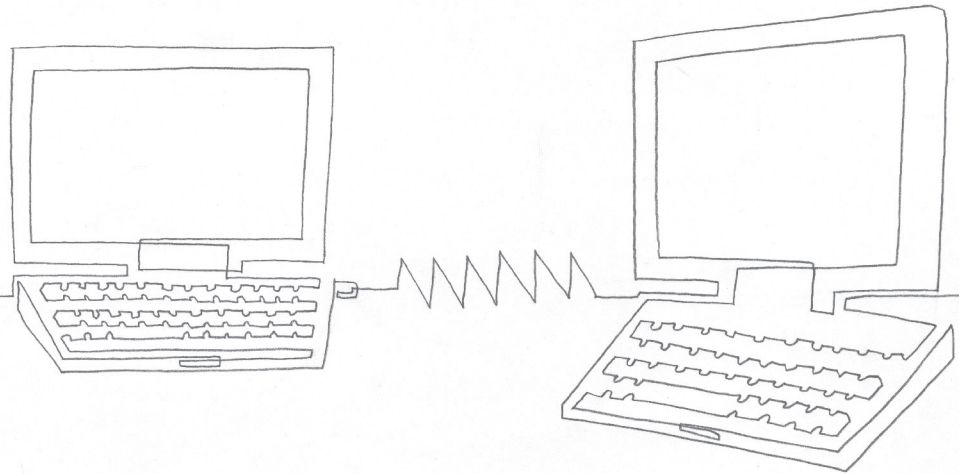


# Beazley Claims

Technology, Media  
& Business Services



# Beazley Claims Technology, Media & Business Services

Fast-changing industries confront fast-changing risks. The proliferation of data, the evolution of technology and greater demands on service providers have led to a rapidly developing legal landscape. As the following examples illustrate, our specialist technology, media and business services (TMB) claims team understand the emerging liabilities and complexities of this world and partner with our insureds to secure the best possible outcome on claims.

## Data breach

A large business processing outsourcer (BPO) notified Beazley of a data breach incident after several desktop computers with unencrypted health information were stolen in a robbery. The data related to patients of several medical institutions who were clients of the BPO which was contractually obligated to defend and indemnify its clients. Beazley and the BPO worked directly with the clients and coordinated the notifications to those affected by the loss of data. Beazley also managed the defence of class action litigation filed against the BPO and clients. The breach response costs and class action legal fees incurred by the BPO's clients totalled \$2,000,000 and were paid by Beazley.

## First-party computer security

An international software company suffered a malware attack affecting dozens of servers, desktops and laptops. The company incurred significant amounts in external forensic costs investigating the scope and impact of the attack, recovering data and restoring impacted systems. Beazley reimbursed the company nearly \$1,000,000 in privacy breach costs and data protection loss.

## Advertising and media

A well-known fashion retailer who was about to launch a new product line became engaged in a dispute with a lesser-known designer who had blatantly infringed the retailer's brand. Beazley supported the retailer by retaining nationally recognized trademark counsel and agreeing to a fast-track trial schedule, so the retailer could safeguard its distinct style and brand. The retailer won at trial and began the launch of its product line on time, without the burden of ongoing trademark litigation.

## Tech Errors & Omissions

A developer of electronic health records (EHR) solutions was sued by a healthcare institution for failure to properly implement its service. However Beazley learned that the plaintiff had obtained significant funding from the US federal government as part of a program incentivizing the healthcare sector to implement EHR technology. As part of the application process the plaintiff certified to the federal government that certain EHR solutions were in place. By asserting that if statements in the application were true, then certain allegations against the defendant developer could not be true, Beazley and defence counsel were able to reduce the settlement demand from several million dollars to the low six figures.

*“Privacy incidents demand a rapid and strategic response – engaging experts, mobilizing resources and quickly responding to customers, stakeholders and regulators. Our TMB claims managers have handled thousands of these incidents and we understand what companies are facing and how we can partner with them to minimize reputational harm to their business and mitigate regulatory and third party liabilities.”*

Kimberly Horn, Global focus group leader  
for Beazley Breach Response & Infosec claims

*“Our TMB underwriters sell companies interfacing with and creating technology a promise to help solve the ever-changing E&O issues they face. The TMB claims team partners with our insureds, leveraging our evolving experience and expert resources, to make good on that promise.”*

Marcello Antonucci, Global focus group leader  
for TMB E&O claims

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