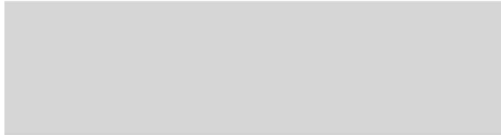




U.S. Citizenship  
and Immigration  
Services

(b)(6)



DATE: AUG 05 2015

PETITION RECEIPT #: [REDACTED]

IN RE:           Petitioner: [REDACTED]  
                  Beneficiary: [REDACTED]

PETITION:      Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(L) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(L)

ON BEHALF OF PETITIONER:



Enclosed is the non-precedent decision of the Administrative Appeals Office (AAO) for your case.

Thank you,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg  
Chief, Administrative Appeals Office

**DISCUSSION:** The Director, California Service Center, denied the petition for a nonimmigrant visa. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be sustained.

The petitioner is a California corporation engaged in the business of providing information technology solutions to the biotechnology and pharmaceutical sector. The petitioner filed the instant petition seeking to employ the beneficiary in the United States as an L-1B nonimmigrant intracompany transferee pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L), for an initial period of three years.

On December 30, 2014 the director denied the petition, finding that the evidence of record did not establish that the beneficiary has been, or will be, employed in a specialized knowledge position.

On appeal, the petitioner submits a brief disputing the denial and addressing the director's adverse findings.

We conduct appellate review on a *de novo* basis. *See Soltane v. DOJ*, 381 F.3d 143, 145 (3d Cir. 2004). Upon reviewing the entire record of proceeding as supplemented by the petitioner's submission on appeal, we conclude that the record now contains sufficient evidence to overcome the basis for the director's decision.

Specifically, the totality of the evidence now establishes that the petitioner has satisfied the legal criteria regarding the beneficiary's qualifying employment with his former employer abroad and with the petitioning U.S. entity.

In visa petition proceedings, the burden of proving eligibility for the benefit sought remains entirely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. The petitioner in the instant case has sustained that burden.

**ORDER:** The appeal is sustained.