

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

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

Cancellation No. 92061,215
Reg. No. 3,340,759
Mark: SCHIEDMAYER
Registration Date: 11/20/2007

PETITIONER'S SECOND SET OF INTERROGATORIES TO RESPONDENT

November 11, 2015

Pursuant to Rule 33 of the Federal Rules of Civil Procedure and Trademark Rules of Practice 2.116 and 2.120, 37 CFR § 2.116 and 2.120, Petitioner herewith requests that Respondent answer under oath the following Interrogatories within 30 days after service thereof. These requests are deemed to be continuing so as to require prompt supplemental interrogatory answers should Respondent obtain additional responsive information between the time the answers are served and the time of the final hearing of this Opposition proceeding.

Interrogatory No. 9:

Set forth the name, title and address of the individual employed by Respondent having most information as to the issues set forth in this Petition for Cancellation.

Interrogatory No. 10:

Does Respondent believe that it had good cause to allege in its Declaration of Use and Incontestability, under pain of fine or imprisonment or both, that Respondent had been using in commerce for five consecutive years, the trademark Schiedmayer on digital pianos.

Interrogatory No. 11:

If the answer to the foregoing interrogatory is in the affirmative, please set forth all facts which support this allegation, including, without limitation, sales of Schiedmayer marked digital pianos and the names and addresses of purchasers thereof; including the name and address of the manufacturer of the said digital pianos.

Interrogatory No. 12:

Does Respondent believe that it had good cause to allege in its Declaration of Use and Incontestability, under pain of fine or imprisonment or both, that Respondent had been

using in commerce for five consecutive years, the trademark Schiedmayer on upright pianos.

Interrogatory No. 13:

If the answer to the foregoing interrogatory is in the affirmative, please set forth all facts which support this allegation, including, without limitation, sales of Schiedmayer marked upright pianos and the names and addresses of purchasers thereof; including the name and address of the manufacturer of the said upright pianos.

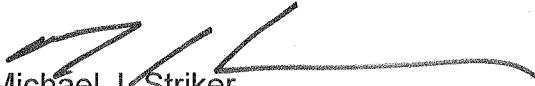
Interrogatory No. 14:

Does Respondent believe that it had good cause to allege in its Declaration of Use and Incontestability, under pain of fine or imprisonment or both, that Respondent had been using in commerce for five consecutive years, the trademark Schiedmayer on grand pianos.

Interrogatory No. 15:

If the answer to the foregoing interrogatory is in the affirmative, please set forth all facts which support this allegation, including, without limitation, sales of Schiedmayer marked grand pianos and the names and addresses of purchasers thereof; including the name and address of the manufacturer of the said grand pianos.

Respectfully submitted,




Michael J. Striker
Attorney for Petitioner
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 Respondent at his address of record via first class mail and email on November 12, 2015 as follows:

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Michael Striker