

WHAT IS MEDIA LIABILITY INSURANCE?

Media Liability Insurance is a form of errors & omissions insurance that provides coverage for publishing acts, such as:

- ✦ Defamation, libel, slander, disparagement
- ✦ Invasion of privacy
- ✦ Advertising Injury (some forms)
- ✦ Plagiarism
- ✦ Copyright infringement

Media coverage in cyber policies primarily addresses exposures arising from material distributed on company websites and social media accounts (electronic media). Some policies include publishing exposure from non-electronic channels as well.

Why Media Liability Matters to Small Businesses

75% see Internet marketing as an effective tool to attract new customers

71% do their own digital marketing

47% handle marketing efforts on their own

Sources: devrix.com/tutorial/small-business-marketing-statistics-trends-2018

2 Case Studies

COPYRIGHT INFRINGEMENT



An online consignment shop, that sells "pre-loved" luxury goods, copies photos from original retailers' websites and uses them to depict and sell the consignment items. Gucci holds copyright of some photos and sues the shop for copyright infringement.

PRODUCT or COMPANY DISPARAGEMENT



All Good creates a YouTube video that touts the benefits of its new protein drink AND dismisses the quality of other competitor drinks. One of the competitors sues All Good for product disparagement.

PROTECT YOUR BUSINESS

Coverage varies widely.

- ✦ Does the policy cover both electronic and non-electronic media?
- ✦ Are intentional acts of misappropriation covered?
- ✦ Are advertising errors covered?

Common Exclusions:

- ✦ Spam
- ✦ Unlawful collection of data
- ✦ Discrimination
- ✦ Patent infringement
- ✦ False or incorrect advertising
- ✦ Insider ownership disputes
- ✦ Licensing fees

INSURANCE TIPS

- ✦ **MONITOR ONLINE PRESENCE.** Understand how your business is being portrayed online. Decide what type of statements require a company response.
- ✦ **HAVE A WRITTEN POLICY COVERING ALL FORMS OF ELECTRONIC COMMUNICATION.** Decide which employees have authority to publish social media/website material. Conduct periodic reviews of website and other published material.
- ✦ **TRAIN EMPLOYEES** on the risks of using social media for both the company and themselves.

Cyber Insurance Education

- Fraudulent Funds Transfers
- Extortion / Ransomware
- Social Engineering
- Business Interruption
- Data Breach/Privacy
- Network Security
- Website Media Liability**

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