

August 15, 2006

INSURANCE INFORMATION NOTICE 2007-1

**PUBLISHERS MEDIA LIABILITY POLICY
EFFECTIVE JULY 1, 2006**

Beginning July 1, 2006, the Office of Risk Management (ORM) will provide publishers media liability coverage to all state agencies, boards, and commissions. This new line of insurance will provide coverage for all types of media. In this policy, media is defined as

A. Broadcasting:

1. television (independent, public and network television)
2. motion picture
3. cable and satellite television
4. radio

B. Publishing:

1. newspaper
2. magazine
3. book
4. music
5. directories
6. electronic, including on the Internet
7. video tape
8. screen play, film script, and playwriting
9. researching, preparation, publication, republication, serialization, exhibition, or distribution of matter

For example, most agencies have an Internet website for informational purposes. Some agencies use their websites to sell goods and/or collect money. Other agencies may publish literature, including brochures, books, magazines, newspapers, etc. In order to adequately provide coverage for these activities, a specialized policy was implemented because the above types of media do not qualify for coverage under a Commercial General Liability policy.

Although the full nature and extent of coverage is defined by the policy form, the following is a brief description of the coverage as it applies to media:

- A. defamation of character, including libel, slander, product disparagement, trade libel, infliction of emotional distress, outrageous conduct;
- B. invasion or interference with rights of privacy or publicity, including false light, public disclosure of private facts, intrusion and commercial appropriation of name or likeness;
- C. infringement of any of the following: title, slogan, trademark, trade name, trade dress, service mark or service name, copyright, plagiarism, piracy or misappropriation of ideas;
- D. wrongful entry or eviction, trespass, eavesdropping or other invasion of the right of private occupancy;
- E. false arrest, detention or imprisonment or malicious prosecution committed in the gathering, acquisition or obtaining of matter.

The policy will cover state employees and other individuals who provide printed, audio, visual or informational content to be published by any state agency. For these individuals to be covered under

this policy, the state agency in charge of the media must provide direction and written authorization to those individuals supplying the content.

Agencies will not be charged premium for the first year of coverage. An exposure report will be sent to each agency to determine its specific types of exposures. This exposure report will then be used to determine premiums.

If you have policy coverage questions, please contact Amanda Arthur by phone (225) 342-8469 or email at amanda.arthur@la.gov. If you think you have a potential claim, please contact Frank Foret by phone at (225) 342-8463 or by email at frank.foret@la.gov.