Disclaimer of liability
 Limitation of liability
 Warranty disclaimers
 Remedy for disputes or breaches
 Indemnification/hold harmless agreements
 Arbitration
 Choice of law
 Force Majeure
 None of the Above
- ➔ If the governing class is AR, NM or MO, has a signed, state specific disclosure form been obtained from the insured for the applicable claims-made coverage? This signed disclosure notice must be kept in the agent's file for a period of five years. A copy of the form can be found on the EBC in Forms.

Failsafe Mega Technology Errors & Omissions is a claims first made and reported in writing coverage. Covered claim expenses and damages above the retention amount are payable under this Coverage part, reduce and may exhaust the limits of liability. We shall not be liable for claim expenses or damages after exhaustion of the applicable limit of liability. Provide the name of the Producer Contact.

As the applicant's agent of record, I certify that the information contained in this application is complete and true to the best of my knowledge.

- Yes
 No

Provide the email address for the Producer contact.

Provide the phone number for the Producer contact.