U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 43712509

Date: JUL. 30, 2026

Appeal of U.S. Citizenship and Immigration Service (USCIS) Decision

Form I-129, Petition for a Nonimmigrant Worker (L-1B Specialized Knowledge Worker)

The Petitioner, describing itself as an "industry-leading integrator of digital technologies," seeks to temporarily employ the Beneficiary as a process associate under the L-1B nonimmigrant classification for intracompany transferees. Immigration and Nationality Act (the Act) section 101(a)(15)(L), 8 U.S.C. § 1101(a)(15)(L). The L-1B classification allows a corporation or other legal entity (including its affiliate or subsidiary) to transfer a qualifying foreign employee with "specialized knowledge" to work temporarily in the United States.

USCIS denied the petition on multiple grounds, concluding the Petitioner did not establish that: 1) the Beneficiary was employed abroad in a position that was managerial, executive, or involving specialized knowledge, 2) the Beneficiary was qualified to perform the intended services in the United States, and 3) the Beneficiary would be employed in the United States in a position involving specialized knowledge. The matter is now before us on appeal. 8 C.F.R. § 103.3.

The Petitioner bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). We review the questions in this matter de novo. *Matter of Christo's, Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will dismiss the appeal.

I. LEGAL FRAMEWORK

To establish eligibility for the L-1B nonimmigrant visa classification, a qualifying organization must have employed the beneficiary "in a capacity that is managerial, executive, or involves specialized knowledge," for one continuous year within three years preceding the beneficiary's application for admission into the United States. Section 101(a)(15)(L) of the Act. In addition, the beneficiary must seek to enter the United States temporarily to continue rendering his or her services to the same employer or a subsidiary or affiliate thereof in a specialized knowledge capacity. *Id.* The petitioner must also establish that the beneficiary's prior education, training, and employment qualify him or her to perform the intended services in the United States. 8 C.F.R. § 214.2(l)(3).

II. BACKGROUND

The Petitioner indicates that its foreign parent company "has a strong global presence with next-gen optical preform, fiber, cable, and [redacted] and [redacted] in the [redacted]." The Petitioner states that the Beneficiary was employed with the foreign parent company from April 2024 to the date the petition was filed in October 2025 as an "OPS support," employee and began with the company as a trainee in December 2020. The Petitioner states that the Beneficiary has advanced and specialized knowledge of the foreign parent company's [redacted] products and their manufacturing processes acquired during his employment abroad. The Petitioner explains that it requires the Beneficiary's application of this knowledge in the United States to support a project facilitating the manufacturing of its proprietary [redacted] cables, which are high-density cables, packing more fibers into a standard diameter to improve duct space by as much as four times. The Petitioner pointed to its proprietary [redacted], a type of [redacted] cable, offering a "technology leap with reduced installation time and optimized project cost." The Petition explains the Beneficiary's role abroad as follows:

> [The Beneficiary] played an important role in the development and manufacturing process for [the foreign parent's] [redacted] cables and was actively involved by monitoring each production and processing stage of the product. He was in charge of the product at various stages like Bunching, Jacketing and Steathing. He was engaged in the various problem solving tasks executed along the process of implementing the manufacturing process of the new product and assuring that all standard operating procedures were finalized. It is now time to implement this manufacturing process in the United States plant, and someone with [the Beneficiary's] experience during the ground-up development overseas is integral to the success of the implementation for [the Petitioner].

Later in response to USCIS's request for evidence (RFE), the Petitioner indicated that his work abroad was "different from how individuals without this advanced and specialized knowledge operate within the manufacturing process of standard optic cables." They clarified that those with general knowledge of the company's products "operate within the manufacturing process in a limited manner," while someone with the advanced and specialized knowledge of its products and the manufacturing process like the Beneficiary "foresee and avoid/resolve issues." The Petitioner further stated that employees with the Beneficiary specialized knowledge manufacture the products to fit needs in the U.S. market and utilize their knowledge of the development process to use the products more comprehensively and in novel ways. The Petitioner indicated that the products and processes related to its [redacted] products are "highly complex and technical in nature and are among the most advanced in the industry," noting that the proprietary nature of the products makes it virtually impossible to locate a suitable candidate in the U.S. market since it would take "an extended period of time to train this individual on the products and processes."

A support letter from an associate manager (operations) at the foreign parent indicated that the Beneficiary received training in the company's proprietary processes and technologies from April 2024 to October 2024, including on its full product range, [redacted] flat ribbon, machine operation and setup, buffering, calibration, process trials, tooling selection, parameter optimization, and quality validation. The associate manager also discussed the Beneficiary's training in "quality validation unique to [the

foreign parent's] proprietary systems including [redacted] and [redacted]." The Petitioner provided comparison chart reflecting that the Beneficiary was one of three foreign parent employees with specialized knowledge of the company's proprietary [redacted] cables and manufacturing processes, as compared to nine others abroad with only "general knowledge."

III. SPECIALIZED KNOWLEDGE

The primary issue in this matter is whether the Petitioner established that the Beneficiary possesses specialized knowledge and whether he would be employed in a specialized knowledge capacity. As a threshold matter, if the Beneficiary does not possess specialized knowledge, then his positions abroad and in the United States would not involve specialized knowledge as necessary to qualify him.

Under the statute, a beneficiary is considered to have specialized knowledge if he or she has: (1) a "special" knowledge of the company product and its application in international markets; or (2) an "advanced" level of knowledge of the processes and procedures of the company. Section 214(c)(2)(B) of the Act, 8 U.S.C. § 1184(c)(2)(B). A petitioner may establish eligibility by submitting evidence that the beneficiary and the proffered position satisfy either prong, or both prongs, of the statutory definition of specialized knowledge. Specialized knowledge is also defined as special knowledge possessed by an individual of the petitioning organization's product, service, research, equipment, techniques, management, or other interests and its application in international markets, or an advanced level of knowledge or expertise in the organization's processes and procedures. 8 C.F.R. § 214.2(l)(1)(ii)(D).

Once a petitioner articulates the nature of the claimed specialized knowledge, it is the weight and type of evidence which establishes whether or not the beneficiary actually possesses specialized knowledge. We cannot make a factual determination regarding a given beneficiary's specialized knowledge if the petitioner does not, at a minimum, articulate with specificity the nature of its products and services or processes and procedures, the nature of the specific industry or field involved, and the nature of the beneficiary's knowledge. The petitioner should also describe how an employee is able to gain specialized knowledge within the organization and explain how and when the individual beneficiary gained such knowledge.

A. Advanced Knowledge

We will first discuss whether the Petitioner has demonstrated that the Beneficiary's knowledge is "advanced." 8 C.F.R. § 214.2(l)(1)(ii)(D). On appeal, the Petitioner contends USCIS erred in concluding that the evidence was not sufficient to establish that the Beneficiary possessed specialized knowledge, asserting that USCIS "missed information." The Petitioner states that the support letters establish his specialized knowledge, including sufficient detail and information on how his knowledge will be of significant value to the Petitioner, and how it is impractical for them to locate and train another employee in this knowledge.

Determinations concerning "advanced knowledge" require review of a beneficiary's knowledge of the petitioning organization's processes and procedures. A petitioner may meet its burden through evidence that a given beneficiary has knowledge of or expertise in the organization's processes and procedures that is greatly developed or further along in progress, complexity, and understanding in

comparison to other workers in the employer's operations. Such advanced knowledge must be supported by evidence setting that knowledge apart from the elementary or basic knowledge possessed by others. Also, as with special knowledge, the petitioner ordinarily must demonstrate that a beneficiary's knowledge is not commonly held throughout the particular industry and cannot be easily imparted from one person to another. *See generally* 2 *USCIS Policy Manual* L.4, https://www.uscis.gov/policymanual.

First, the Petitioner has not sufficiently clarified the nature of the Beneficiary's advanced knowledge within the company. The Petitioner emphasized the Beneficiary's advanced knowledge of the foreign parent company's [redacted] products and manufacturing processes, but they did not sufficiently articulate the nature of these systems and his advanced knowledge. For instance, in support of the petition, the Petitioner discussed the Beneficiary's advanced knowledge of "Bunching, Jacketing and Steathing," and later in response to the RFE, his is knowledge of flat ribbon, machine operation and setup, buffering, calibration, process trials, tooling selection, parameter optimization, as well as quality validation unique to the foreign parent's proprietary systems. However, in each case, the Petitioner did not sufficiently describe each of these technologies and processes in layman's terms and indicate how they are novel or proprietary to properly understand his specialized knowledge.

Likewise, in support of the petition, the Petitioner discussed the Beneficiary's role in developing technologies and processes from the "ground-up" referring to a specific product [redacted] a type of [redacted] cable. However, later in response to the RFE, there was little discussion of the Beneficiary's development of proprietary technology or products, and his foreign duties included few tasks indicating responsibility for the development of new technology and processes. The lack of detail and documentation specific to the Beneficiary's claimed work in developing new technology or processes is particularly noteworthy since the Petitioner provided supporting evidence reflecting that the foreign parent had several different [redacted] cable products on the market. As such, it was not clear which cable he was claimed to have developed or created manufacturing processes for.

The Petitioner also submitted patent documentation for an "[redacted]," (filed in [redacted] 2020), but there is no indication as to how this patented technology is relevant to the Beneficiary and if he played any hand in its development. In fact, the patent documentation lists several inventors, the Beneficiary not among them, and it was filed several years prior to the Beneficiary beginning his claimed specialized training with the foreign parent in April 2024. Further, the patent was filed only approximately two months after he began as a trainee with the company in December 2020. Therefore, in sum, the Petitioner has not sufficiently described the actual nature of the Beneficiary's advanced knowledge and what technology he is claimed to have developed for the Petitioner. It is not sufficient for a beneficiary to merely have knowledge of a company's proprietary knowledge, as this would greatly stretch the intention of the regulatory language beyond its intended bounds. The Petitioner must resolve inconsistencies and ambiguities in the record with independent, objective evidence pointing to where the truth lies. *Matter of Ho*, 19 I&N Dec. 582, 591-92 (BIA 1988). Again, it is difficult to make a factual determination regarding a given beneficiary's specialized knowledge if the petitioner does not, at a minimum, articulate with specificity, and in layman's terms, the actual specific nature of the beneficiary's knowledge.

USCIS also emphasized in the denial decision that the Petitioner did not sufficiently establish how the Beneficiary's knowledge is greatly developed as compared to similarly placed colleagues within the

organization by providing probative comparisons of his knowledge against that of his colleagues. Determining whether knowledge is "advanced" inherently requires a comparison of the beneficiary's knowledge against that of others. The Petitioner bears the burden of establishing such a favorable comparison. *Id.*

The Petitioner provided insufficient comparisons of the Beneficiary's knowledge and experience against that of his colleagues within the greater organization. For example, the Petitioner only vaguely indicated that he was one of among three individuals working for the foreign parent with specialized knowledge of the company's proprietary [redacted] cables and manufacturing processes, as compared to nine others abroad with only "general knowledge." The Petitioner generic comparison provided little support for how the Beneficiary's knowledge is greatly developed compared to his colleagues and they provided no other probative specifics about the Beneficiary's colleagues, such as information on their comparative experience, education, duties, training, salaries, or other relevant details. Notably, the Beneficiary is listed in the foreign organizational chart with over 25 other "ops support" employees within the company's greater organization, including two others in his department, as well as several leads overseeing these support employees. However, we are given little explanation or supporting evidence to substantiate how the Beneficiary knowledge of the foreign parent's proprietary technology is greatly advanced in relation to his many colleagues, including managers senior to him as well as inventors listed in the provided patent documentation.

Similarly, the Petitioner emphasized that the Beneficiary received training in the foreign parent's proprietary technologies from April 2024 to October 2024; yet there is no indication whether this represents advanced training or merely entry level training in the foreign parent's proprietary technology and processes. The Petitioner submits no comparison of this training against that of his colleagues as necessary to reflect how it led to knowledge of the company's proprietary technology that is greatly advanced in relation to his similarly placed colleagues within the organization. As discussed, USCIS rightly emphasized the lack of specific comparisons between the Beneficiary and his colleagues, and the Petitioner does little to address this evidentiary deficiency on appeal. Therefore, without specific comparisons of the Beneficiary against even those in his own department and others working in his role within the organization, it is reasonable to conclude that there are likely many others within the company's greater organization with high levels of knowledge of its proprietary [redacted] technology and its manufacture.

Although the Beneficiary's experience appears noteworthy, it is difficult to discern whether it is greatly set apart from his colleagues as the Petitioner provides little specific information or evidence related to the experience and education of his colleagues. We have little doubt that the Beneficiary is likely a valuable employee, but the Petitioner has not met the regulatory requirement of demonstrating with documentary evidence that the Beneficiary's knowledge of the organization's processes and procedures is greatly developed or further along in progress, complexity, and understanding in comparison to other workers in the employer's operations. For the foregoing reasons, the Petitioner did not establish that the Beneficiary possesses advanced knowledge.

B. Special Knowledge

We will next discuss whether the Petitioner has demonstrated that the Beneficiary's knowledge is "special." 8 C.F.R. § 214.2(l)(1)(ii)(D). On appeal, the Petitioner provides no specific discussion as to how the Beneficiary's knowledge is distinct or uncommon in comparison to the knowledge of other similarly employed workers in the industry.

Determining whether a beneficiary has "special knowledge" requires review of a given beneficiary's knowledge of how the petitioning organization manufactures, produces, or develops its products, services, research, equipment, techniques, management, or other interests. Because "special knowledge" concerns knowledge of the petitioning organization's products or services and its application in international markets, a petitioner may meet its burden through evidence that the beneficiary has knowledge that is distinct or uncommon in comparison to the knowledge of other similarly employed workers in the particular industry. Knowledge that is commonly held throughout a petitioner's industry or that can be easily imparted from one person to another is not considered special knowledge. *See generally* 2 *USCIS Policy Manual* L.4, https://www.uscis.gov/policymanual.

The Petitioner submitted little explanation or evidence to demonstrate that the Beneficiary's knowledge of his company's proprietary technology and processes is distinct or uncommon in comparison to the knowledge of other similarly employed workers in the industry. As we discussed at length in the previous section, the Petitioner does not clearly describe the Beneficiary's knowledge in easily understandable terms, but submits an array of potential technologies, products, and their components, without clearly articulating in which his special knowledge resides. Likewise, the Petitioner appeared to assert that the Beneficiary developed proprietary technology for the foreign parent but submitted little explanation or evidence to substantiate this assertion. The Petitioner emphasized specialized training the Beneficiary received in the foreign parent's proprietary technology but did not explain in detail the nature of this training and how it made him distinct or uncommon in relation to other similarly placed colleagues within his industry. The Petitioner must support its assertions with relevant, probative, and credible evidence. *See Matter of Chawathe*, 25 I&N Dec. 369, 376 (AAO 2010).

Even if we accept that the Petitioner holds knowledge of specific proprietary products, methods, and processes specific to the company, and that the Beneficiary has knowledge of them, this alone is not sufficient to establish that his knowledge is distinct or uncommon in the industry. In fact, it is common in nearly every industry for companies to hold unique or proprietary knowledge and to work on highly complex products and services. The Petitioner must set the Beneficiary apart from similarly placed workers within the industry and demonstrate that his knowledge is distinct or uncommon in comparison.

The Petitioner provides little evidence beyond its unsupported assertions to substantiate that the Beneficiary's knowledge is uncommon in the industry. For instance, the Petitioner vaguely stated that the products, technology, and processes of the foreign parent are "different from how individuals without this advanced and specialized knowledge operate within the manufacturing process of standard optic cables" and further indicated that they are "highly complex and technical in nature and are among the most advanced in the industry." However, the Petitioner did not detail or document how the foreign parent's products, technology, and processes are different from others in the industry,

more complex, or among the most advanced. Indeed, the Petitioner provides no information on the industry and the place its greater company and its products hold therein, and how its proprietary technology, and in turn the Beneficiary's knowledge, is distinct or uncommon.

Therefore, the Petitioner did not sufficiently articulate how the Beneficiary's education, experience, and training is uncommon when compared to other similarly placed colleagues within the industry. Without objective evidence to the contrary, it is reasonable to conclude that there are many other similar colleagues who have extensive experience in their company's products and processes in the industry. The Petitioner has not established that the Beneficiary's knowledge is "special" as defined by the regulations.

IV. CONCLUSION

Again, as a threshold matter, if the Beneficiary does not possess specialized knowledge, then his position abroad and in the United States would not involve specialized knowledge as necessary to qualify him. For the foregoing reasons, the Petitioner has not sufficiently established, when considering the totality of the circumstances, that the Beneficiary possesses specialized knowledge. For this reason, the appeal must be dismissed.

ORDER: The appeal is dismissed.

NOTICE: This constitutes the final decision in this matter. The filing of a motion will not postpone the effect of the decision. 8 C.F.R. § 103.5(a)(1)(iv). Aliens who are not lawfully present, or who are otherwise inadmissible or deportable, may be subject to the commencement of removal proceedings under section 240 of the Act through the issuance of a Form I-862, Notice to Appear. Those proceedings may result in their removal from the United States and possible ineligibility for future visas or other immigration benefits.