



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF R-C-P- CORP.

DATE: DEC. 30, 2015

APPEAL OF VERMONT SERVICE CENTER DECISION

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

The Petitioner, a corporation engaged in the manufacture, marketing and sale of cosmetics and personal care products, seeks to employ the Beneficiary as a nonimmigrant intracompany transferee. *See* section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L). The Director, Vermont Service Center denied the petition. The matter is now before us on appeal. The appeal will be sustained.

The Petitioner is the parent company of [REDACTED] and the Beneficiary's employer in Venezuela. The Petitioner seeks to employ the Beneficiary in the position of "Manager, Training and Social Media-Export Latin America" for a period of three years. The Director denied the petition, finding that the Petitioner did not establish that the Beneficiary possess specialized knowledge and that the Beneficiary has been and will be employed in a specialized knowledge capacity as defined at 8 C.F.R. § 214.2(l)(1)(ii)(D).

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 possession of specialized knowledge and that she has been employed abroad, and will be employed in the United States in a position requiring specialized knowledge as defined at 8 C.F.R. § 214.2(l)(1)(ii)(D).

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. In this case, the Petitioner has sustained that burden.

ORDER: The appeal is sustained.

Cite as *Matter of R-C-P- Corp.*, ID# 11744 (AAO Dec. 30, 2015)