

# HUDSON SPECIALTY INSURANCE COMPANY

## LAWYERS INTELLECTUAL PROPERTY SUPPLEMENTAL APPLICATION

1. Provide a breakdown of the firm's copyright, patent and trademark practice into the following areas of practice:

- a. Intellectual Property Litigation: \_\_\_\_\_ %
- b. Patent Infringement Counseling: \_\_\_\_\_ %
- c. Patent Licensing: \_\_\_\_\_ %
- d. Patent Prosecution (Domestic): \_\_\_\_\_ %
- e. Patent Prosecution (International): \_\_\_\_\_ %
- f. Patent Searches: \_\_\_\_\_ %
- g. Trademark Registration/Licensing: \_\_\_\_\_ %
- h. Copyright Registration/Licensing: \_\_\_\_\_ %

2. Does the firm have a computerized docketing system to alert the appropriate responsible party specific to:

- a. Statutory Bar Dates:  YES  NO
- b. Fee Due Dates, whether outsourced or not?  YES  NO
- c. Response Dates:  YES  NO

3. Who reviews docket entries for accuracy? (Check each that applies)

- a. Billing Partner:
- b. Paralegal/Secretary:
- c. Partner in Charge:
- d. Associate:
- e. Docketing Clerk:

4. Does the firm outsource to other entities for:

- a. Searches:  YES  NO
- b. Payment of Maintenance/Annuity Fees:  YES  NO

If yes to either of these, does the firm:

- a. Verify the outsource entity carries professional liability coverage?

YES  NO

- b. Obtain proof of insurance, such as a certificate of insurance?

YES  NO

5. How does the firm choose an outsource entity?
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### **COPYRIGHT**

6. Does the firm's docket system include dates for:

- a. Copyright renewal filing?  YES  NO
- b. Responses to an Office Action:?  YES  NO
- c. Infringement Filing Action?  YES  NO

7. What is the firm's standard time frame for applying for copyright registration on behalf of their client, once instructed to do so by the Client?
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8. Are transfers of ownership of copyright from one client to another fully documented in writing?  YES  NO

### **PATENT**

9. Please provide a breakdown of industries specific to the firm's intellectual property clients:

- a. Chemical: \_\_\_\_\_ %
- b. Mechanical/Industrial: \_\_\_\_\_ %
- c. Electronics/Semi-Conductors: \_\_\_\_\_ %
- d. Pharmaceutical/Medical/Biotech: \_\_\_\_\_ %

10. Does the firm request written disclosure of specific dates of all printed publications, sales, offers for sale and/or public use of intellectual property from a client, prior to the filing of a patent application?  YES  NO
11. Does the firm request in writing, from all patent clients, the Client's intent to pursue or not pursue a foreign patent Application?  YES  NO
12. Does the firm request in writing, from all patent clients, the client's disclosure of patent applications filed in foreign countries?  YES  NO
13. Does the firm advise foreign clients of the requirements

- needed to satisfy the establishment of the date of invention for US patents?  YES  NO
14. Does the firm disclose in writing to all patent clients all dates for payment of maintenance fees, annual payments or annuities to be paid by the client to keep an application or patent in force?  YES  NO
15. Does the firm advise the client in writing to mark the patented product with the appropriate patent number?  YES  NO
16. Please indicate the percentage of the types of Patent Opinion rendered by the firm:
- a. Patentability:     \_\_\_ %
- b. Infringement:     \_\_\_ %
- c. Validity:     \_\_\_ %
17. For the types of patent opinions rendered, does the firm disclose the scope and extent of the search conducted that it is the basis for the opinion?  YES  NO
18. Does the firm guarantee patent opinions rendered?  YES  NO
19. Does the firm disclose in writing to the client and require the client's written agreement regarding patent applications and strategies taken or to be taken with respect to the GATT Implementation Legislation of June 8, 1995?  YES  NO

## TRADEMARK

20. Does the firm's docket system advise regarding dates for:
- a. Response to all PTO actions:  YES  NO
- b. Declaration of use after registration:  YES  NO
- c. Statement of incontestability after registration:  YES  NO
- d. Renewal of trademark?  YES  NO
21. Does the firm:
- a. Perform searches of the records for the PTO for trademarks?  YES  NO
- b. Search common law sources, such as publication and business indices for existing trademarks?  YES  NO
- c. Statement of incontestability for registration?  YES  NO
- d. Renewal of trademark?  YES  NO
22. Does the firm advise that the trademark search is not guaranteed against all common law sources?  YES  NO
23. Are transfers of ownership of trademark from one entity to another full documented in writing?  YES  NO
24. Are all trademark assignments promptly recorded with the PTO?  YES  NO

THIS SUPPLEMENTAL APPLICATION ATTACHES TO AND BECOMES A PART OF THE APPLICATION. THIS INFORMATION WILL ATTACH TO AND FORM A PART OF THE POLICY, IF A POLICY IS ISSUED. ADDITIONAL INFORMATION MAY BE REQUIRED BY INSURERS. AFTER INQUIRY OF THE FIRM'S MANAGEMENT/EXECUTIVE COMMITTEE, THE UNDERSIGNED DECLARES THIS INFORMATION IS TRUE AND ACCURATE.

### FRAUD WARNINGS

**To All Prospective Insureds:** Any person who knowingly, and with intent to defraud any insurance company or other person, files an application for insurance or statement of claim containing any materially false information, or, for the purpose of misleading, conceals information concerning any fact material thereto, may commit a fraudulent insurance act which is a crime and subjects such person to criminal and civil penalties in many states.

#### To Prospective Insureds in:

**Colorado:** It is unlawful to knowingly provide false, incomplete or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claiming with regard to a settlement or award payable for insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

**District of Columbia:** "Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison."

**Florida and Oklahoma:** Any person who knowingly and with intent to injure, defraud or deceive any insurance company, files a statement of claim containing any false, incomplete, or misleading information is guilty of a felony of the third degree.

**Maryland:** Any person who knowingly or willfully presents a false or fraudulent claim for payment of a loss or benefit or who knowingly or willfully presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**New York:** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed \$5,000 and the stated value of the claim for each such violation.

### SIGNATURE AND AUTHORIZATION

This Application must be signed and dated by a Principal or Officer of the Applicant Firm. Signing this Application will not bind nor obligate the Company to complete this insurance, but it is agreed the applicant's responses to the questions contained in this Application, as well as all attachments, are material and the underwriting Company will rely on these responses and information in the event a policy is issued.

\_\_\_\_\_  
Signature of Principal or Officer of Applicant Firm: Date: \_\_\_\_\_

\_\_\_\_\_  
Producer's Name: Area Code: Phone Number: \_\_\_\_\_

Agent Name: \_\_\_\_\_ Agent License Number: \_\_\_\_\_

(Applicable to Florida Agents Only)

Iowa Licensed Agent: \_\_\_\_\_  
(Applicable to Iowa Agents Only)

Producer's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Applicable to New Hampshire Producers Only)