

Advertiser Advantage Policy[®] Coverage Checklist

The Advertiser Advantage Policy[®] was designed by First Amendment and intellectual property lawyers with more than 125 years of combined experience in advertising liability. New technology and emerging media exposures arising from progressive and diverse professional services and innovative advertising have mandated a change in the traditional advertiser policy. Check to see that your policy:

- Provides coverage for personal and advertising injury perils, including but not limited to defamation, trade libel, right of publicity, outrageous conduct, infliction of emotional distress, unfair competition and copyright infringement;
- Provides coverage for negligent supervision of an employee when arising from named perils;
- Provides coverage for punitive or exemplary damages where allowable by law and as determined by the insured;
- Provides coverage on an occurrence basis thereby covering advertisements created and/or displayed during the policy term regardless of when the claim is made;
- Does not require an “utterance or dissemination” of an advertisement for coverage to attach as claims can arise from the mere creation of advertising;
- Provides broad definition of “Advertising;”
- Does not exclude comparative advertising;
- Provides broad definition of “Insured,” including temporary or leased personnel;
- Provides coverage for the Insured’s Internet advertising content;
- Provides coverage for covered claims that arise anywhere in the world;
- Provides severability as to representations set forth in the application;

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- Coverage broadening endorsements available for an additional premium include:
 - Trademark Extension Endorsement – provides coverage for trademark infringement and related claims;
 - Contextual Errors & Omissions – provides coverage for errors or omissions in the content of advertising that results in monetary damage to a third party.

Please refer to the actual policy for exact coverage descriptions; exclusions and deductibles may apply. Coverages are subject to policy terms and conditions and may not be available in all states.