

华泰财险附加娱乐领域除外条款

本保险不负责赔偿由于下列原因导致的“人身损害”、“财产损失”、“个人权利侵害”或“广告侵害”：

1. 侵害、侵犯或干预隐私权或公开权，无论遵照普通法或者成文法规定；
2. 侵犯版权或商标权，无论遵照普通法或者成文法规定；
3. 诽谤、诋毁或其他形式的中伤；
4. 未经授权或不当使用标题、标语、格式、创意、人物、情节或其他节目素材；或者
5. 被保险人在“娱乐领域”内经营过程中实施或涉嫌已实施的侵犯版权，侵犯普通法项下的文学或音乐素材的产权、剽窃、不正当竞争、欺诈交易或盗版行为。

“娱乐领域”是指：

- 1) 电影、影像作品、电视节目、商业影片、教育影片、录音资料、唱片、磁带和光盘、电音、乐谱、戏剧节目、现场表演、音乐会、体育或运动活动、文学作品或其他类似媒介物的创作、制作、前后期制作、发行、推广或展出。
- 2) 由任何演员、艺人、或音乐家在任何作品、演出、公开露面、表演、展出、体育或运动活动、或任何其他娱乐媒介或展示中参与表演或执导。
- 3) 当涉嫌违法行为发生时，无论是否在被保险人经营场所或是否在被保险人管控内，对衍生商品，广告或宣传资料，人物或想法的拥有、许可、运营、维护或使用；或
- 4) 对表演场地、体育场馆、剧院和类似展览会场或媒介的拥有、租赁、运营、维护或使用；或
- 5) 对任何现场演出、现场音乐会、运动会或特殊活动的发起、制作和宣传。

X50 Field Of Entertainment Exclusion

This insurance does not apply to "bodily injury," "property damage," "personal injury," or "advertising injury" arising out of:

A. Invasion or infringement of or interference with the right of privacy or publicity, whether under common law or statutory law;

B. Infringement of copyright or trademark, whether under common law or statutory law;

C. Libel, slander or other forms of defamation;

D. Misappropriation or unauthorized use of titles, slogans, formats, ideas, characters, plots or other program material; or

E. Infringement of copyright or common law property rights in literary or musical material, plagiarism, unfair competition, deceptive trade practice or piracy; committed or alleged to have been committed by the insured while operating within the "field of entertainment."

"Field of Entertainment" means:

- A. The creation, production, pre-production, post-production, distribution, exploitation or exhibition of motion pictures, video productions, television programs, commercial films, educational films, audio recordings, phonograph recordings, cassettes and discs, electrical transcriptions, sheet music, theatrical shows, live performances, concerts, sporting or athletic events, literary works or other similar mediums;
- B. The conduct or directing of any players, entertainers, or musicians in any production, show, appearance, performance, exhibition, sporting or athletic event, or any other entertainment medium or exhibition;
- C. The ownership, licensing, operation, maintenance or use of merchandising programs, advertising or publicity material, characters or ideas, whether or not on the insured's premises or in the insured's possession at the time of the alleged offense; or
- D. The ownership, leasing, operation, maintenance or use of arenas, stadiums, theaters and similar exhibition venues or media; or
- E. The sponsorship, production or promotion of any live performance, concert, sporting or special event.