

Intellectual Property Insurance Application Form

The information provided is kept in the strictest confidence and only used in securing Intellectual Property insurance as requested. Please note that Safeguard IP will sign confidentiality agreements, where necessary, to ensure that you are entirely comfortable with disclosing this information to us.

Important Notice

On applying for insurance, you are under a duty to disclose all material facts and matters for the insurer's consideration of the risk including without limitation knowledge of any dispute that could fall within the scope of the policy. You must not misrepresent material facts. This duty applies until the contract of insurance has been agreed and/or prior to the inception of the policy coverage. Failure to comply with this duty entitles the insurer to treat the insurance as null and void. If you do have knowledge of any dispute concerning your IP, alternative insurance and funding options are available and we recommend you speak with the Safeguard team who will be able to help. Prior to its inception, please read the terms of the policy carefully to ensure you fully understand the scope of cover and the application of any further duties upon you. If you are unsure about any aspect of the policy please let us know and we will be happy to discuss it with you.

1. Please answer all questions as fully as possible. If there is insufficient space, please provide the additional information on your company's headed paper.
2. The form must be signed and dated by a Director of the Company.

SECTION ONE: GENERAL INFORMATION

Insured Name

(including all subsidiary companies)

Principal Address

Contact Name

Position

Telephone

Email

Website address

Full Business Description

Date Business Commenced

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Turnover:				
	Total turnover		Turnover relating to sale of products for which cover is sought (if any)	
	<i>Previous 12 months</i>	<i>Forecast for next 12 months</i>	<i>Previous 12 months</i>	<i>Forecast for next 12 months</i>
<i>(Please show percentage breakdown by region)</i>				
UK/Eire				
Rest of Europe				
USA				
Rest of World				

SECTION TWO: DETAILS OF RIGHTS TO BE INSURED

2.1 Intellectual Property

- a. Are you the absolute owner or exclusive licensee of the intellectual property?
If no, please provide details of ownership. Yes No
- b. Have any of your rights been subject to ex-parte re-examination or collateralisation? If yes, please advise which. Yes No
- c. Have any patents been transferred from third parties? If yes, please advise which. Yes No

Please provide any relevant information requested at a, b and c here.

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2.2 Products

a. Please provide details of product (s) to be insured.

Product / Product Line	Description	Turnover <i>(previous financial year)</i>
1.		
2.		
3.		
4.		
5.		

b. Do you intend to introduce:

i. Any products into new business sectors
and/or territories in the next 12 months?

Yes

No

(if yes, please provide details)

ii. Any new products in the next 12 months?

Yes

No

(if yes, please provide details)

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2.3 Agreements – Only complete this section if you require insurance for Agreements. Please provide copies of all agreements that you wish to insure (for example Licence, Manufacturing Agreements etc.)

- | | | |
|--|-----|----|
| a. Do any of the agreements impose an obligation on you to enforce intellectual property rights? | Yes | No |
| b. Do any of the agreements detailed above impose an obligation on <u>you</u> to indemnify or hold harmless a <u>third party</u> for costs and/or damages in defending infringement proceedings arising out of the use of intellectual property? | Yes | No |
| c. Do any of the agreements detailed above impose an obligation upon a <u>third party</u> to indemnify or hold harmless <u>you</u> for costs and/or damages in defending infringement proceedings arising out of the use of intellectual property? | Yes | No |

SECTION THREE: COVERAGE REQUIREMENTS

a. Please identify the limit of cover required for any one claim - up to £250k / £500k/£500k+

b. Please identify the limit of cover required in total for the year - £250k / £500k / £1Mill/£1Mill+

c. Please identify the excess you wish to contribute to each claim.	£2,500	£5,000	£10,000
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d. Please indicate which cover you require:

Enforcement legal expenses

Defence legal expenses

Damages cover

Agreement cover

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e. Please identify the territorial limits required:

UK	
Europe	
Worldwide	
Worldwide excluding USA/Canada	

SECTION FOUR: RISK MANAGEMENT

Please answer these questions in as much detail as possible.

a. What procedures do you have in place to identify infringements of the intellectual property declared in this application form? *(continue on page 8 if required)*

b. In respect of your Products/Services, have you obtained a freedom to operate opinion or carried out any other form of search in respect of infringement of third party intellectual property? *(continue on page 8 if required)*

c. Please provide details of all legal counsel that have advised you on any IP matters in the last 5 years? *(continue on page 8 if required)*

d. What searches do you or your external advisors undertake to identify the existence of any third party intellectual property rights? *(continue on page 8 if required)*

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Competitors

Please provide details of other companies which are competing in the same market sectors. Such information is material to an IP insurance submission so please respond carefully.

Name	Country of Domicile	Turnover
1.		
2.		
3.		

SECTION FIVE: CLAIMS DECLARATION AND PRIOR INSURANCE

NB: If you answer 'yes' to any of the following questions, please provide full details on page 8 of this document.

In respect of Intellectual Property have you ever:

- | | | |
|---|-----|----|
| a. Commenced proceedings or issued warning letters to a third party in respect of their actual or alleged infringements of your intellectual property? | Yes | No |
| b. Needed to defend an action brought by or responded to a warning letter from a third party in respect of your actual or alleged infringement of their intellectual property rights? | Yes | No |
| c. Needed to defend an action brought by or responded to a warning letter from a third party in respect of your actual or alleged breach of an agreement? | Yes | No |
| d. Needed to defend an action brought by or responded to a warning letter from a third party threatening your ownership rights in or validity of any of your intellectual property? | Yes | No |

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e. Needed to defend an application for a declaration of non-infringement of your intellectual property rights? Yes No

f. Sought to amend your products or intellectual property rights to avoid infringement? Yes No

g. Instruct an external Patent Agent or equivalent to conduct a “Freedom to Operate” search, or similar, in respect of the products to be insured? Yes No

h. Are you aware of any litigation associated with intellectual property in the market sector within which you operate during the last 5 years? Yes No

Existing Circumstances

a. After full and diligent enquiry are you aware of any cause, event or circumstance, including the existence of any prior art, which may give rise to a claim being made under this policy? Yes No

b. Are there any plans to introduce the Insured Products into new business sectors or territories within the next 12 months? Yes No

Insurance History

a. Have you ever had an application or renewal for intellectual property infringement insurance declined by an insurer or been subject to any special terms or conditions? Yes No

b. Have you ever had an application or renewal for intellectual property infringement insurance declined by an insurer or been subject to any special terms or conditions? Yes No



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Please provide any other information that is material to the insurance you are seeking. For example, please attach copies of any patent opinions or 'freedom to operate' opinions which you have prepared.

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SECTION SIX: DECLARATION

I/we accept that completion of this proposal form does not bind the Proposer or Insurers to effect a contract of insurance.

I/we agree that, if an insurance policy or policies are issued, this proposal and any other information supplied prior to inception of the insurance policy shall form the basis of any contract of insurance effective hereon and shall be incorporated therein.

I/we hereby declare that I am authorised to complete this proposal on behalf of the Proposer, that the above statements and particulars are true and that full enquiry has been made to ensure their accuracy. I have not omitted, suppressed or misstated any material facts which may be relevant to underwriters' consideration of this proposal.

I/we undertake to inform Insurers of any material change to any fact contained herein that occurs prior to inception of the contract of insurance.

DIRECTOR'S NAME	<input type="text"/>	TITLE	<input type="text"/>
SIGNATURE	<input type="text"/>	DATE	<input type="text"/>

IMPORTANT INFORMATION

Data Protection Act 1998

We may store your information on a computer and use it for administration, risk assessment, research and statistical purposes and marketing purposes. We will only disclose your details to third parties, if it is necessary for the performance of your contract with us. By proceeding with this contract you will signify your consent to such information being processed by the Insurers or their agents.

We will keep your information secure at all times. In certain circumstances, for example for systems administration purposes, we may have to transfer your information to another country, which may be a country outside the European Economic Area (EEA). By proceeding with your insurance application, we will assume you are agreeable for us to transfer your information to a country outside the EEA.

Should you wish to receive a copy of the information we hold on you please contact:

The Managing Director, Safeguard IP, 1A Lloyds Avenue, London EC3M 3AA

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Intellectual Property Schedule

Please detail below all the Intellectual Property you require cover upon. The following tables must be completed in order to obtain a quotation.

Patents *(Please also provide a copy of the patent applications and search reports)*

Patent Number	Identifying Title	Brief Description	Status	Territories

Trade Marks *(Please also attach copies of the registration documents)*

Trade Mark Number	Details of classes	Status	Territories

Registered Designs *(Please also attach copies of the design documents)*

Registered Design Number	Brief Description	Status	Territories

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Licences (Please provide a copy of each licence)

Name	Brief Description	Status	Territories

Other Rights

Safeguard iP will consider insuring other rights, such as copyright, unregistered designs, and unregistered marks and brands, plus domain names and trade secrets.

Please provide separate details of any unregistered IP rights, including examples, plus territories used in, and if these are capable of registration please explain why they have not been registered.