U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF W- CORP

DATE: MAR. 31, 2017

APPEAL OF CALIFORNIA SERVICE CENTER DECISION

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

The Petitioner, a manufacturer and marketer of major home appliances, seeks to extend the Beneficiary's temporary employment as an engineering manager under the L-1B nonimmigrant classification for intracompany transferees. *See* Immigration and Nationality Act (the Act) § 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 Petitioner did not establish that the Beneficiary possesses specialized knowledge or that he was employed abroad and would be employed in the United States in a position requiring specialized knowledge.

The matter is now before us on appeal. In its appeal, the Petitioner contends that the Beneficiary has both special and advanced knowledge and asserts that the Director erred in her interpretation of the law and its application to the facts presented.

Upon *de novo* review, we find that the Petitioner has now provided sufficient evidence to establish that the Beneficiary has advanced knowledge of the Petitioner's product development processes gained during his 6 years of employment with its foreign subsidiary, where he last worked as a manager of product development and design. We further find that this advanced knowledge is required for the U.S.-based position. The Beneficiary will continue to be responsible for leading a team of engineers to simplify and standardize the product design and development process for one of the company's appliance product lines, which will then be implemented on a global basis.

The record establishes that the Beneficiary possesses specialized knowledge and that he has been and will be employed in positions requiring specialized knowledge. Accordingly, we will withdraw the Director's decision and sustain the appeal.

ORDER: The appeal is sustained.

Cite as *Matter of W- Corp.*, ID# 221500 (AAO Mar. 31, 2017)