

Proposal Form for COBRA Legal & IP Key Markets Protection – Intellectual Property Enterprise Court Policy

1. Full name and Address

Name	
Address	

2. What was the proposer's turnover (a) in the last financial year and (b) what is its anticipated turnover in the current financial year or the next financial year if there are less than 3 months until the end of the current financial year?

(a) £	(b) £
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(If a or b is over £2m, the standard prices may not be available.)

3. Is the proposer registered for Vat?

Yes	No
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4. Has the proposer or any person or entity closely associated with the proposer been involved in a dispute concerning intellectual property?

Yes	No
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(If yes, please provide full details including the level of costs incurred and any recovered from or paid to the opponent.)

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5. Has the proposer been turned down for intellectual property legal expenses insurance and / or does the proposer have any other insurance policies which protect any of its intellectual property?

Yes	No
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(If yes, please provide full details)

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COBRA London Markets Limited is an accredited Lloyd's Broker, and is authorised and regulated by the Financial Conduct Authority. Reference No. 310954 www.fsa.gov.uk/register/home.do

COBRA Special Risks Limited is registered as a company in England and Wales No 08151038

Registered office: 110 Fenchurch Street, London, EC3M 5JT

6. Does the proposer's core business or subject matter of any intellectual property right relate to any of the following:-

- Information technology, computers, hardware or software
- Chemistry
- Biotechnology
- Biochemistry
- Renewable energy
- Life sciences
- Medical Instruments
- Aviation
- Defence
- High-technology

Yes	No
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(If yes, please provide full details)

7. The proposer hereby confirms that the proposer considers the Patents County Court (or Intellectual Property Enterprise Court when the Patents County Court is renamed) of England and Wales is likely to be an appropriate forum and a policy which (only) covers legal expenses in legal actions that will be determined by this court is appropriate.

8. The proposer hereby confirms that it has considered the Policy Summary and Policy Wording (link) and particularly the warranties in the policy, which are below. The proposer agrees unequivocally to provide such warranties.

1. The **insured** is domiciled in the United Kingdom of Great Britain and Northern Ireland.
2. The **insured** can prove sole ownership of each **intellectual property right** or that the **insured** is the exclusive licensee of the **intellectual property right**.
3. Any **intellectual property right** is actively used or marketed by the **insured** as opposed to simply held by the **insured** or licensed to another party.
4. Any **patent** would not be described by a reasonable patent attorney or intellectual property lawyer as either a blocking patent, or a selection patent or a patent for a method or process and the **insured** has checked with legal advisers as appropriate.
5. Any **invention** can be made to work.
6. The **insured** has not disclosed any **invention** to any other party prior to patent priority date, except where this has been done under a confidentially agreement, the terms of which are approved by an appropriately qualified person.
7. Any **registered design** has not been published, exhibited, used in trade or otherwise disclosed, except where this has been done under a confidentially agreement, the terms of which are approved by an appropriately qualified person,

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before the date upon which the application for registration of the design was made.

8. The **insured** has a system in place, which uses professional services as appropriate, to reasonably and proportionately monitor for infringements of any **intellectual property right** or art which would potentially infringe any **intellectual property right** and in respect of any **patent** this has been in place for a period that commenced at least 6 months before the **insured** applied for this policy or the **patent** priority date and in respect of all other **intellectual property rights** this has been in place for a period that commenced at least 3 months before the **insured** applied for this policy.
9. The **insured** has not been involved in any disputes concerning any **intellectual property right** or **invention** or **copyright / design material** or any similar property or art or is aware of any disputes concerning any **intellectual property right** or any similar property or art or is aware of any reason, event or circumstances which could possibly give rise to a dispute concerning any **intellectual property right**.
10. The **insured's** current business plan and mission statement do not place greater emphasis on market share than profit.
11. The **insured** is unaware of any political, legislative, regulatory, economic or other changes that are affecting or may cause significant affect in the next year to the market in which the **insured** operates or the **insured's** trading conditions.

9. The proposer's intellectual property rights are as follows:-

PROTECTION FOR OVERALL BUSINESS INTELLECTUAL PROPERTY

The proposer's business description is as follows:-

Enter business description

Total Turnover of business

£

The **intellectual property rights** relevant to general business assets and goodwill are as follows:-

Patent

	Name	Application Number	Publication Number
1			
2			
3			
4			
5			

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Registered trade mark

	Mark	Registration Number
1		
2		
3		
4		
5		

Unregistered trade mark

	Mark
1	
2	
3	
4	
5	

Registered design

	Name	Registration Number
1		
2		
3		
4		
5		

Copyright / Unregistered Design within following Copyright / Design Material

	Select as Appropriate	Selected	Approximate number of items
A.	Literary works (not including software or databases)	Enter Y/N	
B.	Computer programs	Enter Y/N	
C.	Databases	Enter Y/N	
D.	Artistic drawings or paintings (not including photographs)	Enter Y/N	
E.	Photographs (not including TV or film)	Enter Y/N	
F.	Designs and plans (not including maps)	Enter Y/N	
G.	Unregistered design rights	Enter Y/N	

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PROTECTION FOR INTELLECTUAL PROPERTY RIGHTS IN PRODUCTS

The **intellectual property rights** relevant to specific products and services are as follows:-

PRODUCT 1

The proposer's first product / service is as follows:-
<i>Enter product / service description</i>

Turnover from product / service	£
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The **intellectual property rights** specific to this product / service (and not general business assets and goodwill) are as follows:-

Patent

	Name	Application Number	Publication Number
1			
2			
3			
4			
5			

Registered trade mark

	Mark	Registration Number
1		
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Unregistered trade mark

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PRODUCT 2

The proposer's second product / service is as follows:-

Enter product / service description

Turnover from product / service

£

The **intellectual property rights** specific to this product / service (and not general business assets and goodwill) are as follows:-

Patent

	Name	Application Number	Publication Number
1			
2			
3			
4			
5			

If a patent is used in another product please do not list this above, please note the patent in the box below:-

Registered trade mark

	Mark	Registration Number
1		
2		
3		
4		
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If a mark is used in another product please do not list this above, please note the mark in the box below:-

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Registered design

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If a design is used in another product please do not list this above, please note the design in the box below:-

--

Copyright / Unregistered Design within following Copyright / Design Material

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PRODUCT 3

The proposer's third product / service is as follows:-

Enter product / service description

Turnover from product / service

£

The **intellectual property rights** specific to this product / service (and not general business assets and goodwill) are as follows:-

Patent

	Name	Application Number	Publication Number
1			
2			
3			
4			
5			

If a patent is used in another product please do not list this above, please note the patent in the box below:-

--

Registered trade mark

	Mark	Registration Number
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If a mark is used in another product please do not list this above, please note the mark in the box below:-

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Unregistered trade mark

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--

Registered design

	Name	Registration Number
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Please note;

- 1) Insurance will only be provided on successful completion of this form for the company and business description specified on the form.
- 2) We recommend that you should keep a record, including copies of letters and this declaration, of all information supplied to us for the purpose of entering into this insurance contract.

I/We declare that;

- The proposer is not aware, after enquiry, of any circumstances which may give rise to a claim being made under this insurance or otherwise affect the insurer's assessment of this risk
- The above statements made by me/us or on my/our behalf are to the best of my/our knowledge and belief true and complete and

I/we agree that this proposal will form the basis of the contract between me/us and the insurer.

Name:	Position:
Signature:	Date:

LAW APPLICABLE TO THE CONTRACT

The law applicable to this contract is subject to agreement between the parties. Unless a special endorsement to the contrary has been requested by the policyholder and agreed by us, the law applying to this insurance contract will be the Law of England & Wales.

This insurance is issued in the United Kingdom by FirstAssist Insurance Services Limited, and underwritten by Great Lakes Reinsurance (UK) PLC.

FirstAssist Insurance Services Limited is registered in England and Wales No. 04617110. Registered office at Marshall's Court, Marshall's Road, Sutton, Surrey SM1 4DU.

Great Lakes Reinsurance (UK) PLC is registered in England and Wales No. 2189462. Registered office at Plantation Place, 30 Fenchurch Street, London, EC3M 3AJ.

FirstAssist Insurance Services Limited is authorised and regulated by the Financial Conduct Authority.

Great Lakes Reinsurance (UK) PLC is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.

You can check this information on the Financial Services Register by visiting the FSA's web site www.fsa.gov.uk/register/home.do.

Data Protection Notice – How we protect your personal data

Introduction

Please make sure that you read and understand this Data Protection notice as it explains to you what we will do with the information that you give us. If you apply for our products and/or services it is highly likely that we will need both personal and sensitive data about yourself and anyone else who is covered by the application form in order to administer the insurance policy and any claims which may arise. You should show this notice to any other person covered under your insurance policy. If your application includes other individuals we will assume that they have given their consent to you for you to give their information to us.

The Data Controller

The Data Controller will be FirstAssist Insurance Services Limited.

Protection of your personal data

The security of your personal information is very important to us and we are compliant with all current data protection legislation. All personal information that you supply to us either in respect of yourself or other individuals in connection with our products and/or services will be treated in confidence by us and will be held by us for the purpose of providing and administering our products and services. This may involve the collection and processing of sensitive data (as defined in the Data Protection Act 1998) and if you complete an application form for our products and/or services you will be giving your consent to such information being processed by us (which may include other companies within the FirstAssist Group) or our agents. Your personal & sensitive data may also be shared with the underwriter of our insurance products.

It may be necessary to pass your personal and sensitive data to other companies for processing on our behalf. Some of these companies may be based outside Europe in countries which may not have the laws to protect your personal data, but in all cases we will ensure that it is kept securely and only used for the purposes for which it was provided.

Inaccurate Data

If you believe that we are holding inaccurate information about you, please contact the team responsible for administering your policy and they will be happy to correct any errors.

Telephone calls

Please note that for our mutual protection telephone calls to FirstAssist may be monitored and/or recorded.

Fraud prevention, detection & claims history

In order to prevent and detect fraud we may at any time:

- Share information about you with other organisations and public bodies including the Police;
- Check and/or file your details with fraud prevention agencies and databases, and if you give us false or inaccurate information and we suspect fraud, we will record this. we and other organisations may also search these agencies and databases to;
 - Help make decisions about the provision and administration of insurance, credit and related services for you and members of your household;
 - Trace debtors or beneficiaries, recover debt, prevent fraud and to manage your accounts or insurance policies;
 - Check your identity to prevent money laundering, unless you furnish us with other satisfactory proof of identity
 - Undertake credit searches and additional fraud searches.

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LEGAL & IP

We can supply on request further details of the databases we access or contribute to.

Customer Satisfaction Surveys

We aim to continuously improve the services we offer to our customers. Occasionally we carry out customer satisfaction surveys which may be for our own benefit or for more general interest, and we may need to collect further information about you in connection with them. Surveys will usually be carried out by FirstAssist but in some circumstances we will use an external firm. Your participation in such a survey is entirely optional but your help and feedback would be appreciated.

Marketing

We would like to keep you informed (by telephone, post or email) of selected products and services available from us and our carefully chosen suppliers. If you would prefer not to receive this information, please let us know when you call or write.

FirstAssist Insurance Services Ltd August 2013

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