

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**  
Washington, D.C. 20549

**FORM 8-K**

**CURRENT REPORT  
Pursuant to Section 13 or 15(d)  
of The Securities Exchange Act of 1934**

Date of Report (Date of earliest event reported): August 20, 2024

**VANECK MERK GOLD TRUST**  
(Exact name of registrant as specified in its charter)

**New York**  
(State or other jurisdiction of  
incorporation or organization)

**001-36459**  
(Commission File Number)

**46-6582016**  
(IRS Employer  
Identification No.)

**c/o Merk Investments LLC  
1150 Chestnut St  
Menlo Park, California 94025**  
(Address of principal executive offices, including zip code)

**(650) 323-4341**  
(Registrant's telephone number, including area code)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Securities registered pursuant to Section 12(b) of the Exchange Act:

<b>Title of each class</b>	<b>Trading Symbol</b>	<b>Name of each exchange on which registered</b>
VanEck Merk Gold Shares	OUNZ	NYSE Arca

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

**Item 1.01 Entry into a Material Definitive Agreement.**

On August 20, 2024, Merk Investments LLC (“Merk”), as the sponsor of the Merk Gold Trust (the “Trust”), and The Bank of New York Mellon (“BNY”), as the trustee of the Trust, entered into a Third Amendment To Depositary Trust Agreement (the “Trust Amendment”), amending that certain Depositary Trust Agreement, dated as of May 6, 2014 (as amended to date, the “Trust Agreement”), which created the Trust. The Trust Amendment effectuated a change in the name of the Trust from “VanEck Merk Gold Trust” to “VanEck Merk Gold ETF,” to be effective as of August 30, 2024. As a result of the name change, all references to “VanEck Merk Gold Trust” in the Trust Agreement are amended to read “VanEck Merk Gold ETF.” Except for the name change effected pursuant to the Trust Amendment, the Trust Agreement remains in full force and effect on its existing terms, and for the avoidance of doubt, the shares offered by the Trust shall remain as “VanEck Merk Gold Shares.”

A copy of the Trust Amendment is attached as Exhibit 4.1 to this report, and is incorporated herein by reference. The foregoing description of the Trust Amendment does not purport to be complete and is qualified in its entirety by reference to such exhibit.

**Item 5.03 Amendments to Articles of Incorporation or Bylaws; Change in Fiscal Year.**

The disclosure regarding the Trust Amendment and name change of the Trust in Item 1.01 is incorporated herein by reference.

**Item 9.01 Financial Statements and Exhibits.**

(d) Exhibits.

<b>Exhibit</b>	<b>Description</b>
4.1	<a href="#"><u>Third Amendment To Depositary Trust Agreement, dated as of August 20, 2024, by and between Merk Investments LLC, as sponsor of the Trust, and The Bank of New York Mellon, as trustee of the Trust.</u></a>
104	Cover Page Interactive Data File (formatted in iXBRL, and included in exhibit 101).

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned in its capacity\* hereunto duly authorized.

Date: August 20, 2024

**MERK INVESTMENTS LLC**  
Sponsor of the Merk Gold Trust

By: /s/ Axel Merk  
Axel Merk  
President and Chief Investment Officer  
(Principal Executive Officer,  
Principal Financial Officer,  
and Principal Accounting Officer)

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\* The Registrant is a trust, and the person specified above is signing in his capacity as an authorized officer of Merk Investments LLC, the Sponsor of the Registrant.

## EXHIBIT INDEX

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104	Cover Page Interactive Data File (formatted in iXBRL, and included in exhibit 101).

**VANECK MERK GOLD TRUST**

**THIRD AMENDMENT TO DEPOSITARY TRUST AGREEMENT**

This THIRD AMENDMENT TO DEPOSITARY TRUST AGREEMENT (this "Amendment"), dated as of August 20, 2024, is by and between Merk Investments LLC ("Merk Investments"), a Delaware limited liability company, as the sponsor of the VanEck Merk Gold Trust (in such capacity, the "Sponsor"), and THE BANK OF NEW YORK MELLON, a New York banking corporation, as the trustee of the VanEck Merk Gold Trust (the "Trustee");

**WITNESSETH:**

WHEREAS the Sponsor and the Trustee entered into that certain Depositary Trust Agreement, dated as of May 6, 2014 (as amended to date, the "Trust Agreement"), which created the Merk Gold Trust (the "Trust");

WHEREAS Merk Investments entered into a Marketing Agent Agreement (the "Marketing Agent Agreement") dated October 22, 2015, with Van Eck Securities Corporation ("Van Eck"), a Delaware corporation, to assist in marketing the Merk Gold Shares (the "Shares");

WHEREAS the Sponsor and the Trustee, pursuant to the Marketing Agent Agreement, amended the Trust Agreement on October 22, 2015, in order to change the name of the Trust from "Merk Gold Trust" to "Van Eck Merk Gold Trust" and to change the name of the Shares from "Merk Gold Shares" to "Van Eck Merk Gold Shares";

WHEREAS the Sponsor and the Trustee, pursuant to the Marketing Agent Agreement, further amended the Trust Agreement on April 28, 2016, in order to change the name of the Trust from "Van Eck Merk Gold Trust" to "VanEck Merk Gold Trust" and to change the name of the Shares from "Van Eck Merk Gold Shares" to "VanEck Merk Gold Shares";

WHEREAS Van Eck, as the Marketing Agent of the Shares, has requested that the name of the Trust be further changed to "VanEck Merk Gold ETF";

WHEREAS the Sponsor has obtained (or will have obtained concurrent with effectiveness of this Amendment) all approvals necessary for such change of name; and

WHEREAS the Sponsor and the Trustee desire to amend the Trust Agreement pursuant to Section 6.1 of the Trust Agreement to refer to the new name of the Trust.

NOW, THEREFORE, in consideration of the premises and of the mutual agreements herein contained, the Sponsor and the Trustee hereby agree as follows:

1. Effective on August 30, 2024, the name of the Trust shall be "VanEck Merk Gold ETF" and all references to "VanEck Merk Gold Trust" in the Trust Agreement shall be amended to read "VanEck Merk Gold ETF."
2. In accordance with Section 6.1 of the Trust Agreement, the Sponsor hereby certifies to the Trustee that the provisions of this Amendment do not impose or increase any fees or charges

relating to the Trust and do not otherwise prejudice any substantial existing right of the Registered Owners or Beneficial Owners, *provided*, nothing herein waives or otherwise limits the Sponsor's further rights pursuant to Section 6.1 of the Trust Agreement to increase or decrease the amount of the Sponsor's Fee under specified conditions therein.

3. This Amendment may be signed in counterparts and by computer scanned or facsimile transmission of an originally executed document, each of which when taken together shall constitute one agreement binding on all the parties notwithstanding that not all the parties are signatories to the same counterpart.

4. Except as expressly amended by this Amendment, the Trust Agreement shall remain in full force and effect.

5. In case any one or more of the provisions contained in this Amendment should be or become invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions of this Amendment shall in no way be affected, prejudiced or disturbed thereby.

6. This Amendment shall be interpreted under, and all rights and duties under this Amendment shall be governed by, the internal substantive laws (but not the choice of law rules) of the State of New York.

7. Except as otherwise specified in this Amendment, or as the context may otherwise require, capitalized terms shall have the meaning ascribed to them in the Trust Agreement.

8. By entering into this Amendment, the Trust and the Trustee do not become parties to the Marketing Agent Agreement. The Trustee does not hereby grant any consent, express or implied, or undertake to grant any consent, or make any agreement, other than as expressly provided herein.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, MERK INVESTMENTS LLC and THE BANK OF NEW YORK MELLON have duly executed this Third Amendment to the Depositary Trust Agreement as of the day and year first set forth above.

MERK INVESTMENTS LLC

By: 

Name: A. Merk

Title: President

THE BANK OF NEW YORK MELLON,

as Trustee

By: 

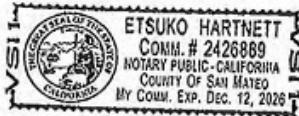
Name: Jonathan Bangor

Title: Senior Vice President

[Third Amendment to Depository Trust Agreement acknowledgment, Sponsor]

STATE OF CALIFORNIA )  
  ) ss.:  
COUNTY OF Santa Clara )

On the 20<sup>th</sup> day of Aug in the year 2024, before me, the undersigned, personally appeared Alexander Herk, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



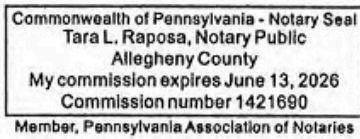
  
\_\_\_\_\_  
Notary Public

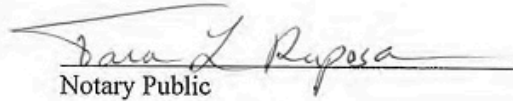
(Notary seal)

[Third Amendment to Depository Trust Agreement acknowledgment, Trustee]

COMMONWEALTH OF PA)  
: ss.:  
COUNTY OF ALLEGHENY)

On the 20 day of August in the year 2024, before me, the undersigned, personally appeared Jessica Baggio personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



  
Notary Public

(Notary seal)