

Andrew Lustigman and Jeremy King Publish Article in Bloomberg Law on Why Social Media Influencers Must Weigh Liability Insurance Options

ARTICLE | 08.03.2023

Andrew Lustigman, Chair of Olshan's Advertising, Marketing & Promotion's Group and Co-Chair of the firm's Brand Management & Protection Group, and Jeremy King, Chair of Olshan's Insurance Coverage Practice, published an article in Bloomberg Law (subscription required) entitled "Social Media Influencers Must Weigh Liability Insurance Options." In the article, the authors warn that certain promotional behaviors undertaken by social media influencers could potentially expose brands to legal liabilities. Accordingly, many brands require influencers to purchase general liability insurance. "General liability coverage protects the influencer from claims they caused bodily injury or damaged property if an unexpected accident takes place while staging an Instagram shot or filming a TikTok video," Andy and Jeremy write. "But social media influencers and companies may be more interested in lesser known 'personal and advertising injury' coverage found in general liability policies." They urge anyone who intends to pursue a career as a social media influencer to discuss insurance coverage options with insurance brokers in order to prevent as much potential risk as possible. They should carefully examine different options in coverage, as well as any exclusions that would be detrimental to the risk they are looking to offset. How much coverage to purchase is also important. "Coverage often can be expensive," they explain, "and the potential costs of defending against a lawsuit may need to be considered when deciding the limit of insurance to purchase."

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