



A Not-so-woolly Copyright Infringement

Multimedia liability cover in action for an e-commerce business



The Client

E-commerce soft furnishings company, with revenues of approximately £2 million.

The Cyber Challenge

A claimant alleged the insured had been using one of their photographs to market cellular wool blankets on Amazon and eBay.

The claimant alleged the photo was an artistic work, and therefore, the insured breached the Copyright Designs and Patents Act 1988. The claimant asked for all copies of the photo to be removed from the internet and from the insured's own storage devices. The claimant also sought damages.

The Resolution

The client was covered under the Pen Underwriting cyber insurance policy.

Summary

Though the claim amount was relatively small, the policyholder was able to access legal advice quickly and easily, meaning they could resolve the issue confidently.

Details

Insurers confirmed cover under Section A5 — Multimedia Liability for “Damages and Claim Expenses You become legally obligated to pay resulting from a Claim first made against You and reported to Us during the Policy Period arising out of a Media Wrongful Act.” Defence counsel was instructed, and the claim eventually settled.

Financial position

Claim costs:

GBP1,000

Defence costs:

GBP1,280

Excess:

GBP1,250



Contact Us

Speak to your Pen Underwriting business development manager to secure appropriate cyber insurance for your clients' business, or email uk.cyber@penunderwriting.com.