

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Schiedmayer Celesta GmbH,

Cancellation No.: 92/061,215

Petitioner,

Reg. No. 3,340,759

v.

Mark: SCHIEDMAYER

Piano Factory Group, Inc. and
Sweet 16 Musical Properties, Inc.

Registration Date: November 20, 2007

Respondents.

**RESPONDENT'S NOTICE TO TAKE TESTIMONIAL CROSS-EXAMINATION
BY WRITTEN QUESTIONS**

Pursuant to 37 CFR 2.124(a), Rule 28 of the Federal Rules of Civil Procedure, and TBMP 703.02 et seq., Respondents Piano Factory Group, Inc. and Sweet 16 Musical Properties, Inc. ("Respondents") hereby submit their notice to take testimonial cross-examination of Petitioner's witness Elianne Schiedmayer by written questions before an official in Germany mutually agreed between Petitioner and Respondents to be competent under the Federal Rules of Civil Procedure to record her answers.

This notice is being filed within the Petitioner's testimony period. Since Elianne Schiedmayer presented testimony in this matter only by Declaration, Respondents are entitled to cross-examine her, but as she is not located in the United States and Respondents have no information that she will be present in the United States during the pendency of this proceeding, cross-examination by written questions is the only option available to Respondents.

Copies of Respondent's questions are being served with this notice upon Petitioner's counsel but are not being filed with the Board per the procedure described in TMBP 703.02(c).

Given that the cross-examination will be conducted using written questions per the procedure laid out in the rules and the TMBP, Respondents respectfully request that the proceedings be suspended by the Board following the process outlined in TMBP 703.02(c) until the cross examination is completed.

Dated: June 8, 2017

Respectfully submitted,

/s/ Adam R. Stephenson
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Attorney for Respondents

CERTIFICATE OF SERVICE

It is hereby certified that one (1) copy of the foregoing RESPONDENT'S NOTICE TO TAKE TESTIMONIAL CROSS-EXAMINATION BY WRITTEN QUESTIONS is being sent via email to Petitioner Schiedmayer Celesta GmbH's attorney of record at the designated email below:

Michael J. Striker
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103 East Neck Road
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Dated: 6/8/2017

 /s/ Adam Stephenson