

COPYRIGHTS

How to protect your DNA from unauthorized use.

SAY YOU'RE Madonna. (Just say.) A zealous fan with money to burn pilfers your DNA from a stray hair that comes his way. Twenty years later, you see your clone dressed in black lace singing "Burning Up" on MTV.

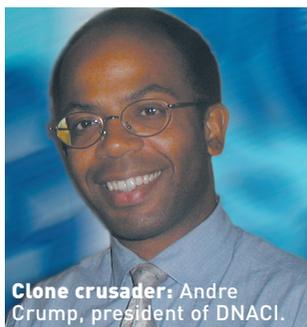
It might seem unlikely, but the San Francisco-based DNA Copyright Institute (DNACI) thinks it's a legitimate concern. In August, the company unveiled its service, which targets primarily celebrities—actors, athletes, and models—who feel the need to prevent unauthorized reproduction of their genetic maps.

Company officials say the advent of cloning technology could lead to trading in celebrity DNA. Copyrighting your genetic map will provide you with legal recourse in case that copyright is infringed, says Andre Crump, the company's president and founder. The odds that a clone would be created to copy a celebrity's career? "It's not completely likely," says Mr. Crump. "What's more probable, and much more possible, is that someone who's extremely attractive or intelligent is cloned, and no one would know that person is a clone. We think that's extremely likely."

The DNACI is betting on a line in the U.S. Copyright Act that states that copyright protection applies to "original works of authorship." Rather than copyrighting DNA outright, the company records the pattern of an individual's DNA, which Mr. Crump says "is as original as you can get in human biology."

To copyright your DNA pattern, you

pay the DNACI \$1,500 and have a doctor or a laboratory take a sample. Unless customers request it, DNACI does not submit the DNA pattern to the U.S. Copyright Office—a repository for copyrighted material. "That's because different people feel differently about DNA databases being used by government and insurance companies," says Mr. Crump. "We're just maintaining confidentiality." The company's Web site says, "Fortunately, [customers] do not have to proceed with Federal registration in order to guarantee copyright protection."



Clone crusader: Andre Crump, president of DNACI.

The Copyright Office begs to differ. "The office has never registered a copyright claim in a person's DNA," says Robert Dizard, the office's staff director. "Copyright does not protect a person's DNA, because it is not an original work of authorship." Mr. Crump says he agrees, emphasizing the company's focus on DNA patterns. But Mr. Dizard adds: "The only certificates of copyright registration that have any legal status are certificates issued by the Copyright Office."

Mr. Crump isn't a lawyer or a scientist. He's a former marketing executive—an alumnus of *Apropos Technology*, *Citadon*, and *Sun Microsystems*, among others—who's also the author of *Everything I Know About Dating I Learned in Business School*. Mr. Crump says he's put less than \$50,000 of his own money into the company and that "the path to profitability is short. We see a very long and bright future for this type of service." Madonna, Andre Crump is waiting for your call. ■ —Joanna Pearlstein

EUROPE

Online porn goes mainstream.

AS EUROPE'S ISPs tighten their belts, they're also letting down their hair. In recent weeks, Freenet.de, one of Germany's largest ISPs, and Ya.com, a Spanish portal, signed content-licensing agreements with providers of hard-core pornography. These deals underline the willingness of European Internet companies to do business with purveyors of adult content, in sharp contrast to typically puritanical U.S. corporations.

Despite the fact that adult content remains one of the best-performing Internet sectors, mainstream U.S. Internet companies are keen to distance themselves from the murkier side of the Net. Earlier this year, Yahoo removed all adult-related products from its sites. America Online has no proprietary adult content on its Web sites.

The deal with Ya.com was negotiated by Bjorn Skarlen, Internet director at the Private Media Group, a Barcelona company that claims to be the world's biggest producer of adult content. He also recently completed a deal with Prisacom, a Madrid company that provides media products. Mr. Skarlen is frustrated by attempts to enter the mainstream U.S. market. "In the U.S., every Internet company wants to make money through porn and gambling, but nobody has the balls to tell their investors that this is what people want," he says.

Clearly, not every company is keen to provide hard-core pornography as part of its product mix, but Mr. Skarlen feels European companies deal with the issue less furtively. "There are some portals in Europe that say no to porn and some that say yes," he says. "In the U.S. they say, Yeah, we want it, but how can we hide it?" ■ —Guy Paisner