



LEGAL PROTECTION SERVICES (PTY) LTD
PROVIDERS OF LITIGATION EXPENSE INSURANCE FOR COMMERCE AND INDUSTRY

BROKERS FOR CONSTANTIA INSURANCE COMPANY LIMITED

**INTELLECTUAL PROPERTY INSURANCE
PROPOSAL FORM**

1 THE INSURED

1.1 Name of the Proposer (Company/Sole Trader or Partnership - including all subsidiary companies or other associated organisations requiring cover):

Address:
.....
..... Postcode:

Telephone Code: (. . .) Phone: Fax:

Name of contact:

1.2 Normal business activities of Proposer:

1.3 Date Proposer's business activities commenced:

1.4 Total business turnover for last 12 months:
Actual: R
Next 12 months (estimated): R
Turnover related to items of Intellectual Property:
Actual: R
Next 12 months (estimated): R

1.5 Total business turnover for the last 12 months by percentage:
UK: % Other EU/European Patent Convention
Countries: %
USA/Canada: % Other: %

1.6 Name of Proposer's existing Intellectual Property attorneys or other Intellectual Property advisors:



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.....

Address:
.....
..... Postcode:

Telephone Code: (. . .) Phone: Fax:

Name of main contract:

1.7 May the Underwriters approach the above attorneys or other advisors to discuss this proposal?

Yes: No:

1.8 Please indicate the indemnity limit required for each and every claim:

R100 000: R250 000: R500 000: R1m:

1.9 A contribution (excess) towards the cost of a claim applies to all claims made under the Certificate of Insurance. Please indicate the level of contribution for which you wish to be responsible:

R5 000: R10 000:

Other: Specify:

1.10 Please indicate the territorial limits within which cover is required:

UK, including Northern Ireland, Isle of Man, Channel Islands:

EU/European Patent Convention countries (including UK):

Worldwide excluding USA and Canada:

Worldwide including USA and Canada:

1.11 Have you ever been refused this type of insurance?

Yes: No:

1.12 Does your company have Commercial Legal Expenses Insurance?



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Yes: No:

Does your company have Directors and Officers Liability Insurance?

Yes: No:

If yes to 1.11 or 1.12 above, please give details (continue on separate sheet if necessary):

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.....
.....

1.13 Have you been involved in any legal proceedings or investigations or sought advice connected with possible or actual infringement of Intellectual Property or Intellectual Property licences in the last 10 years?

Yes: No:

If yes, please give details (continue on separate sheet if necessary):

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.....
.....

Have you conducted a review or audit of your Intellectual Property or Intellectual Property Licences in the last 5 years and, if so, by whom was this conducted and when?

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.....

Having made due and careful enquiry are you currently aware of any circumstances including any specific act, omission or dispute or other event (including possible prosecution) which has given or may give rise to a claim being made in respect of the cover sought?

Yes: No:

If yes to questions 1.13 or 1.14, please give details including dates, other parties involved, costs and outcome (continue on separate sheet if necessary):

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2 INTELLECTUAL PROPERTY

2.1 Please give numbers and details of all the following items owned or licenced (continue on separate sheet if necessary and enclose copies of product or service brochures):

	Numbers	Territories Where Registered	Brief Short Title Description Mark
Patent applications			
Granted patents			
Copyrights (approximate)			
Registered designs			
Unregistered design rights (approximate)			
Registered trade/service marks			
Unregistered trade/service marks			
Confidential information			

2.2 Is all your Intellectual Property declared above?

Yes: No:

2.3 Are you anticipating any additions or changes to the above list during the next 12 months?

Yes: No:



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If yes, please give details (continue on separate sheet if necessary):
.....
.....
.....

2.4 Have any parties, directors or senior employees (as appropriate) who had access to your confidential information left the company within the last 3 years?

Yes: No:

If yes, give details including whether they are bound by restrictive covenants or specific confidentiality obligations (continue on separate sheet if necessary):
.....
.....
.....

2.5 In which countries will goods or services provided relevant to items in 2.1 above be sold or services provided? Please provide indications of turnover for each country/continent (continue on separate sheet if necessary):
.....
.....
.....

3 LICENCE PROTECTION (OPTIONAL)

This section should be completed if you require Licence Protection Cover.

3.1 List Intellectual Property Licence Agreements to be covered. Include details of the third party, whether you are Licensor or Licensee, rights licenced, whether the licence(s) is/are exclusive, the country in which third party is based and the law of which country governs the Licence Agreement (continue on separate sheet is necessary):
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.....
.....

3.2 Please attach to the Proposal a copy of a typical or, if only one, the particular Intellectual Property Licence Agreement.



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4 DECLARATION

Please remember that the Insurers must be provided with all material information which is likely to influence the acceptance of this Proposal or the premium and other terms imposed. Failure to give this information may give the Insurers the right to reject any claims made or to void any policy issued. If there is any doubt about whether a particular fact is material it should be disclosed.

I/We warrant that the above statements are true to the best of my/our knowledge and belief and the Underwriters will be informed of any material alternations. If such statements and particulars are made or provided by any other person, such person shall be deemed to have been my/our agent for that purpose. I/We hereby agree that this declaration shall form, subject to my/our acceptance of any quotation, the basis of the contract between me/us and the Insurers and I am/we are willing to accept a Certificate of Insurance subject to the terms, conditions and exceptions prescribed by the Insurers therein.

Signature for and on behalf of the Proposer:

Name:

Position:

Telephone Code: (. . .) Phone: Fax:

Date:

5 IMPORTANT NOTES

5.1 Answer questions to the best of your knowledge and belief.

5.2 All material facts must be disclosed and failure to do so may nullify any policy issued.

Note: A material fact is one likely to influence acceptance or assessment of this proposal by the Insurers. If you are in any doubt as to what constitutes a material fact, you should consult your insurance broker, the Insurers or Legal Protection Services (Pty) Ltd.

5.3 If you consider that any question requires expert knowledge which you are unable to provide, please consult the appropriate expert and indicate this in your answer.

5.4 A copy of the wording of the Certificate of Insurance is available on request.

5.5 Insurers recommend that you should keep a record, including copies of letters and this Proposal, of all information supplied to us for the purpose of entering into this insurance contract. Alternatively, please let us know if you would like a copy of your completed Proposal Form sent to you.



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Signature:

Name:

Position:

Telephone Code: (...) Phone: Fax:

Date:

Please return this Form to:
Legal Protection Services (Pty) Ltd, P O Box 84325, Greenside, 2034
Fax: (011)888-1068