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As insurers in this specialist area, it is important that we continue to provide wordings which are innovative and reflect cover for the challenges which are constantly evolving in an increasingly demanding industry.

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Marketing, Advertising and Communication



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Marketing, Advertising and Communication

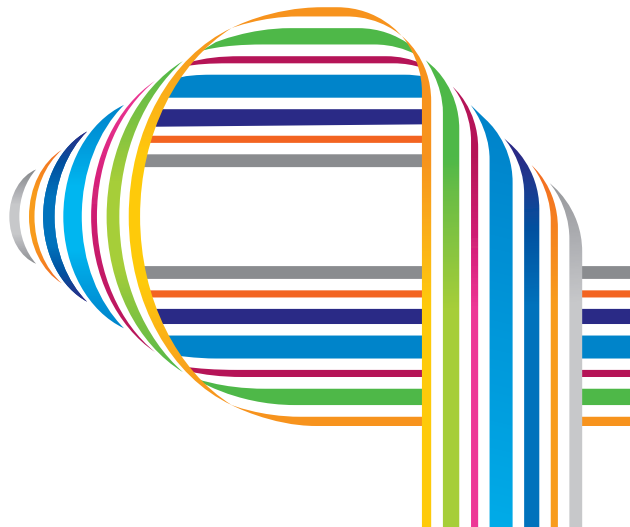
Reputation is vital in this relationship driven business, so ensuring effective communication of brand or image and producing the best communication is key to maintaining a high profile in this specialist area. Mistakes can happen, but our MAC wording provides one of the broadest coverages to meet most situations where your business may be threatened.

Key Aspects of Cover

- Breach of Contract cover
- Any form of defamation including trade libel
- Infringement of intellectual property rights
- Product disparagement
- Breach of confidentiality / Invasion of privacy
- Unintentional breach of a license to use a third party's trademarked or copyrighted material
- Breach of comparative advertising regulations
- Unintentional transmission of a computer virus
- Failure to protect against unauthorised access to systems.
- Dishonesty of employees
- Loss of documents
- Any negligent act, error or omission
- Any other civil liability not otherwise excluded

Target Clients include

- Advertising agencies
- Commercial Film Producers
- Public relations companies
- Graphic Designers
- Sales promotion / Direct marketing companies
- Post Production Houses
- New Media agencies
- Market research companies
- Marketing consultants.
- Event Organisers/Managers
- Photographers





Also included

- Joint ventures
- Reputation management
- Mergers and acquisitions
- Commitment to media space or print time
- Payment of irrecoverable fees
- Expenses associated with withdrawal of content as a result of a complaint made to the Advertising Standards Authority (ASA) or the Office of Communications (Ofcom)
- Data Protection defence costs
- Compensation for court attendance
- Costs for prosecuting infringement of the Insured's intellectual property rights
- Punitive and exemplary damages where the law permits the insurer to pay them

Optional cover

- Worldwide jurisdiction
- Cyber / Tech extensions
- Long term agreements

Claims

Our insurance policy is only as good as it's Claims department. Tokio Marine HCC Claims offers a first class, streamlined process providing an efficient claims handling service administered by professionals who are expert in the media field and are authorised to make decisions and settle valid claims swiftly.

Claims are made for many different reasons, from a complaint from a client who is dissatisfied with your work or the service you provided, to someone who has threatened to withhold payment for your work. In all instances you will need to notify either your broker, or Tokio Marine HCC, as soon as possible. Our claims handlers, lawyers and other service providers will assist with the claims and any potential litigation process and we will endeavour to reach an early settlement of any claim made against you. On occasions where it is not desirable or possible to settle a claim, you will be defended as robustly as possible until the outcome is determined by a court, or other competent authority. Our claims experts are in constant communication with our underwriters and respond quickly and comprehensively to claims.



Claims Examples

Responding to issues when they arise and having the ability to avert a potential crisis is vital to the handling of problems in the media industry. Insureds often require a very quick response as they are confronted by deadlines and issues that require immediate attention. At Tokio Marine HCC we have a claims team with a wealth of experience who understand the specific requirements of the industry.

Advertising: An advertisement featured a song which sounded as if it had been sung by someone with a stammer. The ad agency was warned by the Independent Broadcasting Authority that the advertisement was bordering on being unacceptable. Once finalised, the IBA decided that not enough was done to adapt the song. The client refused to pay the agency. Cost to insurers: £140,000.

Media buying: Advertising space was supposed to have been booked in the national press for a series of adverts for the Easter sale of a chain of retail stores. The bookings were made for the wrong 4-week period. The firm refused to pay for the media spend and also claimed financial loss for the loss in revenue from the sale. Cost to insurers: £185,000.

Direct mailing: Wrongly addressed mailings and incomplete mailing packs. Cost to insurers: £120,000.

Design of printed literature: A media company was producing a price listing for a chain of pubs in Scotland and England. The pricing for England should have been more expensive than for Scotland. The list had the Scottish prices for England and a claim was made for lost revenue. Cost to insurers: £45,000.

Market research: A market researcher had their data encoded by a specialist firm who misinterpreted the instructions. The resulting report was not checked and the client made a claim for the delay and the cost of recoding the data. Cost to insurers: £35,000.

Public relations: A PR firm involved in a campaign for a car manufacturer's new marketing strategy on their new special service contract. The product was badged with a name that was subsequently found to have been used before by another car company. A claim for breach of copyright was made and the strategy had to be withdrawn. Cost to insurers: £250,000.

