



The following information is provided by Taylor & Taylor especially for ASMP members. Details of contact information are in the Benefits section on ASMP's Web site.

Errors & Omissions Liability Insurance

Errors & Omissions liability insurance is essential for photographers that sell or license their work. The Errors & Omissions policy covers claims that allege:

- a) defamation or other claim related to disparagement or harm to a person's reputation
- b) invasion, infringement with rights of privacy or publicity
- c) infringement of copyright, plagiarism or piracy.

All business liability policies exclude these types of claims for businesses in the advertising, publishing, broadcasting or telecasting business. People that publish their work need to purchase Errors and Omissions Liability Insurance to cover these types of claims. One of the biggest advantages of an Errors and Omissions policy is that after the deductible has been reached, the insurance carrier provides the defense costs.

Most photographers do not carry Errors and Omissions insurance coverage. Historically, the cost of this insurance has been too expensive. Coverage is now being offered to members of ASMP with various policy limits at an affordable cost.

The \$100,000 limit is the minimum limit that can be purchased. The coverage will be added to the ASMP Prosurance policies for members that qualify and who complete and return the Photographers Professional Liability application. Photographers that do not qualify for the coverage are listed below:

1. Photographers with receipts over \$1,000,000.
2. Photographers taking wedding pictures, Paparazzo reporting/ investigation, daily or weekly newspaper publishing.
3. Photographers that subcontract more than twenty five percent of their work to other photographers.
4. Photographers that maintain photo stock libraries with images of other photographers unless there is a written indemnification agreement whereby the photographer is indemnified for claims arising from the licensing of those images.
5. The photographer has had a previous suit or claim involving professional acts or omissions, copyright or trademark infringement, invasion of privacy, defamation, or unfair competition.
6. The photographer does not obtain model releases from the people they photograph and/or location release where required.
7. The photographer has not completed the Photographers Professional Liability application.
8. A photographer who has been refused Errors and Omissions insurance in the past five years.

POLICY LIMITS AVAILABLE:

a.	\$ 100,000 per occurrence	
	\$ 100,000 aggregate	
	\$ 100 deductible	Premium \$125.00 per year
	\$ 500 deductible	\$112.50
	\$ 1,000 deductible	\$106.25
b.	\$ 250,000 per occurrence	
	\$ 250,000 aggregate	
	\$ 100 deductible	Premium \$150.00 per year
	\$ 500 deductible	\$135.00
	\$ 1,000 deductible	\$127.50
c.	\$ 500,000 per occurrence	
	\$ 500,000 aggregate	
	\$ 100 deductible	Premium \$175.00 per year
	\$ 500 deductible	\$157.50
	\$ 1,000 deductible	\$148.75

d. \$1,000,000 per occurrence
\$1,000,000 aggregate

\$ 100 deductible	Premium \$250.00 per year
\$ 500 deductible	\$225.00
\$ 1,000 deductible	\$212.50

Coverage may not be available in all states.

THIS HANDOUT IS MERELY A HIGHLIGHT OF THE ERRORS & OMISSIONS LIABILITY POLICY AVAILABLE FOR ASMP MEMBERS. IT IS NOT INTENDED TO REPLACE OR SUPERSEDE ANY OF THE TERMS AND/OR CONDITIONS OF THE POLICY. PLEASE REFER TO THE ACTUAL POLICY FOR AN EXACT DETERMINATION OF COVERAGE AS THE POLICY CONTAINS SPECIFIC EXCLUSIONS NOT OUTLINED IN THIS HANDOUT.



Insured Name _____ Today's Date _____
 Address _____

Policy/Quote # _____ Effective Date _____

Limit: \$ 100,000 Per Occurrence/Aggregate (Standard)
 Check if an optional limit is desired:
 \$ 250,000 Per Occurrence/Aggregate
 \$ 500,000 Per Occurrence/Aggregate
 \$1,000,000 Per Occurrence/Aggregate

Deductibles: \$ 100 (Standard)
 Check if an optional deductible is desired:
 \$ 500
 \$ 1,000

Please answer each of the following questions:

- 1) Are you a member of the American Society of Media Photographers? Yes No
- 2) Are your total annual receipts greater than \$1,000,000? Yes No
- 3) What type of photographic services is the insured involved with? Check those that apply:

<input type="checkbox"/> Advertising Photography	<input type="checkbox"/> Magazine Photography	<input type="checkbox"/> "Paparazzi" photography
<input type="checkbox"/> Corporate Photography	<input type="checkbox"/> Model/Fashion Photography	<input type="checkbox"/> Sports Photography
<input type="checkbox"/> Editorial Photography	<input type="checkbox"/> News Photography (daily or weekly publications)	<input type="checkbox"/> Studio Photography
		<input type="checkbox"/> Wedding Photography

Other: _____

4) Please list your top 5 clients: _____

5) Based on a percentage of total receipts, how much of the insureds work is subcontracted to others? _____%

6) Within the past five years has the insured been sued or been the subject of claims against them for:

Yes No

- ◆ Infringement of copyright, trademark, service mark, trade name, trade secrets, title, or slogan
- ◆ Defamation, invasion of privacy, or publicity rights
- ◆ False advertising, idea misappropriation, or breach of implied contract
- ◆ Professional acts or omissions

7) Do you maintain your own photo stock library?

8) Do you have images of other photographers in your photo stock library?

If yes, have you obtained an indemnification agreement from the original Photographer to indemnify you for claims arising from the licensing of their images?

9) Have you been refused E & O / Professional coverage in the past?

Please attach a copy of your standard model and/or location clearance releases.