

Production Details

13. Title of Production: _____

14. Estimated start date of principal photography: _____

Estimated first air date: _____

15. Name of Producer (Individual): _____ Years of Experience: _____

16. Name of Executive Producer (Individual): _____ Years of Experience: _____

17. Production is:

- Motion Picture for Initial Theatrical Release Run Time: _____
- Motion Picture for Initial Television Release Program Time: _____
- TV Pilot Program Time: _____
- TV Special Program Time: _____
- TV Series Program Time/Episode: _____ Number of Episodes/Week: _____
- TV Mini-series Program Time/Episode: _____ Number of Episodes: _____
- TV Docudrama Program Time/Episode: _____ Number of Episodes: _____
- TV Daily Program Program Time/Episode: _____
- TV Commercial
- TV Infomercial Program Time: _____
- Documentary Program Time: _____
- Training Film
- Industrial Film
- Videocassette Program Time: _____
- Music Video Run Time: _____
- Radio Series Program Time/Episode: _____ Number of Episodes: _____
- Theatrical Stage Production Program Time: _____
- Other (Please explain): _____

18. Production is:

- Entirely Fictional
- Entirely Fictional but inspired by real events or occurrences
- True Portrayal of real events or occurrences
- True Portrayal of real events or occurrences but includes some fictionalization
- Based on another work
Name of other work: _____
- Have the necessary agreements from the owners of the other work been obtained? Yes No
- Other (Please explain): _____

19. Production Content is:

- For Children
- Variety
- Game or Quiz
- Comparative to other Products
- Cultural
- "How to"
- Other (Please explain): _____
- Interview
- News
- Dramatic
- Commentary or Forum
- Religious
- Sports
- Investigative Report
- Musical
- Animated
- Previously released film
- Educational
- Made for Public TV

Licenses and Consents

20. Have all licenses and consents been obtained from:
- A. Authors and/or writers of the screenplay Yes No N/A
 - B. Authors and/or writers of all underlying works Yes No N/A
 - C. Music Owners, including the rights for the
 - 1. Lyrics Yes No N/A
 - 2. Music Yes No N/A
 - 3. Recording and synchronization Yes No N/A
 - 4. Performance rights Yes No N/A
 - 5. Soundtrack, CD, tape Yes No N/A
 - 6. Videotape, videocassette, videodisc Yes No N/A
 - D. Film Clip Owners, including from
 - 1. Licensing entities Yes No N/A
If **Yes**, attach copy of license
 - 2. Copyright owners Yes No N/A
 - 3. Music Owners, including the rights for the
 - a. Lyrics Yes No N/A
 - b. Music Yes No N/A
 - c. Recording and synchronization Yes No N/A
 - d. Performance rights Yes No N/A
 - e. Soundtrack, CD, tape Yes No N/A
 - f. Videotape, videocassette, videodisc Yes No N/A
 - 4. Writers or authors Yes No N/A
 - E. Performers or persons appearing in the production Yes No N/A
 - F. Persons (alive or deceased) whose name, likeness or persona is used in the production Yes No N/A
 - G. All entities for distribution on videotape, videocassette, videodisc or other new technology Yes No N/A

21. If you answered **No** to any question in Number 20, please explain:

22. Has a hold harmless agreement been obtained from the composer of any music specially commissioned for the named production? Yes No N/A
 If **No**, please explain:

23. Has any insurer declined, cancelled or non-renewed similar insurance for which you are applying? Yes No
 If **Yes**, please provide details:

24. Do you maintain comprehensive general liability insurance? Yes No
 Insurer: _____ Policy Period: _____
 Policy No.: _____ Limit of Liability: _____

25. Gross Budget for production: \$ _____

26. Projected Distribution: International Regional National Local

27. Languages used in production: _____

28. Have you had prior Producer's Liability insurance coverage for the named production? Yes No

Please attach

- Resume of Producer and Executive Producer for each production
- Applicant's Clearance Guidelines
- Synopsis
- Project Budget for each production

Signing of this application does not bind the Applicant or Underwriters to complete the insurance, but it is understood and agreed that the information contained herein shall be the basis of the contract should a policy be issued. If any of the above questions have been answered fraudulently, or in such a way as to conceal or misrepresent any material fact or circumstances concerning this insurance or the subject thereof, the entire policy shall be void.

I/We have read the above and agreed that to the best of my/our knowledge and belief same fully represents the true statement of facts.

Signature of Applicant: _____ **Date:** _____

Title: _____

Signature of Broker: _____ **Date:** _____

Clearance Procedures

The following is a guide (not a complete checklist) for the applicant's attorney who should make certain that the under-noted points have been complied with prior to final cut or first exhibition or broadcast of the production to be insured.

Applicant must place a check mark [✓] in the appropriate box provided.
Applicant must sign and date last page.

1. The script should be read prior to commencement of production to eliminate matter which is defamatory, invades privacy or is otherwise potentially actionable. **Yes** **No** **N/A**
2. Unless the work is an unpublished original not based on any other work, a copyright report must be obtained. Both domestic and foreign copyright and renewal rights should be checked. If a completed film is being acquired, a similar review should be made on copyright and renewals on any copyrighted underlying property. **Yes** **No** **N/A**
3. If the script is an unpublished original, the original of the work should be ascertained - basic ideas, sequence of events and characters. It should be ascertained if submissions of any similar properties have been received by the applicant and, if so, the circumstances as to why the submitting party may not claim theft or infringement should be described in detail. **Yes** **No** **N/A**
4. Prior to final title selection, a Title Report should be obtained. **Yes** **No** **N/A**
5. Whether production is fictional (and location is identifiable) or factual, it should be made certain that no names, faces or likeness of any recognizable living persons are used unless written releases have been obtained. Release is unnecessary if person is part of a crowd scene or shown in a fleeting background. Telephone books or other sources should be checked when necessary. Releases can only be dispensed with if the applicant provided the Insurer with specific reasons, in writing, as to why such releases are unnecessary and such reasons are accepted by the Insurer. The term "living persons" includes thinly disguised versions of living persons or living persons who are readily identifiable because of identity of other characters of the factual, historical or geographical setting. **Yes** **No** **N/A**
6. Releases from living persons should contain language, which gives the applicant the right to edit, delete material, juxtapose any part of the film with any other film, change the sequence of events, or of any questions posed and/or answers, fictionalize person or events including the releasee and to make any other changes in the film the applicant deems appropriate. If a minor, consent must be legally binding. **Yes** **No** **N/A**
7. If music is used, the applicant must obtain all necessary synchronization and performance licenses. **Yes** **No** **N/A**
8. Written agreement must exist between the applicant and all creators, authors, writers, performers and any other persons providing material (including quotations from copyrighted works) or on-screen services. **Yes** **No** **N/A**
9. If distinctive locations, buildings, businesses, personal property or products are filmed, written releases should be secured. This is not necessary if non-distinctive background use is made of real property. **Yes** **No** **N/A**
10. If the production involves actual events, it should be ascertained that the author's sources are independent and primary (contemporaneous newspaper reports, court transcripts, interviews with witnesses, etc.) and not secondary (another author's copyrighted work, autobiographies, copyrights magazine articles, etc.). **Yes** **No** **N/A**

11. Shooting scripts and rough cuts should be checked, if possible, to assure compliance of all of the above. During photography persons might be photographed on location, dialogue added or other matter included which was not originally contemplated. **Yes** **No** **N/A**
12. If the intent is to use the production to be insured on videotapes, videocassettes, videodiscs or other new technology, rights to manufacture, distribute and release the production should be obtained, including the above rights, from all writers, directors, actors, musicians, composers and others necessary, therefore, including proprietors of underlying materials. **Yes** **No** **N/A**
13. Film clips are dangerous unless clearances for the second use are obtained from those rendering services or supplying materials. Special attention should be paid to music rights, as publishers are taking the position that a new synchronization and performance license is required. **Yes** **No** **N/A**
14. Aside from living persons, even dead persons (through their personal representatives or heirs) have a "right to publicity" especially where there is considerable fictionalization. Clearances should be obtained where necessary. **Yes** **No** **N/A**
15. Consideration should be given to the likelihood of any claim or litigation. Is there a potential claimant portrayed in the production who has sued before or is likely to sue again? **Yes** **No** **N/A**
16. Is there a close copyright or other legal issues? **Yes** **No** **N/A**
17. Is the subject matter of the production such as to require difficult and extensive discovery in the event of necessity to defend? **Yes** **No** **N/A**
 Are sources reliable? The above factors should be considered in your clearance procedures and recommendation. **Yes** **No** **N/A**

Dated

Signature