QUESTIONNAIRE
For Applicants for Errors and Omissions Insurance

CLIENT NAME: ________________________________________________

COMPANY NAME, IF ANY: ________________________________________

State of incorporation or formation: _________________________________

NAME OF PRODUCTION: _________________________________________

Please answer the following questions:

1. Who owns the copyright to the script? ____________________________

   a. Was it written as a work for hire? __Yes  __No

   b. If so, who is the creator, and who is the owner: ______________________

2. What is the title of your production: ________________________________

   a. Is this title subject to change, or is it final? _______________________

   b. Have you conducted a title search? __Yes  __No

   c. Have you conducted a copyright search? __Yes  __No

   d. Has the script been registered for copyright? __Yes  __No

       If so, please supply registration number: _______________________

       If either of the above searches has been made, please send us a copy of the reports.

   e. Have any research reports been ordered (e.g. Marshall Plumb)? __Yes  __No
If yes, please send us a copy.

3. What are the names of the Producers?
______________________________________________________________________________
______________________________________________________________________________

4. What kind of a production is it?
__ Motion Picture for Initial Theatrical Release       Run Time:______________
__ Motion Picture for Initial Television Release      Program Time:____________
__ TV Special                                         Program Time:____________
__ Documentary                                        __
__ Theatrical Stage Presentation
__ Other (Please explain.) ____________________________

5. 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 and its author:_______________________________________________

Type of underlying work (e.g. play, book, prior movie): __________________________

Have the necessary agreements and release forms from the owners of the other work been obtained?  
__Yes  __No

If any of the characters in the script are real individuals, or based on real persons, are any of them currently alive?

If so, list their real names, and the character name given them in the script.____________________________

____________________________________________________________________________

Have releases been obtained from any living persons who appear in the script?  
__Yes  __No

If so, do the releases, (a) give you the right to edit and modify material, (b) give you the right to fictionalize them, and (c) give you the right to market the production in all media and markets?______________________________________________________________

Do you intend to show any trademarks in the production?  __Yes  __No
Will any artwork, photos or other copyrightable material be incorporated in the production?  
___Yes  ___No

Are any places or identifiable locations mentioned in the script (e.g. Madison Square Garden, Culver City)?  
___Yes  ___No

For each locale please indicate if it is real, based on a real place, or entirely fictional._____________________________________________________________
________________________________________________________________________
________________________________________________________________________

What year(s) does the story take place? ______________________________________

6. Nature of Content:
___ For Children  ___ Investigative Report  ___ News  ___ Dramatic
___ Previously Released Film  ___ Educational  ___ Sports  ___ Reality
___ Other (Please explain.)______________________________________________

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

8. Has insurance for this production been previously applied for?  ___Yes  ___No

9. Do you desire coverage for merchandising?  ___Yes  ___No

10. Are any trademarks to be shown in the production?  ___Yes  ___No
    If so, indicate which and the context in which they will be shown:___________________
    __________________________________________________________________________

11. Will any phone numbers or actual addresses be mentioned in the production?  ___Yes  ___No

12. Do you have an annotated copy of your script?  ___Yes  ___No
    If so, please send us a copy (if you intend to prepare an annotations, our guidelines are attached).
Annotation Guidelines

Screenwriters should annotate their scripts to document the source of their work. A careful annotation will help a screenwriter defend against defamation and invasion of privacy lawsuits by demonstrating that the writer acted carefully. When a public figure or public official sues for defamation they must prove that the defendant acted with “actual malice.”

Annotations shall specify the source of all script elements except those elements that are completely fictional and arise wholly from the writer’s imagination. Script elements include characters, events, settings and dialogue. Annotations are typically written in the margin of the script, or they are in the form of footnotes or endnotes to the text. Annotations should include the following information:

1. CHARACTERS: For each character note the following information:
   
   (a) Whether the character is a real person, a fictional or a composite character.

   (b) For real characters, whether the actual person is living or dead.

   (c) For composite characters, the name(s) of actual person(s) on whom the composite character is based, and what traits can be attributed to the real person(s).

2. SCENES: Note whether each script element portrays fact or fiction.

   (a) If fact, or an inference from fact, describe the source material for script elements, including the following:

   (i) For books: title, author, publisher and page(s).

   (ii) For newspaper or magazine articles: title, author, publisher, date and page.

   (iii) For materials obtained from the Internet: author, title of article, web site address. If material has been repurposed from another medium, note the title, author, publication etc. of the underlying work.

   (iv) For materials based on radio or television interviews or programs: date, time of broadcast, broadcast station or source, interviewer, program name.

   (v) For interviews: Name of subject, whether notes or tapes exist, reference to tape or transcript page number.

   (vi) For trial or deposition transcripts: the court or other forum, date, person testifying, and transcript page number.
(vii) To the extent possible, multiple sources should be identified for each script element.

(b) If a partly fact and partly fiction, indicate which portions are fact and which are fiction. For factual parts, describe source material as specified in Paragraph 2(a) above.

(c) If entirely fictional, notation is not required.

3. MISCELLANEOUS:

(a) Copies of reference materials referred to in annotations should be retained for at least five years after the film or program has been released. Materials should be cross-indexed by script page and scene numbers.

(b) If margin annotations are coded to avoid repeated lengthy references, a key to such coding should be provided.