

Relevant Types of Insurance for the Games Industry...

Professional Indemnity, aka Errors & Omissions (E&O)

Covers Breach of contracts and associated legal costs, copyright, trademark and cyber liability. Many of your key B2B liabilities.

Cyber Insurance

1st party cyber = your direct losses
3rd party cyber = your liability to other companies (often included in PI/E&O)

Intellectual Property Insurance

Covers Copyright, Trademarks, Patents & Trade Secrets.
Plus, issues around chain-of-title.

General Liability Insurance

Generally focused on liability to the public and injuries. Relevant for VR, AR, fitness games and events, but also a common contractual requirement.

Directors & Officers

Covers the *personal liability* of senior people.

Key Person

Cover the business losses in the event of a key person being incapacitated. For example, a project is delayed.

Mergers & Acquisitions

Reps & Warranties (W&I) insurance can bridge the uncertainty gap in transactions to help get deals over the line.

Contingency & After-The-Event

Coverage for existing issues which would usually therefore be uninsurable.

Performance Bonds

Insurance on the guaranteed delivery of projects.

Equipment Cover

Expensive Dev Kits, MoCap, Film Equipment etc, is often not adequately covered by traditional contents insurance. Check you have appropriate cover if you have any specialised kit...

This is not an exhaustive list, if you are curious about something else, just ask!

THE GOOD GAME INSURANCE GUIDE:

2024 EDITION (September Update)



Emerging Risks For 2024:

Artificial Intelligence

Copyright issues around media generation, but also potential data privacy and contract breaches. Be aware of potential lack of ownership of AI derived work.

COPPA - Children's Online Privacy Protection Act

Video game companies, even those not based in California, should pay attention to these regulations because they apply to any business that serves California residents. Non-compliance can lead to hefty fines...

What should I prioritise?

Generally Professional Indemnity (E&O) is a good starting point and build from there.

Where to get it from?

Ideally a broker or insurer that has experience in the sector, so they can give proper support and advice on an ongoing basis. Insurance shouldn't just be treated as a bit of paper that sits in a drawer, but a proactive process you go through to protect your business.

Does it cost extra to use a specialist broker?

Brokers usually receive a commission from insurers and generally will get the same or better pricing than going direct. Saving clients time, money and stress.

When to get it?

We suggest exploring options early, even just so you can become aware of your potential risks that you may not have considered. Once you are aware of your potential liabilities and potential cost implications to get coverage, you can then make an informed decision.

How much does it cost?

This could be as little as \$500 to over \$100k per year. It depends on the risk to insurers (i.e. your activities) and the size of your company.

Do I need to get it...?

If you are legally or contractually obligated to get certain coverages then yes, but otherwise it's down to your risk appetite. Having the peace of mind of a good insurance policy may not just help you sleep at night but can also add to your credibility when dealing with other companies.

What makes it "Game" Insurance?

Most brokers & insurers do not understand the industry and therefore will not offer adequate coverage to games companies or (even worse) do not understand it and sell policies that would never pay out.

The key is making sure that the insurers are understand and are aware of your activities and liabilities, are happy and on-board with what you are doing as a business. There are big differences between publishers, developers etc and the underlying coverage and policy wording must be appropriate for your unique activities in the games industry.

Where am I covered...?

Check your policy for,

Territorial Limits = Where you can work **vs.**

Jurisdictional Limits = Where you can be sued (USA/Canada are often excluded).

Watch out for policies that are sold as "worldwide cover" as this might only be referring to the territorial limit, if you were sued in a US court, without a Jurisdictional limit that includes USA/Canada, you wouldn't be covered. This generally costs extra but is definitely worth checking if you have exposure in the USA!

What to do if I want to make a claim?

Talk to your insurer/broker as soon as something happens. Even if it is still early. They can guide you through the process and may help you mitigate the loss (it's in their interest to assist with damage control).

Crucial Tip...!

Always be transparent with any ongoing activities or potential issues when taking out a new policy, discuss this with your broker/insurers to ensure they are aware and can help you arrange appropriate coverage.

Tip...! Multi Company Structures:

If you have a group structure, you can often simply insure the holding company, and then all subsidiaries are also covered. This can potentially save a lot of hassle (and cost!)

Who we work with:

- Game Developers
- Game Consultants & Services (non-financial)
- Game Publishers
- Contractors & Work for Hire Studios
- Film & Media Publishing
- Film & Media Production
- Gambling Game Developers
- Physical Game Developers & Tabletop
- Blockchain, including NFT games
- Anything else, ask us!

We work directly in: UK, EU, USA, South Africa & other countries via our network of local brokers

Who are GG Insurance Services?

Multiple award nominated, market leading protection for the games industry since 2018 with access to exclusive products and the world's best insurance providers.

Our passion for the industry runs deep, and we are always willing to go the extra mile to help.

Please check out our 5* reviews...

We are driving change within the industry itself by educating key stakeholders on what risks they should be aware of across the games industry, and also the insurance marketplace.

Protecting both the games industry and insurers means a healthier ecosystem for all parties.

Tip...! NDAs

Everything shared with brokers & insurers is always automatically treated as confidential.

NDAs can be signed, but if insurers are unaware of certain liabilities, activities or contracts, they may not be able to identify certain risks, leaving potential gaps in coverage.

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