

**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

Respondent

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

January 24, 2017

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

Respondent will address each document request as follows:

DOCUMENT REQUEST NO. 1:

Produce all documents relating in any way to promotion and advertising for Schiedmayer pianos of any type which has taken place in the past seven year.

Respondent has already produced the relevant documents relating to its and its predecessor in interest regarding promotion and advertising of SCHIEDMAYER branded pianos in the three previous document productions made in this proceeding. SCHIEDMAYER branded pianos are currently being advertised for sale on the website of the Hollywood Piano Company, affiliated with Respondent as represented in those

documents previously produced. Respondent supplements its previous disclosures with a printout of the Whois record for Schiedmayer.com indicating that Respondent via its affiliated DBA Hollywood Piano Company owns this domain and that it redirects to the website of the Hollywood Piano Company.

DOCUMENT REQUEST NO. 2:

Produce all documents relating in any way to billing information and all other related information regarding all sales of Schiedmayer Pianos of any type which have taken place within the past seven years.

Respondent has already produced the relevant documents in the three previous document request responses.

DOCUMENT REQUEST NO. 3:

Produce all documents relating to the manufacture of Schiedmayer pianos of any type taking place within the past seven years.

Respondent has already produced the relevant documents in the three previous document request responses.

DOCUMENT REQUEST NO. 4:

Produce all documents relating to the offering for sale of Schiedmayer pianos of any type.

Respondent has already produced the relevant documents in the three previous document request responses and those produced herewith.

DOCUMENT REQUEST NO. 5:

Produce all documents of any type relating to the promotion of Schiedmayer pianos of any type within the past seven years.

Respondent has already produced the relevant documents in the three previous document request responses and those produced herewith.

DOCUMENT REQUEST NO. 6:

Produce all documents relating to why and how registrant Sweet 16 Musical Properties, Inc. adopted the name Schiedmayer as a trademark.

Respondent has already produced the relevant documents in the three previous document request responses and those produced in its Response in opposition to Petitioner's Motion for Summary Judgment.

DOCUMENT REQUEST NO. 7:

Produce all documents, including without limitation, billing invoices, estimates, etc. relating in any way to any computer crash of any type, including with particularity the computer crash referred to in the response to document request number five addressed to Piano Factory Group, Inc.

Respondent has already produced the relevant documents in the three previous document request responses and those produced herewith.

DOCUMENT REQUEST NO. 8:

Produce all documents relating in any way to the offering for sale of Schiedmayer pianos of any type within the past seven years.

Respondent has already produced the relevant documents in the three previous document request responses and those produced herewith.

DOCUMENT REQUEST NO. 9:

Produce all documents relating in any way to the promotion of Schiedmayer pianos of any type within the past seven years.

Respondent has already produced the relevant documents in the three previous document request responses and those produced herewith.

DOCUMENT REQUEST NO. 10:

Produce all documents representing promotion and advertising material of any kind Schiedmayer marked pianos which are in the possession, custody or control of Sweet 16 Musical Properties, Inc. within the past seven years.

Respondent has already produced the relevant documents in the three previous document request responses and those produced herewith.

DOCUMENT REQUEST NO. 11:

Produce all documents within the possession, custody or control of Sweet 16 Musical Properties, Inc. relating to any transport in commerce of Schiedmayer marked pianos of any type within the past seven years.

Respondent has already produced the relevant documents in the three previous document request responses and those produced herewith.

DOCUMENT REQUEST NO. 12:

Produce all documents within the possession, custody or control of Respondent, Sweet 16 Musical Properties, Inc., 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 has already produced the relevant documents in the three previous document request responses and those produced herewith.

DOCUMENT REQUEST NO. 13:

Produce all documents within the possession, custody or control of Respondent, Sweet 16 Musical Properties, Inc., relating to any use, including without limitation, use in commerce of pianos of any type under the trademark Schiedmayer taking place within the past seven years.

Respondent has already produced the relevant documents in the three previous document request responses and those produced herewith.

DOCUMENT REQUEST NO. 14:

Produce all documents of any type to support the position that Sweet 16 Musical Properties, Inc. has not abandoned U.S. Trademark Registration No. 3,340,759.

Respondent has already produced the relevant documents in the three previous document request responses and those produced herewith.

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

Dated: 1/31, 2017

Respectfully submitted,



Glenn Treibitz

Respondent, Piano Factory Group, Inc.

VERIFICATION

STATE OF CALIFORNIA)
) ss.
County of LOS ANGELES)

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

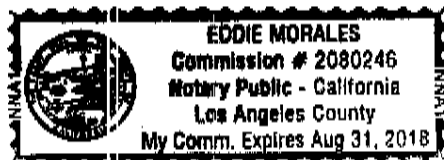
Glenn Treibitz

Glenn Treibitz

Subscribed and sworn to (or affirmed) before me this 31st day of JANUARY, 2017, by GLENN RICHARD TRELALTA, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Eddie Morales
NOTARY PUBLIC

WITNESS my hand and official seal.



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CERTIFICATE OF SERVICE

It is hereby certified that one (1) copy of the foregoing RESPONDENT'S RESPONSES TO PETITIONER'S FOURTH SET OF DOCUMENT REQUESTS is being sent via email 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: _February 1____, 2017

/s/ Adam R. Stephenson
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Properties, Inc.