

**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.

Registration Date: November 20, 2007

Respondent.

**RESPONDENT'S RESPONSES TO PETITIONER'S THIRD SET OF
DOCUMENT REQUESTS**

June 22, 2016

Respondent herewith submits the following responses to Petitioner's Third Set of Document Requests as requested.

Respondent will address each document request as follows:

DOCUMENT REQUEST NO. 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.

Respondent has produced in this disclosure a letter to a Chinese piano manufacturer from 2005 who was contracted to produce pianos that would ultimately become SCHIEDMAYER branded pianos. SCHIEDMAYER branded pianos are currently being advertised for sale on the website of the Hollywood Piano Company, affiliated with Respondent (see p. 5 of the print out).

DOCUMENT REQUEST NO. 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.

Respondent produces the enclosed photograph of a computer report detailing sales and rental of various SCHIEDMAYER branded pianos that took place during the relevant time period. The other photographed computer report details the rental history of one of the SCHIEDMAYER branded pianos in the rental pool controlled by the Hollywood Piano Company, affiliated with Respondent..

DOCUMENT REQUEST NO. 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.

Respondent's production of the photos of the computer printouts demonstrates sales and rental activities conducted by Respondent of SCHIEDMAYER branded pianos which were transported in commerce.

DOCUMENT REQUEST NO. 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."

Respondent is continuing to work to respond to this request and will supplement its disclosure for this point as documents relating to this request are found. Obviously, it will be impossible for Respondent to produce any documents in response that are already lost due to the crashes.

DOCUMENT REQUEST NO. 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.

The produced documents demonstrate use of the mark in sales, rental, and manufacturing activity involving pianos occurring during the past 10 years.

DOCUMENT REQUEST NO. 17:

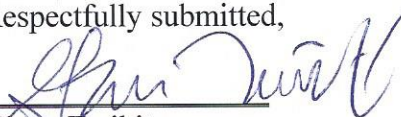
State the full name and business address of that person having the most knowledge of the issues involved in the subject cancelation proceeding employed by Respondent.

As previously disclosed, the person with the most knowledge is Glenn Treibitz, business address 323 S. Front St., Burbank, CA 91502.

Respondent reserves the right to supplement/correct the foregoing with relevant information as discovery progresses.

Dated: 6/28, 2016

Respectfully submitted,



Glenn Treibitz

Respondent, Piano Factory Group, Inc.

VERIFICATION

STATE OF CALIFORNIA)
) ss.
County of LA)

I have read the foregoing RESPONDENT'S RESPONSES TO PETITIONER'S THIRD SET OF DOCUMENT REQUESTS and know its contents. The facts contained therein are true and correct to the best of my information and belief.



Glenn Treibitz

Subscribed and sworn to (or affirmed) before me this 28 day of June, 2016, by Candida Otto, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

WITNESS my hand and official seal.

CERTIFICATE OF SERVICE

It is hereby certified that one (1) copy of the foregoing RESPONDENT'S RESPONSES TO PETITIONER'S THIRD SET OF DOCUMENT REQUESTS is being sent via U.S. Mail to Petitioner Schiedmayer Celesta GmbH's attorney of record as follows:

Michael J. Striker
Striker, Striker & Stenby
103 East Neck Road
Huntington, NY 11743
striker@strikerlaw.com

Dated: ~~6/28~~, 2016

7/5

/s/ Adam R. Stephenson
Adam R. Stephenson, LTD.
40 W. Baseline Rd., Ste 101
Tempe, AZ 85283
Tel: 480.264.6075
Fax: 480.718.8336
Email: adam@patentproblempro.com
Attorney for Respondent, Piano Factory
Group, Inc.