

SERFF Tracking Number: AMAX-125666042 State: Arkansas  
Filing Company: American Association of Insurance Services State Tracking Number: EFT \$100  
Company Tracking Number: AAIS-2008-25BP  
TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners  
Liability  
Product Name: Businessowners  
Project Name/Number: CW BOP TCPA CAN-SPAM Exclusion Endt - AAIS-2008-25BP /AAIS-2008-25BP

## Filing at a Glance

Company: American Association of Insurance Services

Product Name: Businessowners SERFF Tr Num: AMAX-125666042 State: Arkansas  
TOI: 05.0 Commercial Multi-Peril - Liability & Non-Liability SERFF Status: Closed State Tr Num: EFT \$100

Sub-TOI: 05.0002 Businessowners Co Tr Num: AAIS-2008-25BP State Status: Fees verified and received

Filing Type: Form Co Status: Reviewer(s): Betty Montesi, Llyweyia Rawlins, Brittany Yielding  
Author: SPI AAIS Disposition Date: 06/06/2008  
Date Submitted: 05/27/2008 Disposition Status: Approved

Effective Date Requested (New): 11/01/2008 Effective Date (New): 11/01/2008  
Effective Date Requested (Renewal): Effective Date (Renewal):

State Filing Description:

## General Information

Project Name: CW BOP TCPA CAN-SPAM Exclusion Endt - AAIS-2008-25BP Status of Filing in Domicile: Pending

Project Number: AAIS-2008-25BP

Reference Organization:

Reference Title:

Filing Status Changed: 06/06/2008

State Status Changed: 06/06/2008

Corresponding Filing Tracking Number:

Filing Description:

Re: AAIS-2008-25BP

Businessowners Program

Revised Telephone Consumer Protection Act of 1991, CAN-SPAM Act of 2003,  
and Other Information Distribution Violations Exclusion

Domicile Status Comments:

Reference Number:

Advisory Org. Circular:

Deemer Date:

<i>SERFF Tracking Number:</i>	<i>AMAX-125666042</i>	<i>State:</i>	<i>Arkansas</i>
<i>Filing Company:</i>	<i>American Association of Insurance Services</i>	<i>State Tracking Number:</i>	<i>EFT \$100</i>
<i>Company Tracking Number:</i>	<i>AAIS-2008-25BP</i>		
<i>TOI:</i>	<i>05.0 Commercial Multi-Peril - Liability &amp; Non- Liability</i>	<i>Sub-TOI:</i>	<i>05.0002 Businessowners</i>
<i>Product Name:</i>	<i>Businessowners</i>		
<i>Project Name/Number:</i>	<i>CW BOP TCPA CAN-SPAM Exclusion Endt - AAIS-2008-25BP /AAIS-2008-25BP</i>		

On behalf of our affiliated companies, the American Association of Insurance Services (AAIS) is filing changes to the above captioned program. Our filing consists of a revised endorsement.

The Filing Memorandum provides detailed descriptions of the changes and additions being proposed at this time. Side-by-side comparisons of the current-to-revised countrywide endorsements are included. Copies of all materials are enclosed.

We propose that the filing become effective November 1, 2008. Companies will be advised to take the filing action outlined in the attached company action exhibit.

Please be advised that, upon approval, the materials that are the subject of this filing may also be provided to affiliated companies in an electronic format. We will be happy to furnish you the same materials electronically, upon request. Due to differences in printer configurations or other hardware or software differences, the appearance of the materials that are the subject of this filing may be altered slightly when produced by another system. Such alterations will be cosmetic only and will not affect the content of the filed materials.

## **Company and Contact**

### **Filing Contact Information**

Norma Jean Knight, Filings/Compliance Specialist	<a href="mailto:normak@aaisonline.com">normak@aaisonline.com</a>
1745 South Naperville Road Wheaton, IL 60187-8132	(630) 681-8347 [Phone] (630) 681-8356[FAX]

### **Filing Company Information**

American Association of Insurance Services	CoCode: 31400	State of Domicile: Delaware
1745 S. Naperville Road	Group Code:	Company Type:
Wheaton, IL 60187-8132	Group Name:	State ID Number:
(630) 681-8347 ext. [Phone]	FEIN Number: 36-2021360	
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SERFF Tracking Number: AMAX-125666042 State: Arkansas  
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## Filing Fees

Fee Required? Yes  
Fee Amount: \$100.00  
Retaliatory? No  
Fee Explanation:  
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
American Association of Insurance Services	\$100.00	05/27/2008	20511607

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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Approved	Llyweyia Rawlins	06/06/2008	06/06/2008

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Product Name: Businessowners  
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## Disposition

Disposition Date: 06/06/2008

Effective Date (New): 11/01/2008

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: AMAX-125666042 State: Arkansas  
 Filing Company: American Association of Insurance Services State Tracking Number: EFT \$100  
 Company Tracking Number: AAIS-2008-25BP  
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 Liability  
 Product Name: Businessowners  
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Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	AR - FORM FILING ABSTRACT F-1	Approved	Yes
Supporting Document	BP 0840 02 08 Filing Memo	Approved	Yes
Supporting Document	BP 0840 02 08 to BP 0840 10 05	Approved	Yes
Supporting Document	Forms Company Action Exhibit	Approved	Yes
Form	Telephone Consumer Protection Act of 1991, CAN-SPAM Act of 2003, and Other Information Distribution Violations Exclusion	Approved	Yes

SERFF Tracking Number: AMAX-125666042 State: Arkansas  
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## Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Telephone Consumer Protection Act of 1991, CAN-SPAM Act of 2003, and Other Information Distribution Violations Exclusion	BP 0840	02 08	Endorsement/Amendment/Conditions	Replaced Form #:49.31 BP 0840 10 05 Previous Filing #: AR-PC-05-015740		BP 0840.PDF

## TELEPHONE CONSUMER PROTECTION ACT OF 1991, CAN-SPAM ACT OF 2003, AND OTHER INFORMATION DISTRIBUTION VIOLATIONS EXCLUSION

The Commercial Liability Coverages are amended as follows:

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### COMMERCIAL LIABILITY COVERAGES

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The following is added to the exclusions under Coverage L -- Bodily Injury Liability and Property Damage Liability and Coverage P -- Personal and Advertising Injury Liability:

"We" do not pay for "bodily injury", "property damage", or "personal and advertising injury" arising directly or indirectly out of violations of or alleged violations of:

- a. the Telephone Consumer Protection Act of 1991 (TCPA), including any amendments thereto, and any similar federal, state, or local laws, ordinances, statutes, or regulations;
- b. the CAN-SPAM Act of 2003, including any amendments thereto, and any similar federal, state, or local laws, ordinances, statutes, or regulations; or
- c. any federal, state, or local law, regulation, statute or ordinance, other than the TCPA or the CAN-SPAM Act of 2003, that limits or prohibits the communicating, transmitting, sending or distribution of material or information.

*SERFF Tracking Number:*      *AMAX-125666042*                      *State:*                      *Arkansas*  
*Filing Company:*              *American Association of Insurance Services*      *State Tracking Number:*      *EFT \$100*  
*Company Tracking Number:*      *AAIS-2008-25BP*  
*TOI:*                      *05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI:*                      *05.0002 Businessowners*  
*Liability*  
*Product Name:*              *Businessowners*  
*Project Name/Number:*      *CW BOP TCPA CAN-SPAM Exclusion Endt - AAIS-2008-25BP /AAIS-2008-25BP*

## **Rate Information**

Rate data does NOT apply to filing.

SERFF Tracking Number: AMAX-125666042 State: Arkansas  
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 Company Tracking Number: AAIS-2008-25BP  
 TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners  
 Liability  
 Product Name: Businessowners  
 Project Name/Number: CW BOP TCPA CAN-SPAM Exclusion Endt - AAIS-2008-25BP /AAIS-2008-25BP

## Supporting Document Schedules

**Satisfied -Name:** Uniform Transmittal Document-  
Property & Casualty **Review Status:** Approved 06/06/2008

**Comments:**

**Attachments:**

AR - NAIC P&C TRANSMITTAL DOCUMENT.PDF  
 AR - NAIC FORM FILING SCHEDULE.PDF

**Satisfied -Name:** AR - FORM FILING ABSTRACT F-  
1 **Review Status:** Approved 06/06/2008

**Comments:**

**Attachment:**

AR - FORM FILING ABSTRACT F-1.PDF

**Satisfied -Name:** BP 0840 02 08 Filing Memo **Review Status:** Approved 06/06/2008

**Comments:**

**Attachment:**

BP 0840 02 08 Filing Memo.PDF

**Satisfied -Name:** BP 0840 02 08 to BP 0840 10 05 **Review Status:** Approved 06/06/2008

**Comments:**

**Attachment:**

BP 0840 02 08 to BP 0840 10 05.PDF

**Satisfied -Name:** Forms Company Action Exhibit **Review Status:** Approved 06/06/2008

**Comments:**

**Attachment:**

*SERFF Tracking Number:*      *AMAX-125666042*                      *State:*                      *Arkansas*  
*Filing Company:*              *American Association of Insurance Services*      *State Tracking Number:*      *EFT \$100*  
*Company Tracking Number:*      *AAIS-2008-25BP*  
*TOI:*                      *05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI:*                      *05.0002 Businessowners*  
*Liability*  
*Product Name:*              *Businessowners*  
*Project Name/Number:*      *CW BOP TCPA CAN-SPAM Exclusion Endt - AAIS-2008-25BP /AAIS-2008-25BP*

**Forms Company Action Exhibit.PDF**



## Property & Casualty Transmittal Document

<b>1. Reserved for Insurance Dept. Use Only</b>
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<b>2. Insurance Department Use only</b>	
a. Date the filing is received:	
b. Analyst:	
c. Disposition:	
d. Date of disposition of the filing:	
e. Effective date of filing:	
New Business	
Renewal Business	
f. State Filing #:	
g. SERFF Filing #:	
h. Subject Codes	

<b>3. Group Name</b>	<b>Group NAIC #</b>
	0000

4. Company Name(s)	Domicile	NAIC #	FEIN #	State #
American Association of Insurance Services	DE	31400	36-2021360	

<b>5. Company Tracking Number</b>	AAIS-2008-25BP
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**Contact Info of Filer(s) or Corporate Officer(s)** [include toll-free number]

6.	Name and address	Title	Telephone #s	FAX #	e-mail
	Norma Jean Knight 1745 South Naperville Road Wheaton IL 60187-8132	Filings/Compliance Specialist	800-564-2247 Ext. 243	630-681-8356	normak@aaisonline.com

<b>7.</b>	Signature of authorized filer	
<b>8.</b>	Please print name of authorized filer	Norma Jean Knight

**Filing Information** (see General Instructions for descriptions of these fields)

<b>9.</b>	Type of Insurance (TOI)	05.0 Commercial Multi-Peril - Liability & Non-Liability
<b>10.</b>	Sub-Type of Insurance (Sub-TOI)	05.0002 Businessowners
<b>11.</b>	State Specific Product code(s) (if applicable) [See State Specific Requirements]	
<b>12.</b>	Company Program Title (Marketing Title)	Businessowners Program
<b>13.</b>	Filing Type	<input type="checkbox"/> Rate/Loss Cost <input type="checkbox"/> Rules <input type="checkbox"/> Rates/Rules <input checked="" type="checkbox"/> Forms <input type="checkbox"/> Combination Rates/Rules/Forms <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other (give description)
<b>14.</b>	Effective Date(s) Requested	New: 11/01/2008      Renewal: N/A
<b>15.</b>	Reference Filing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>16.</b>	Reference Organization (if applicable)	We are the rating organization
<b>17.</b>	Reference Organization # & Title	
<b>18.</b>	Company's Date of Filing	May 27, 2008
<b>19.</b>	Status of filing in domicile	<input type="checkbox"/> Not Filed <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Authorized <input type="checkbox"/> Disapproved

## Property & Casualty Transmittal Document

<b>20.</b>	<b>This filing transmittal is part of Company Tracking #</b>	AAIS-2008-25BP
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<b>21.</b>	<b>Filing Description</b> [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]
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Re: AAIS-2008-25BP  
 Businessowners Program  
 Revised Telephone Consumer Protection Act of 1991, CAN-SPAM Act of 2003,  
 and Other Information Distribution Violations Exclusion

On behalf of our affiliated companies, the American Association of Insurance Services (AAIS) is filing changes to the above captioned program. Our filing consists of a revised endorsement.

The Filing Memorandum provides detailed descriptions of the changes and additions being proposed at this time. Side-by-side comparisons of the current-to-revised countrywide endorsements are included. Copies of all materials are enclosed.

We propose that the filing become effective November 1, 2008. Companies will be advised to take the filing action outlined in the attached company action exhibit.

Please be advised that, upon approval, the materials that are the subject of this filing may also be provided to affiliated companies in an electronic format. We will be happy to furnish you the same materials electronically, upon request. Due to differences in printer configurations or other hardware or software differences, the appearance of the materials that are the subject of this filing may be altered slightly when produced by another system. Such alterations will be cosmetic only and will not affect the content of the filed materials.

<b>22.</b>	<b>Filing Fees</b> (Filer must provide check # and fee amount if applicable.) [If a state requires you to show how you calculated your filing fees, place that calculation below]
<p><b>Check #:</b> EFT  <b>Amount:</b> \$ 100.00</p> <p>Fees submitted via EFT</p> <p style="text-align: center;"><b>Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.</b></p>	

\*\*\*Refer to each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)

## FORM FILING SCHEDULE

(This form must be provided **ONLY** when making a filing that includes forms)  
 (Do **not** refer to the body of the filing for the forms listing, unless allowed by state.)

<b>1.</b>	<b>This filing transmittal is part of Company Tracking #</b>	AAIS-2008-25BP
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<b>2.</b>	<b>This filing corresponds to rate/rule filing number</b> (Company tracking number of rate/rule filing, if applicable)	N/A
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3.	Form Name /Description/Synopsis	Form # Include edition date	Replacement Or Withdrawn?	If replacement, give form # it replaces	Previous state filing number, if required by state
01	Telephone Consumer Protection Act of 1991, CAN-SPAM Act of 2003, and Other Information Distribution Violations Exclusion	BP 0840 02 08	<input type="checkbox"/> New <input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	BP 0840 10 05	AR-PC-05-015740
02			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
03			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
04			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
05			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
06			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
07			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
08			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
09			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
10			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
11			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		

ARKANSAS INSURANCE DEPARTMENT

FORM FILING ABSTRACT

**ALL QUESTIONS MUST BE ANSWERED**

Companies filing for a group may use a consolidated abstract if all forms are identical.

1. Date Filed May 27, 2008

2. Company Name(s) American Association of Insurance Services

Group Name \_\_\_\_\_ NAIC No. 31400 Group No. 0000

3. (a) Annual Statement Line of Business Number (Page 14) 05.0 Commercial Multi-Peril - Liability & Non-Liability

(b) Class of Business 05.0002 Businessowners

© Coverages Affected Businessowners

4. (a) Name of Advisory Organization, if any We are the rating organization

(b) Affiliations with Advisory Organization: Member (  ) Subscriber (  )

5. Is this a reference filing? Yes (  ) No (  ) If yes, please provide the following:

(a) Name of Advisory Organization (or Affiliated Company) \_\_\_\_\_

(b) Date of Filing \_\_\_\_\_

© Filing Designation Number or Description \_\_\_\_\_

**PROVIDE THE INFORMATION REQUESTED ON PAGE 2 OF THIS FORM**

7. Has the form(s) been approved for use in your domiciliary state and/or other states?

Pending/pending

8. Is the form filed in response to or due to legislation? If so, specify legislation.

No

9. Is the form in response to or due to recent court decisions? If so, give citation.

No

THIS INFORMATION IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Norma Jean Knight*

Signature

Norma Jean Knight

Title

630-681-8347

Telephone Number

Old Form No.	Proposed Effective Date of New Form	New Form No.	Title of the Form(s); also Indicate Withdrawals: Provide Synopsis of Coverage
BP 0840 10 05	11/01/08	BP 0840 02 08	Telephone Consumer Protection Act of 1991, CAN-SPAM Act of 2003, and Other Information Distribution Violations Exclusion

*AMERICAN ASSOCIATION OF INSURANCE SERVICES'*  
*Businessowners -- Endorsements*  
*Filing Memorandum*

Countrywide

AAIS is filing a revised endorsement for use with the current Businessowners Standard Policy and Businessowner Special Policy forms. AAIS is filing this endorsement, which adds a paragraph and includes a title change, to clarify its intent to exclude liability for violations of any federal, state, or local law, regulation, statute or ordinance that limits or prohibits communicating, transmitting, sending or distribution of material or information, and not just the Telephone Consumer Protection Act of 1991 (TCPA) and the Controlling The Assault Of Non-Solicited Pornography And Marketing Act Of 2003 (CAN-SPAM).

A copy of the revised endorsement described below is included with this filing.

**BP 0840 02 08 TELEPHONE CONSUMER PROTECTION ACT OF 1991, CAN-SPAM  
ACT OF 2003, AND OTHER INFORMATION DISTRIBUTION VIOLATIONS  
EXCLUSION**

Endorsement BP 0840 02 08 replaces endorsement BP 0840 10 05 to clarify AAIS's intent, by adding a paragraph and including a title change, to exclude liability for violations of any federal, state, or local law, regulation, statute or ordinance, other than TCPA or the CAN-SPAM Act of 2003, that limits or prohibits the communicating, transmitting, sending or distribution of material or information.

~~TELEPHONE CONSUMER PROTECTION ACT OF 1991  
AND CAN-SPAM ACT OF 2003 EXCLUSION~~  
TELEPHONE CONSUMER PROTECTION ACT OF 1991, CAN-SPAM  
ACT OF 2003, AND OTHER INFORMATION DISTRIBUTION  
VIOLATIONS EXCLUSION

The Commercial Liability Coverages are amended as follows:

---

**COMMERCIAL LIABILITY COVERAGES**

---

The following is added to the exclusions under Coverage L -- Bodily Injury Liability and Property Damage Liability and Coverage P -- Personal and Advertising Injury Liability:

"We" ~~will~~do not pay for "bodily injury", "property damage", or "personal and advertising injury" arising directly or indirectly out of violations of or alleged violations of:

- ~~1a.~~ 1a. the Telephone Consumer Protection Act of 1991 (TCPA), including any amendments thereto, and any similar federal, state, or local laws, ordinances, statutes, or regulations; ~~or~~
- ~~2b.~~ 2b. the CAN-SPAM Act of 2003, including any amendments thereto, and any similar federal, state, or local laws, ordinances, statutes, or regulations; or
- ~~c.~~ c. any federal, state, or local law, regulation, statute or ordinance, other than the TCPA or the CAN-SPAM Act of 2003, that limits or prohibits the communicating, transmitting, sending or distribution of material or information.

# AMERICAN ASSOCIATION OF INSURANCE SERVICES

## COMPANY ACTION EXHIBIT

### ARKANSAS

#### FORMS

Companies that have granted AAIS filing authority for forms and endorsements for this line of insurance:

- can adopt an AAIS forms and endorsements filing, without modifications, on the effective date designated by AAIS without notifying the Arkansas Insurance Department (ARID).
- can adopt an AAIS forms and endorsements filing on an earlier effective date by notifying the ARID at least 30 days before their chosen effective date.
- can adopt an AAIS forms and endorsements filing on a later effective date by notifying the ARID at least 30 days before the effective date designated by AAIS.
- can modify an AAIS forms and endorsements filing by establishing an effective date and submitting their modifications to the ARID at least 30 days before their chosen effective date.
- can choose not to adopt an AAIS forms and endorsements filing by notifying the ARID on or before the effective date designated by AAIS.

Companies that have not granted AAIS filing authority for forms and endorsements for this line of insurance:

- can adopt an AAIS forms and endorsements filing by establishing an effective date and making a reference filing with the ARID at least 30 days before their chosen effective date. A reference filing should contain only transmittal forms and the filing reference numbers. Copies of AAIS filed and approved materials should **not** be included in a reference filing.

Include the AAIS and state file numbers in all correspondence with the ARID.