

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

Schiedmayer Celesta GmbH, )  
 )  
 Petitioner, )  
 )  
 v )  
 )  
 Piano Factory Group, Inc., )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

Cancellation No. 92/061,215  
Reg. No. 3,340,759  
Mark: SCHIEDMAYER  
Registration Date: 11/20/2007

**PETITIONER'S THIRD REQUEST FOR  
PRODUCTION OF DOCUMENTS**

May 13, 2016

Pursuant to Rule 34 of the Federal Rules of Civil Procedure and 37 CFR § 2.116(a) and 2.120(d)(2), Petitioner requests that Respondent produce the documents and things hereinafter specified, within 30 days from the date of service.

**DEFINITIONS**

As used herein, the term "document" is utilized to the full meaning of that term as defined in Rule 34 of the Federal Rules of Civil Procedure and includes all writings or other graphic material, whether inscribed by hand or mechanical, electronic, photographic or other means, including without limitation, correspondence, memorandum, publications, articles, transcripts, diaries, telephone logs, message sheets, records, voice recordings, tapes, films, diskettes and other data compilations from which information can be obtained, which is or what was at any time in

Respondent's possession, custody or control or known or believed to exist or have existed. Without limitation, as used in this definition, a document is deemed to be in applicant's "control" if applicant has or had the right to secure the document or a copy thereof, from another person or governmental entity having actual physical possession thereof.

12. Produce all documents representing promotion and advertising material of any kind for Schiedmayer marked pianos which are in the possession, custody or control of the Respondent, within the past 10 years.

13. Produce all documents within the possession, custody or control of the Respondent relating to sales or offering for sale of pianos of any type under the trademark SCHIEDMAYER, taking place within the past 10 years.

14. Produce all documents within the possession, custody or control of Respondent relating to any transport in commerce of Schiedmayer marked pianos within the past 10 years.


15. Produce all documents within the possession, custody or control of the Respondent, including without limitation itemized invoices, emails, letters and the

like, which in any way relate to or support Respondent's allegation that certain documents may have been lost or destroyed due to alleged "computer crashes."

16. Produce all documents within the possession, custody or control of the Respondent relating to any use, including without limitation use in commerce of pianos of any type under the trademark SCHIEDMAYER taking place within the past ten years.

17. State the full name and business address of that person having most knowledge of the issues involved in the subject cancelation proceeding employed by Respondent.

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 Petitioner's Third Request for Production of Documents, was served upon counsel for the Respondent via first class mail at his address of record:

Adam R. Stehpenon LTD  
40 Baseline Rd. Ste. 101  
Temps, AZ 85283

This 13<sup>th</sup> day of May, 2016.

  
Michael Striker