U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF I-M-C-N-A-

DATE: MAR. 6, 2018

APPEAL OF CALIFORNIA SERVICE CENTER DECISION

PETITION: FORM I-129, PETITION FOR A NONIMMIGRANT WORKER

The Petitioner, a supplier of semiconductor memory technology, seeks to continue the Beneficiary's employment as its "WLAN Product Architect" under the L-1A nonimmigrant classification for intracompany transferees. *See* 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.

The Director of the California Service Center denied the petition, concluding that the record did not establish, as required, that the Beneficiary: (1) possesses specialized knowledge; (2) has been employed abroad as a manager or executive, or in a specialized knowledge capacity; and (3) will be employed in the United States in a specialized knowledge capacity.

On appeal, the Petitioner explained in greater detail how the Beneficiary gained his specialized knowledge. The Petitioner discussed his progressive experience with the foreign entity and explained how he built on that experience to acquire knowledge of his employer's products and their application within the IT industry worldwide. Further, the Beneficiary contributed to product invention and the development of new processes and solutions. Seven patent applications name the Beneficiary among the short list of inventors of items that were either granted a patent or were patent pending, and of those seven applications, four were granted at the time this appeal was filed.

The Petitioner also confirms that in a group of 1400 product architects, the Beneficiary is one of less than 30 technical leaders in his employer's wireless connectivity solutions group. In sum, we find that the record of proceeding, as supplemented by the Petitioner's submission on appeal, establishes that the Beneficiary possesses specialized knowledge. Upon *de novo* review, we will sustain the appeal.

ORDER: The appeal is sustained.

Cite as *Matter of I-M-C-N-A-*, ID# 1068751 (AAO Mar. 6, 2018)