

## **UTR7.276 - THE FRANCIS GURRY LECTURE**

### Recitals-

- A. In 2009, Melbourne Law School ('MLS'), in conjunction with The Institute of Patent and Trade Mark Attorneys of Australia ('IPTA'), established an annual public lecture on intellectual property titled 'The Francis Gurry Lecture' ('lecture'). IPTA ('donor') agreed to provide foundation support for the lecture, by donating the sum of \$59,000 over four years to the University, initially to support the lecture to be held in each of the four years 2009 to 2012.
- B. By March 2011, the donor had given the sum of \$28,000 ('donation') to the University to fund each lecture held by MLS in 2009 and 2010.
- C. Other organisations and individuals, including The Australian Federation of Intellectual Property Attorneys (FICPI Australia), AIPPI Australia, Asian Patent Attorneys Association, IP Australia, the Intellectual Property Society of Australia and New Zealand, and the Licensing Executives Society of Australia and New Zealand, have subsequently contributed additional sums to support the lecture.
- D. The inaugural lecture was delivered in August 2009 by Dr Francis Gurry, distinguished alumnus of MLS and Director General of the World Intellectual Property Organisation, in whose honour the lecture was named.
- E. At 24 June 2010, the fund supporting the lecture amounted to \$50,000, and MLS has been authorised by Council to establish an endowment to support the lecture with this amount.
- F. The University accepted the donation and the subsequently received or allocated amounts upon the trusts specified by the donor, and those funds therefore became the capital subject to those trusts ('capital sum').
- G. This University trust record is the means by which the University records -
  - (1) the trusts specified by the donor upon which the University as trustee holds trust property, including the capital sum; and
  - (2) the administrative arrangements for the implementation of those trusts, as determined by the University from time to time.

It is provided as follows-

### **Name of the fund**

1. The capital sum, all income arising from the capital sum, and any accumulations and additions thereto together form a fund called 'The Francis Gurry Lecture Fund' ('fund').

### **Investment of the fund**

2. The fund is to be paid into one or more investment common funds and remain there until Council directs otherwise.

### **Trust terms**

3. As trustee of the fund, the University is obliged by the trusts specified by the donor ('trust terms')-

- (1) to establish while the fund is available an annual public lecture, on an important and topical issue in intellectual property, titled 'The Francis Gurry Lecture';
- (2) to provide that the speakers delivering the lecture will be highly distinguished in the field of intellectual property, and will be drawn both from Australia and overseas, in approximately equal numbers;
- (3) to provide that MLS is to identify the lecturer, the topic of the address and the location of the lecture jointly with the donor; and
- (4) to provide that any amount contributed by the donor that is surplus to the actual costs of providing the lecture in each of the initial four years 2009 to 2012 will be carried forward to support the lecture in future years.

#### **Administrative arrangements**

4. Until its further determination, and in order to implement the trust terms, the University has determined-
  - (1) to establish an endowment;
  - (2) to call the fund 'The Francis Gurry Lecture Fund';
  - (3) to retain any unspent income as income to support the lecture in a subsequent year, or to add it to the capital of the fund; and
  - (4) to provide that the dean of MLS ('dean') may at any time direct that the whole of the capital of the fund or any part thereof, or any accumulated income, be spent for the purpose or purposes stated above.
5. The dean is authorised to apply the income and capital of the fund on behalf of the University in accordance with this University trust record.