



E&O Startup Risk Reduction Checklist

While this list is by no means exhaustive, and not everything on this list may be applicable to you, it's a good starting point to make sure that you're taking the necessary steps to protect your company from unnecessary lawsuits.

Contracts:

- Written Policies / Procedures
 - Privacy Statement
 - Terms and Conditions
 - Information Security Policy
 - Standard Customer Contract
 - Contract Revision Procedures
 - Standard Subcontractor / Vendor Agreement
 - Attorney review of written policies / procedures
- Important Terms/Clauses (check for these in your contracts)
 - Limitation of Liability
 - Disclaimers
 - Limitation of Damages

Quality Control Procedures:

- Alpha / Beta Testing
- Customer signoff @ each phase of project
- Formal Customer Acceptance
- Prototype Development
- Total Quality Management
- Vendor/Subcontractor Certification Process
 - Vendor/Subcontractor Proof of Insurance Requirements
- Written/Formal QC Program
- Formal Recall Plan

IT / Network:

- Virus Protection, Firewalls, & Intrusion Detection
- Encryption of all sensitive data
- Access Restrictions & Password Protection
- Encryption / Limited access of sensitive data on mobile devices
- Daily backups of data & configuration files
- Formalized access privileges for confidential info
 - Immediate removal of access privileges
- "Clean desk" / "clean screen" policy (hide / lock sensitive info when unattended / inactive)
- 3rd party service providers
 - Require indemnification for loss
 - Require security measures at least as robust as your own

Content / IP:

- Legal Review of your content
- Infringement checks before using 3rd party content
- Disclaimers on website regarding 3rd party content (usually on the Terms & Conditions page)
- Recognition of the source of 3rd party copyrighted materials used on your website
- IP clearance checks on your trademarks & copyrights
- Written permission obtained to use 3rd party IP
- Formal take-down procedure
 - Displayed on website