

AXIS CLAIMS EXAMPLES

BROADCASTERS

The following claims examples illustrate the types of exposures radio and television broadcasters can face

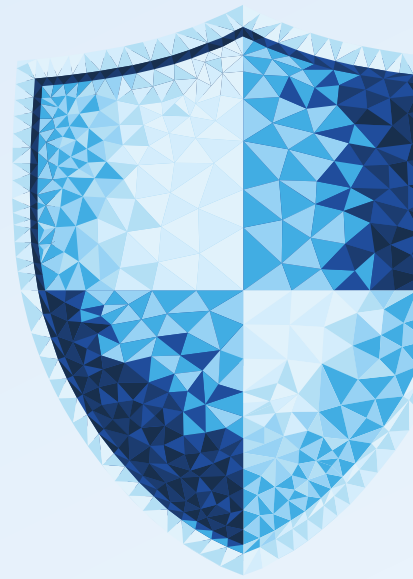
— DEFAMATION

The plaintiff filed suit against the insured radio station and its reporter alleging that the reporter broke the story on the insured's station that the plaintiff had a prior arrest. The plaintiff alleged the manner in which the story was reported was defamatory, alleging causes of action against the station for slander and violation of his civil rights. The plaintiff was running for public office in his county and alleged the station conspired to run a "smear" campaign that cost him the election. The station reported on plaintiff's arrest record for a domestic dispute incident. Neither party to that incident denied any of the facts in the news piece.

A radio station is accused of running various broadcasts that defamed a corporation located in a foreign country. Suit was filed in the foreign country. Substantial legal fees were incurred given the choice of laws issues and different legal standards for defamation.

A TV station reports on a trial which occurred in a neighboring county. The reporter used her notes of the proceeding as the basis for the story, which she attended live. The defendant subsequently sued the station for defamation, notwithstanding the fact that the transcript of the trial largely supported the reporting.

A television station is sued by a woman with the same name as another woman arrested for DUI. The plaintiff's unrelated mugshot was shown on the local television news during a story about the other woman's DUI arrest where video was shown of a woman being pulled out of her car with her pants off because she had urinated on herself. The plaintiff says acquaintances thought it was her given her mugshot was shown and the video was taken from a distance so that viewers could likely not differentiate between the two different "Jane Does."



— INTRUSION

Class action brought by plaintiffs, minors, alleging invasion of privacy by television channels accused of monetizing their YouTube channels by targeting advertising to children under the age of 13.

Reporter for local news station interviews minors that lived in the house next door to a crime scene. No adult was present, the minors were standing in their own doorway and were shocked to learn, from the reporter, of the crime that had been committed at the nextdoor neighbor's house.

— PUBLIC DISCLOSURE OF PRIVATE FACTS

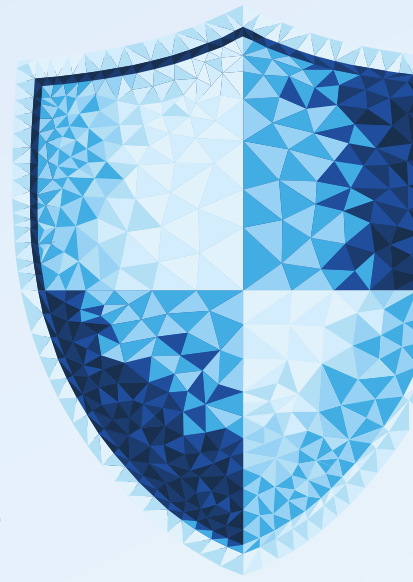
A local public cable channel broadcast a show produced by and starring a local man who was going through a divorce. The show filmed the wife and children going about their daily lives. The wife had signed a waiver for the filming, however, right before Season 2 aired, she changed her mind and threatened suit against her soon-to-be ex-husband and the cable channel for disclosing private facts about her and the children. A cease and desist letter issued.

— FALSE LIGHT

A local citizens cable access channel is threatened with suit by a young African-American woman, claiming a news story about local housing issues in which she was profiled, made it appear that she would not pay her rent, had questionable character and judgment.

— TRADEMARK INFRINGEMENT

Television station sued in connection to broadcasting a sporting event where a logo on a participant's uniform was visible. The company that sponsored the logo sued for trademark infringement against the station. The suit was dismissed.



— COPYRIGHT INFRINGEMENT

A radio station is sued for uploading older news broadcasts that contained copyrighted music on YouTube. The music was only to be used over the air. A list of over 50 infringing compositions were at issue over a period of 7 years.

A broadcaster posts content on its website relating to various concerts occurring in local venues. A story runs regarding an upcoming content, and an intern at the station finds a photo of the performing artist on-line and posts it in conjunction with the story. The intern fails both to note that the photo is copyrighted, and thus to secure a license. The photographer files suit against the broadcaster for copyright infringement.

— ERRORS AND OMISSIONS

A live stream of a sporting event went poorly, and the event sponsor alleged that the difficulties with the live stream ruined its ability to capitalize on the event. The case settled.

Claims examples may be based on actual cases, composites of actual cases or hypothetical claim scenarios and are provided for illustrative purposes only. Facts have been changed to protect the confidentiality of the parties. Whether or to what extent a particular loss is covered depends on the facts and circumstances of the loss, the terms and conditions of the policy as issued and applicable law.