# FROM LOVE LETTERS TO LICENSES: UNPACKING THE INTERSECTION OF INTELLECTUAL PROPERTY LAW AND ROMANTIC ENTANGLEMENTS

Arisha Tyagi, Jindal Global Law School, OP Jindal Global University

## **ABSTRACT**

This paper explores the convergence between intellectual property (IP) law and romantic entanglements, examining how the legal fundamentals of ownership, co-authorship, and abandonment parallel the emotional dynamics of love. This study explores the relationship structures by examining moral rights, competition law, and notable legal cases to determine if the existing frameworks that regulate creative ownership offer valuable insights to make sense of romantic dynamics similarly. This particular paper aims to encapsulate the enthralling intricacies of ownership, loss, and love through both legal and romantic lenses by analysing several case studies drawn from contemporary legal history and mass media culture, including 'To All the Boys I've Loved Before', 'Eternal Sunshine of the Spotless Mind', and the Taylor Swift masters dispute.

**Keywords:** Intellectual Property, Moral Rights, Co-Authorship, Romantic Relationships, Abandonment, Competition Law

## Introduction

The theories of ownership and possession are deeply embedded in legal frameworks and interpersonal relationships, so much so that they can be considered the backbone of both. In 'Essays in Love', philosopher Alain de Botton points out that "We are always more eager to possess a lover than to understand them," emphasising the conflict between emotional longing and the legal idea of ownership.

In a legal context, ownership grants an individual the exclusive authority to control, utilise, and transfer an asset. In the realm of intellectual property (IP) law, ownership defines the rights and control one has over creative works, whether that may be literary works, dramatic works, musical works, artistic works, cinematographic works, or software programs. In intellectual property law, creative works are original expressions of ideas which are protected by copyright, trademark, patent, or design law. These works must be original and fixed in a tangible medium (e.g., written, recorded, painted, or coded).

Possession is actual control or de facto possession over an object, land, or right. Legally, possession is not necessarily equivalent to ownership but confers specific legal rights to the possessor. Possession in Law, or *De Jure Possession*, always acknowledges your authority over an object, whether it is in use or not. To gain a more profound insight into the principles governing this concept, we can consider the two kinds of possession- Exclusive and Joint Possession. Exclusive Possession refers to a situation where a single individual has control over an object without any shared ownership. In contrast, Joint Possession occurs when control of the object is shared among multiple individuals.

When discussing ownership and possession from a legal perspective, definitions are straightforward. There are explicit terms we can use to clarify the two; however, this clarity does not apply in every context. While the legal constructs of ownership and possession are clearly defined in intellectual property law, the emotional equivalents are far more fluid and nuanced in romantic relationships. In romantic relationships, the concepts of possession and ownership appear in emotional and psychological forms. Emotional connections function according to implicit guidelines of possession and exclusivity, unlike the established regulations in law. Concepts of exclusivity, Sentitlement, and attachment mimic the structures of legal possession—raising questions about whether love itself can be "owned" or if possession in relationships is merely an illusion.

Hannah Arendt posits that "The most profound experience of ownership is not in things but in the realm of personal relationships, which can often seem more real than any material property." This emotional connection is where legal concepts like moral rights, abandonment, and co-authorship converge with love and relationship dynamics.

In IP Law, moral rights safeguard the personal relationship between a creator and their creation, independent of ownership. These rights, particularly the right to attribution and the right to integrity, guarantee that the emotional bond between the creator and their work is recognised, even after the work has been transferred. Likewise, in personal relationships, emotional bonds often persist even after physical presence has diminished, and moral rights—such as the right to emotional recognition—are essential for understanding how individuals sustain their relationships with one another.

Abandonment in intellectual property law refers to a situation where a creator forfeits their rights to their work, either formally or when it enters the public domain. In both contexts, abandonment prompts critical reflections on issues of control and the process of letting go. Similar to how intellectual property can be abandoned, so too can the emotional bond in romantic relationships. From a psychological and emotional standpoint, abandonment is a deeply poignant and distressing experience. It signifies a type of emotional relinquishment, where one partner may withdraw from the relationship or stop engaging in emotional or physical closeness, leaving the other partner feeling rejected. The comparison is evident: in both intellectual property and personal relationships, abandonment means giving up something that was once yours, whether it pertains to rights of ownership or the emotional bond established with someone else. In the realm of relationships, abandonment may not be officially documented, yet the emotional detachment still evokes deep feelings of loss, similar to the legal ramifications associated with abandoned works in law. The issue is further complicated by the fact that abandonment can occur in both situations either in a unilateral nature or as a result of mutual indifference. In intellectual property law, a creator might choose to abandon a work, but if it involves collaboration, the co-creator's rights may remain intact. Likewise, in a relationship, one partner may experience feelings of abandonment, yet the shared emotional connection may continue to tie them together, making emotional separation more complex. Consequently, abandonment—whether viewed through a legal lens or an emotional one creates a situation where there is a loss of control over something once valued, and it prompts inquiries about how one can either regain or let go of what was previously shared.

Co-authorship in intellectual property law pertains to the collaborative creation of a work by two or more individuals. It acknowledges the input of all contributors and grants them either equal or proportional rights regarding the property produced. This is important because it recognises that ownership is not always held by one person; at times, several individuals share rights and responsibilities for the final product. In terms of romantic entanglements, coauthorship can be viewed as the collaborative creation of emotional experiences, memories, and connections. Just like two writers work together to bring a piece to life, two people in a relationship co-create the bond they develop. In the legal field, co-authors possess joint rights to their creations. Likewise, in romantic partnerships, both individuals may develop a sense of ownership regarding the relationship, but this ownership is not exclusive—it represents a collaborative effort shaped by both partners. If one partner feels their input is not acknowledged, similar to an IP co-author being overlooked, it can result in feelings of resentment or emotional discord. Additionally, disputes about rights in co-authored projects frequently occur, just as conflicts related to loyalty can manifest in relationships. In both scenarios, effective communication and mutual respect for the collaborative process are crucial for sustaining harmony and ensuring that both individuals feel appreciated in their joint endeavour.

The concepts of ownership, abandonment, and co-authorship in intellectual property law mirror our management of emotional connections in relationships. These ideas transcend mere legal theories; they resonate with our most profound emotional experiences—illustrating how we navigate control, attachment, and letting go in our personal lives. The connection between legal ownership and emotional attachment in relationships raises the central question of this research- How do principles of intellectual property (IP) law mirror emotional dynamics found in romantic partnerships? Although these domains of law and love might seem distinct at first, they both relate to the management of ownership—whether it involves concrete assets or emotional ties—and the shifting forces of control, attachment, and release that influence interpersonal relations. Based on these findings, this paper argues that intellectual property law offers a robust foundation for comprehending emotional ownership and attachment within relationships, presenting a valuable perspective to investigate the interplay between legal principles and emotional dynamics.

#### **Literature Review and Theoretical Framework:**

# A. Legal Analogies: Ownership, Control, Monopolies, and Co-authorship

Intellectual property (IP) law is deeply rooted in classical property theory, which centers on rights of exclusion, transfer, and control—concepts that take on layered meanings when mapped onto romantic entanglements. Hohfeld's framework of jural relations provides a foundational understanding of legal rights, distinguishing between claim rights, privileges, and immunities. Locke's labour theory—particularly its influence on copyright—argues that individuals gain ownership over what they "mix their labour with". This traditional view of property, however, has been challenged and nuanced by more relational and personhood-based theories. Margaret Jane Radin's concept of "property for personhood" suggests that some property holds emotional or existential significance, reinforcing identity and belonging.

This is especially relevant in moral rights jurisprudence, which protects the personal connection between creators and their works. Moral rights, including the right of attribution and integrity, allow authors to retain a relationship with their work even after transferring economic rights. Scholars such as Jane Ginsburg and Martin Senftleben have emphasised the human dimension of copyright, suggesting that moral rights echo the emotional residue of authorship.

Co-authorship introduces further complexity. Legal disputes around joint authorship—such as Aalmuhammed v. Lee, involving a screenwriter's uncredited contributions to *Malcolm X*—highlight how uneven contributions, unclear intent, or lack of documentation can blur ownership boundaries. These disputes are mirrored in romantic relationships where two individuals collaboratively shape emotional and psychological experiences but may later disagree on the meaning or weight of those contributions.

Competition law, though rarely discussed in romantic contexts, provides an interesting analogy. In intellectual property (IP) law, competition law regulates the extent to which a rights holder can exert monopolistic control. If an entity has exclusive control over a market or platform, it may face scrutiny for unfair dominance. Similarly, in romantic relationships, there can be perceived emotional monopolies, where one partner's emotional control or influence over shared spaces—such as friends, stories, and routines—mirrors the legal concept of anti-competitive behaviour. The emotional equivalent of monopolization could involve gatekeeping

shared narratives or excluding the other partner from emotional "markets," like mutual friends or routines.

Additionally, abandonment in IP law refers to a creator intentionally relinquishing rights or failing to maintain control (as in the case of trademarks). For instance, under Indian trademark law, prolonged non-use can lead to a mark being considered abandoned under Section 47 of the Trademarks Act, 1999. This concept resonates with emotional abandonment in relationships, where one partner emotionally withdraws, leaving shared memories and bonds in a state of limbo. Unlike the formalised procedures in law, emotional abandonment often lacks resolution, complicating the notions of authorship and ownership in love. The residual connection—whether through nostalgia, unfinished conversations, or lingering symbols—operates like an unregistered yet emotionally enforceable trademark.

## B. Emotional Ownership and Attachment: Sociological and Psychological Theories

The development of emotional ownership and attachment begins early in life and significantly influences adult relationships from a psychological perspective. John Bowlby's attachment theory explains how individuals form emotional bonds that affect future intimacy, trust, and responses to separation. A secure attachment fosters comfort with both closeness and independence, while insecure attachments—characterised as anxious or avoidant—can lead to cycles of possessiveness or emotional withdrawal. These behavioural patterns often parallel legal conflicts regarding ownership and control, as individuals seek emotional security through their relational claims.

Sociological frameworks, such as Eva Illouz's theory of emotional capitalism, highlight the growing influence of economic logic on emotions. Within this framework, love is viewed as a form of investment and risk management, where feelings of possession or entitlement align with property-based thinking. Illouz argues that contemporary romantic relationships often resemble contractual exchanges in which emotional labour and time are quantified and traded. This reflects the increasingly blurred lines between emotions and the economy, creating emotional dynamics like legal negotiations.

Lauren Berlant's concept of "cruel optimism" further enhances this critique by examining situations in which individuals maintain attachments to relationships that hinder their personal development. People often remain emotionally bound due to shared aspirations or investments,

even when the relationship is potentially harmful or futile. This persistent attachment parallels the concept of moral rights in intellectual property law, where emotional bonds endure despite the weakening of functional or legal connections. Cruel optimism highlights that emotional claims often persist not out of logic but out of longing, echoing legal entitlements that outlive their usefulness.

Additionally, Carol Smart's research on family and personal life emphasises the role of memory as a co-authored narrative. Her theory of "relationality" suggests that individuals interpret their identities through emotionally significant ties that resemble co-authorship in intellectual property law. Memory, much like creative work, is collaboratively constructed, revised, and at times contested. This aligns with feminist and queer theoretical perspectives, which stress the politics of memory and the importance of acknowledging various forms of emotional labour. These sociological theories suggest that emotional ownership transcends mere metaphor, reflecting tangible patterns of shared authorship, entitlement, and abandonment observed in both emotional and legal contexts.

## C. Gaps in Scholarship and the Need for an Interdisciplinary Approach

While the legal and emotional aspects of ownership have been extensively examined in their respective fields, there remains a significant gap in the literature that connects the two. Intellectual property (IP) scholarship has largely concentrated on the evolution of legal doctrines, economic justifications, and the rights of creators, without addressing the emotional and relational implications of authorship and control. On the other hand, psychological and sociological studies of love and attachment typically do not utilize the structural clarity or philosophical depth that legal theories on ownership can provide.

This research aims to fill this gap by proposing that principles of IP law—particularly moral rights, co-authorship, abandonment, and competition law—can serve as effective frameworks for understanding emotional entanglements in romantic relationships. By aligning legal structures with emotional experiences, this approach allows for an exploration of how control, authorship, and memory operate in both realms. This interdisciplinary perspective not only enhances legal theory but also encourages a more structured and critical analysis of emotional life.

# **Analysis**

# A. Moral Rights and Emotional Ownership

Moral rights in intellectual property law exist to protect the creator's personal and reputational connection to their work, separate from economic rights. These rights include the right of attribution (to be recognized as the author) and the right of integrity (to object to any distortion or mutilation of the work). While economic rights can be sold or transferred, moral rights remain intact, anchoring the identity in authorship.

The dispute over Taylor Swift's master recordings serves as a compelling real-world example of these tensions. When her early master recordings were sold without her consent, she vocally opposed the transaction, framing her loss as not just financial but also deeply personal. The public reclamation of her work—via re-recordings labelled "Taylor's Version"—functioned both as a legal workaround and as a symbolic restoration of her narrative control.

This legal battle mirrors the emotional dynamics often observed in romantic relationships. Just as a musician seeks recognition and creative control over their work, individuals in love often desire acknowledgement and integrity concerning their shared emotional experiences. The idea of someone else "telling our story" without consent, or even distorting it, evokes a sense of emotional dis-ownership. When ex-partners reshape the memory of a relationship without mutual agreement—by minimizing, misrepresenting, or erasing the other person—it resembles a violation of the emotional equivalent of moral rights. In this context, attribution becomes not just a legal claim but also a psychological necessity: to be recognized as part of the story.

Moreover, integrity in emotional relationships can be viewed as the right to prevent the distortion of one's emotional contributions. When emotional narratives are rewritten or selectively edited in ways that diminish a person's role, it generates an affective harm that parallels the injuries that moral rights seek to prevent in intellectual property law. In this light, Taylor Swift's insistence on reclaiming her voice reflects a broader human instinct: the desire to regain authorship over our most intimate contributions.

In both law and love, moral rights provide a framework for understanding why acknowledgement and accuracy are not merely professional demands but also personal necessities. This research proposes that the principles of intellectual property law—especially

moral rights, co-authorship, abandonment, and competition law—can offer valuable insights into the complexities of emotional entanglements in romantic relationships. By aligning legal structures with emotional experiences, we can better explore how control, authorship, and memory function across both domains. This interdisciplinary approach not only enriches legal theory but also invites a more structured and critical analysis of emotional life.

## B. Co-Authorship and Shared Ownership in Relationships

In intellectual property law, co-authorship refers to the collaborative creation of a work by two or more individuals, each of whom must contribute original expressions with the intent to combine their inputs into a cohesive whole. Legal recognition of co-authorship can be complex, especially in situations where contributions are unequal or intent is unclear. The case of Aalmuhammed v. Lee illustrates this challenge. Aalmuhammed, who made significant creative contributions to the film "Malcolm X", was denied co-authorship because the court concluded that he did not intend to be recognised as a co-author and lacked final decision-making authority. This case underscores how structural hierarchies and informal labour can often obscure the reality of collaborative authorship.

Romantic relationships can be viewed as co-authored projects consisting of memory, care, and identity. Similar to collaborative works, these relationships are shaped by the emotional and psychological investments of both partners. However, just as the law struggles to assign fair credit for unequal or invisible contributions, the emotional labour within relationships is often unequally shared. One partner may feel that they bear more of the emotional burden—such as holding space, remembering details, and providing care—without receiving recognition as an equal contributor to the shared bond.

This imbalance is illustrated in "All the Boys I've Loved Before," where Lara Jean writes private love letters to boys she once cared for. When these letters are accidentally sent, her emotional world is exposed and reinterpreted by others. Although Lara Jean is the sole author, the letters embody shared emotional experiences. They serve as emotional records co-created through memory, context, and mutual history. Yet, the act of writing gives her perceived narrative control. The film raises important questions: does authorship belong to the one who writes, or to both individuals who experienced the moments? Is the love letter a solo creation or a joint effort?

In both intellectual property (IP) and intimacy, co-authorship encompasses recognition as much as it does contribution. When relational narratives are contested—such as in the question "What happened between us?"—the absence of emotional attribution can be felt as erasure. Coauthorship in love is not legally defined, yet its lack is profoundly experienced. Similar to IP disputes, resolving these issues requires not only evidence of involvement but also mutual acknowledgement. Legal conflicts over co-authorship parallel emotional struggles for validation in love: the need to be seen, named, and remembered as a contributor to the story we helped create. These legal battles echo the emotional dynamics often present in romantic relationships. Just as a musician seeks recognition and creative control over their work, individuals in love often desire acknowledgement and respect regarding their shared emotional experiences. The idea of someone else "telling our story" without consent—or, worse, altering it—invokes a sense of emotional disownership. When ex-partners reinterpret a relationship's memory without mutual agreement—by minimizing, misrepresenting, or erasing the other's role—it resembles a violation of the emotional equivalent of moral rights. Attribution then becomes not merely a legal claim but a psychological necessity: the need to be recognized as part of the story.

Additionally, integrity in emotional relationships could be viewed as the right to protect against distortions of one's emotional contributions. When emotional narratives are rewritten or selectively edited in ways that belittle a person's role, it generates emotional harm akin to the injury that moral rights in IP law seek to prevent. In this context, Taylor Swift's insistence on reclaiming her voice resonates with a broader human instinct: the desire to regain authorship over our most intimate contributions. In both legal and relational contexts, moral rights provide a framework for understanding why acknowledgement and accuracy are not merely professional expectations but personal necessities. This research suggests that the principles of IP law—especially moral rights, co-authorship, abandonment, and competition law—can serve as valuable tools for understanding emotional entanglements in romantic relationships. By placing legal frameworks alongside emotional experiences, we can explore how control, authorship, and memory function in both realms. This interdisciplinary approach enriches legal theory and encourages a more structured and critical analysis of emotional life.

# C. Abandonment and Emotional Disentanglement

In intellectual property law, abandonment refers to the intentional or negligent relinquishment

of rights by the creator or owner of a protected work. This concept is most often discussed in the context of trademark law, where abandonment can occur due to prolonged non-use, failure to enforce rights, or a clear declaration of disinterest. Once a work is deemed abandoned, it may fall into the public domain or become available for appropriation by others. The legal thresholds for abandonment are specific, requiring demonstrable acts of neglect or disassociation. These thresholds help regulate when a formerly private right becomes accessible to the public.

On the other hand, romantic abandonment is rarely so clearly defined. Emotional disentanglement does not come with formal documentation or set criteria. A partner may withdraw gradually or abruptly through silence, avoidance, or emotional unavailability. The loss is intensely felt but lacks legal articulation, resulting in a haunting limbo where emotional ownership over shared experiences becomes unclear. What remains are reminders: old texts, memories, gifts—intangible tokens of a connection that was once claimed but is no longer maintained. Unlike legal abandonment, where rights are surrendered, emotional abandonment resists resolution. The "non-use" of a relationship does not necessarily indicate disinterest; it may instead signal overwhelm, ambivalence, or passive harm.

This emotional ambiguity is vividly illustrated in "Eternal Sunshine of the Spotless Mind", where the protagonists, Joel and Clementine, choose to have their memories of each other erased after a painful breakup. The Lacuna procedure is marketed as a therapeutic clean slate—a legal-sounding erasure of emotional rights. However, as the story unfolds, we see how deeply embedded emotional connections resist deletion. Fragments of memory persist, resurfacing like unexpunged moral rights. Even after Joel and Clementine have technically "abandoned" each other, a gravitational pull remains. The film challenges the notion of whether we ever truly relinquish authorship over a shared emotional narrative, or if such bonds, like certain intellectual property rights, endure even after formal ties are severed.

Just as courts sometimes hesitate to declare a trademark abandoned if residual goodwill exists, emotional detachment does not always equate to a lack of care. The concept of constructive abandonment—where behaviour, not words, indicates withdrawal—mirrors the relational harm of ghosting or unilateral closure. Furthermore, in collaborative relationships, the abandonment by one party does not extinguish the emotional rights of the other. Much like in co-owned intellectual property, the unresolved presence of shared emotional labour can

complicate the healing process, raising the question: Can love ever truly be abandoned, or does it simply evolve into something unrecognisable?

In both law and love, abandonment is not merely about absence; it involves the struggle for closure, the reallocation of meaning, and the ethical dilemma of letting go. The law may demand clarity, but the heart often lingers in ambiguity.

## **Counterarguments & Limitations**

Drawing analogies between intellectual property (IP) law and romantic relationships presents a novel and often insightful framework, but it also comes with conceptual and practical limitations. One significant critique stems from the fundamental distinction between emotions and transactions. Intellectual property law is based on clarity—ownership is clearly defined, rights are enforceable, and transfer mechanisms are established. In contrast, romantic relationships defy such precision. They are influenced by ambiguity, mutual subjectivity, and emotional fluctuations. Applying rigid legal metaphors to these fluid emotional landscapes risks oversimplifying complex interpersonal experiences.

A key counterargument is that emotions are not property. Describing love in terms of coauthorship or abandonment may unintentionally commodify emotional experiences. Critics contend that references to "owning" a memory or having "moral rights" to a breakup story can treat relationships as marketable goods rather than as nuanced, lived experiences that often defy rationality. While legal concepts are designed to manage and protect perceived value, love exists in a realm where value is frequently immeasurable and cannot be reduced to ownership structures.

Moreover, the analogy may inadvertently reinforce problematic relationship dynamics, particularly when used to justify entitlement. In abusive or manipulative relationships, partners might assert emotional "rights" over one another as a means of control rather than care. The language of possession—already present in phrases like "you're mine"—could be dangerously amplified by legal metaphors. An ethical concern arises when framing love through legal concepts, as it may legitimize coercive emotional expectations, especially regarding closure, narrative control, or continued access to another's life or story.

Another limitation is the issue of mutual agency and collaboration. Unlike IP works with

identifiable creators and timelines, relationships are jointly constructed and evolve unpredictably. Partners may not always contribute equally, nor are their roles easily defined. Attempting to categorize emotional labour into distinct "contributions" risks legitimizing a zero-sum view of affection, where worth is measured by output. This perspective can clash with feminist and queer theories of care, which advocate for a more nonlinear and interconnected understanding of emotional labour and interdependence.

Additionally, both law and love are culturally contingent. The romantic ideals that inform the concept of co-authored love or the trauma of abandonment may resonate more strongly in Western, individualistic societies than in collectivist cultures, where emotional experiences are often embedded in community or family. Similarly, moral rights—central to this discussion—are not uniformly recognized across all legal jurisdictions. For example, while European copyright law places significant emphasis on moral rights, American IP law treats them more narrowly. This raises questions about the global applicability of the legal-emotional parallels drawn in this context.

Despite these limitations, they do not invalidate the framework; instead, they complicate and enrich it. Real-world legal developments—such as prenuptial agreements, custody battles, the division of shared creative property, or even the handling of digital data and passwords after a breakup—demonstrate that law and love already intersect in formal ways. If legal negotiations are necessary to determine who keeps the dog, the playlist, or the novel they wrote together, then emotional ownership of shared narratives is not merely metaphorical.

This paper does not advocate for the legal codification of emotional life. Instead, it proposes that IP law offers a rich set of concepts—such as authorship, attribution, abandonment, and co-ownership—that can be metaphorically and ethically applied to understand emotional dynamics. While love may not be property, it is influenced by patterns of control, contribution, memory, and identity that legal frameworks help illuminate. The aim is not to reduce love to law but to use legal principles as a lens through which to reflect on the ethical architecture of our emotional lives.

## **Conclusion and Future Research**

This paper has explored the evolving parallels between intellectual property (IP) law and romantic relationships, suggesting that the frameworks developed for creative ownership

provide meaningful insights into how we navigate emotional entanglement, authorship, and the ethics of letting go. Through an interdisciplinary analysis of moral rights, co-authorship, abandonment, and competition law, it has been demonstrated that the legal vocabulary of ownership and control often reflects the psychological and relational dynamics of love. While the law seeks to regulate what can be claimed, transferred, or relinquished, our hearts quietly negotiate their versions of these issues.

Moral rights, especially the rights to attribution and integrity, resonate with our deep desire to be acknowledged in the stories we helped shape. When relationships end, we are often left not just with grief but also with questions about authorship: Who owns the memory? Who gets to tell the story? Co-authorship in law sheds light on the emotional complexities of unequal contributions in love—like the letters only one person writes or the emotional support provided solely by one partner. The legal doctrine of abandonment helps frame the painful ambiguity surrounding emotional withdrawal: there is no official declaration when a lover leaves, no clear notice of non-use; only the eerie quiet of what was once familiar. Yet even in absence, emotional trademarks endure—songs, places, inside jokes—like unregistered but deeply recognized marks that still hold significance.

These parallels are not intended to legalize emotion or reduce love to mere logic. Instead, they aim to expand the conceptual framework for understanding our heartbreaks and attachments. The law, often perceived as cold or impersonal, surprisingly carries within it a sense of warmth: it acknowledges connections, identities, and the residues of creation. By using legal concepts metaphorically, we can access a richer vocabulary to comprehend the relational structures we build and dismantle with others.

At the same time, this framework has its limitations. The law requires clear definitions, while love often resists them. Legal systems demand evidence, whereas feelings typically thrive in ambiguity. Yet even within this tension lies something productive: the potential for legal metaphors to articulate what language alone sometimes struggles to express. As this paper has demonstrated, there is value in bridging disciplines—not to resolve love, but to better understand its terms.

Future research could investigate how contract law intersects with emotional commitments, particularly concerning implied promises, verbal agreements, or emotional labour rendered without formal recognition. This inquiry might also extend to digital realms, where breakups

now unfold through deleted messages, shared passwords, and contested ownership of playlists or memories stored in the cloud. The legal future of love, especially in the data age, may hinge on our ability to identify not just what was shared, but also what endures.

Sometimes, what remains is not just a memory but a message—a trace of authorship that has yet to be erased. Perhaps, like the creator of a beloved yet misattributed work, we, too, yearn to be recognized as the one who was present when the story began. We do not always wish to reclaim what was lost, but we long to be remembered with integrity. This paper, in its quiet way, serves as a record of such yearning. It honours the co-author who may never credit you and the muse who taught you how to write in the first place.

For the boy who gifted you an Ariana Grande hoodie when words fell short and stayed in the background, like the moon—shaping tides without seeking acknowledgement.

For the shared movie that made your silences feel cinematic, and the song that lingered long after the final note.

For the hope that even if stories conclude, their echoes might still be cherished thoughtfully.

And perhaps, one day, a new chapter will find its way back to the same page—written not in longing, but in light.

## References

- 1. John Locke, Two Treatises of Government (Awnsham Churchill 1689).
- 2. Wesley N Hohfeld, 'Some Fundamental Legal Conceptions as Applied in Judicial Reasoning' (1913) 23 *Yale LJ* 16.
- 3. Margaret Jane Radin, Reinterpreting Property (University of Chicago Press 1993).
- 4. Hannah Arendt, *The Human Condition* (2nd edn, University of Chicago Press 1998).
- 5. Jane C Ginsburg, 'Moral Rights in a Common Law System' (2002) 1 Entertainment Law Review 121.
- 6. Martin Senftleben, 'Bridging the Differences between Copyright's Legal Traditions The Emerging EC Fair Use Doctrine' (2009) 57 *Journal of the Copyright Society* 521.
- 7. John Bowlby, Attachment and Loss (Vol 1, Basic Books 1969).
- 8. Eva Illouz, Cold Intimacies: The Making of Emotional Capitalism (Polity Press 2007).
- 9. Lauren Berlant, Cruel Optimism (Duke University Press 2011).
- 10. Carol Smart, Personal Life: New Directions in Sociological Thinking (Polity Press 2007).
- 11. Aalmuhammed v Lee 202 F.3d 1227 (9th Cir 2000).
- 12. Joe Coscarelli, 'Taylor Swift's Rerecordings Are Her Revenge' *The New York Times* (New York, 14 April 2021) https://www.nytimes.com/2021/04/14/arts/music/taylor-swift-fearless-rerecord.html
- 13. The Trademarks Act 1999, s 47 (India).