

of the rights of Piano Factory Group were legally transferred to Sweet 16 as of the dates of execution of the various agreements.

6. Since that time, Sweet 16 has continued to legally use the name PIANO FACTORY GROUP as a DBA or fictitious business name, as it lawfully acquired all of Piano Factory Group's rights to the name as well as all of its assets.
7. Any failure to record on the records of the USPTO information relating to the above changes of ownership of the application which matured into the registration at issue in this proceeding was done without any intent to deceive the USPTO or any member of the public.
8. From the date of the assignment, Sweet 16, through its business activities under the PIANO FACTORY GROUP fictitious business name, has carried on use of the SCHIEDMAYER trademark in interstate commerce. Because of this, agents of Sweet 16, such as Cheryl Fox and Frank McGue, signed statements of use and renewals using their identities relative to Piano Factory Group, Inc. This was done without any intent to deceive the USPTO or any member of the public regarding the identity of the lawful owner of the SCHIEDMAYER trademark. Rather it accurately reflects the business identity of the particular arm of Sweet 16 that was engaged in use of the mark in the public's eye.
9. In view of the issues raised by the Petitioner regarding the identity of the owner of the trademark registration, I have directed my counsel in this proceeding to record the appropriate documents with the USPTO and move to have the Board change the name in this proceeding to update the ownership of the registration that is the subject of this proceeding.

I hereby swear under penalty of perjury that the foregoing is true to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT.

8/26/2016  
Date

Glenn Treibitz  
Glenn Treibitz  
Sweet 16 Musical Properties, Inc.