U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF Z- LTD

DATE: MAR. 28, 2019

APPEAL OF CALIFORNIA SERVICE CENTER DECISION

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

The Petitioner, a developer of social games and mobile applications, seeks to temporarily employ the Beneficiary as its "Product Manager" under the L-1B 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 asserts that the Beneficiary has special knowledge of its proprietary cooking game series of mobile applications and an advanced knowledge of [redacted] a proprietary software tool that she co-created with one other employee and which is now part of the game design and production processes and procedures. The Petitioner explains that the Beneficiary acquired specialized knowledge gradually, starting with the foundational knowledge she gained in the course of designing and developing the first generation of the cooking game series and continuing as she co-designed and developed [redacted], which was used to develop two subsequent cooking games and which the Petitioner plans to implement in its own design process. The Petitioner states that the Beneficiary will use her knowledge of [redacted] and the game design process to recruit and train employees in the U.S. game production division asserting that her role in helping to create Slots makes her uniquely qualified to train others in its use and application within the petitioning entity.

Upon *de novo* review, we find that the Petitioner has provided sufficient evidence to overcome the basis for the denial. Therefore, we will sustain the appeal.

ORDER: The appeal is sustained.

Cite as *Matter of Z-Ltd*, ID# 2736144 (AAO Mar. 28, 2019)