

STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL & APPEAL BOARD


Schiedmayer Celesta GmbH,)	
)	
Petitioner,)	
)	
v)	Cancellation No. 92/061,215
)	Reg. No.: 3,340,759
Piano Factory Group, Inc. and)	Mark: SCHIEDMAYER
Sweet 16 Musical Properties, Inc.)	Registration Date: 11/20/2007
)	
Respondents.)	
_____)	

**PETITIONER'S NOTICE OF FILING DECLARATION
OF HELGA KASIMOFF**

Petitioner hereby provides notice that it has today filed the Declaration of Helga Kasimoff, executed on May 17, 2017 and copies of the exhibits attached thereto.

Copies of the Declaration and Exhibits are also being provided counsel for Petitioner with a copy of this Notice.

Respectfully submitted,


Michael J. Striker
Attorney for Petitioner
Reg. No.: 27233
103 East Neck Road
Huntington, New York 11743

CERTIFICATE OF SERVICE

It is hereby certified that a true and complete copy of the attached document was served upon Counsel for the Respondents at his email address of record:

adam@iptech.law

This 24th day of May, 2017.

Dated: 5/24/17

A handwritten signature in black ink, appearing to read 'Michael Striker', is written over a horizontal line.

Michael Striker

DECLARATION

The undersigned, Helga Kasimoff, hereby declares as follows:

Together with my sons, Kyril, Serge and Ivan Kasimoff, I am the owner of Kasimoff-Blüthner Piano Co.

Kasimoff-Blüthner Piano Co. was founded by myself and my husband in 1963 in Pasadena, California and since 1975, has been located in Los Angeles at 337 N. Larchmont Blvd., Los Angeles, CA 90004.

Kasimoff-Blüthner Piano Co. specializes in the sale and service of Blüthner pianos, Neupert Harpsichords and Schiedmayer Celestas.

Kasimoff-Blüthner Piano Co. is the oldest piano store in Los Angeles and one of the oldest continuously operated piano stores in the United States. All local piano dealers and most piano technicians in the Los Angeles area are fully aware of our uniqueness and inventory.

We imported our first Schiedmayer Celesta in 1967 and since 1967 we have continuously offered for sale and rental Schiedmayer Celestas in the United States. Schiedmayer Celestas have been sold by us well prior to 2007, to universities, conservatories, the Los Angeles Philharmonic, Metro Goldwyn Mayer, USC, and many others.

We are in our 50th year representing the Schiedmayer Celesta, and we continue with sales, service and three rental models available, including sales to institutions such as the New York Philharmonic and the San Francisco Symphony.

In the past, we have also serviced Schiedmayer pianos for private customers.

I am personally aware of the following:

On August 18, 2005, Glenn Treibitz visited our showroom at the above address together with Dr. Alton Chen and Mr. Yang Fang. I believe that Dr. Chen is a composer and Mr. Fang is a piano manufacturer, owner of Yohayi Musical Instrument Co., Ltd. located in Guangzhou, China. Mr. Fang manufactures house brand pianos.

Mr. Glenn Treibitz signed our guestbook on August 18, 2005, stating the following:

“Thanks for your kind tour! Fantastic. 8/18/05 Glenn Treibitz”

A copy of the signature page from the guestbook bearing the signature of Mr. Treibitz is attached as Exhibit “A”.

I was present during the visit of Glenn Treibitz as was my son who works with me, Kyril Kasimoff.

At that time, we had at least one floor model of a Schiedmayer Celesta. I recall as does my son Kyril recall, that Mr. Treibitz assisted in moving the Schiedmayer Celesta from the workshop into the showroom.

The above-named individuals played many instruments in our showroom, one of which was our floor model Schiedmayer five octave Celesta. See the attached photograph Exhibit "B".

Mr. Treibitz stands keyboard left in reach of the keys of the Schiedmayer Celesta. It is clear that Mr. Treibitz knew of the availability for the sale of a Schiedmayer Celesta through our firm in August of 2005.

Because we have represented the sale and rental and servicing of the Schiedmayer Celesta continuously for the past 50 years, both myself and my son Kyril are well aware of the fact that during all of these 50 years the Schiedmayer Celesta has been regarded by the public with the highest degree of integrity and reputation.

The Schiedmayer reputation with regard to the manufacture and sale of Schiedmayer musical keyboard instruments is unparalleled and extremely highly regarded.

We are aware that the reputation and fame of Schiedmayer musical instruments dates back almost 300 years and that Schiedmayer Celesta GmbH and Elianne Schiedmayer represent the continuum of a history relating to the sale of keyboard musical instruments dating back almost 300 years.

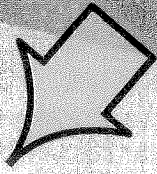
I hereby declare that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of U.S. Trademark Cancellation No. 92/061,215.

Dated: 5-17-2017



HELGA KASIMOFF

EXHIBIT A



我喜以 Knowledge 而學 100% 德國
100% 科學 它將成以世界 50 年 20 年

張
2005-9-20

Fang Long

100% 科學
100% 科學
100% 科學

SILTON
GAIN

EXHIBIT B

