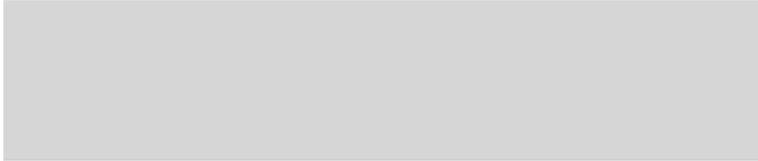




U.S. Citizenship
and Immigration
Services

(b)(6)



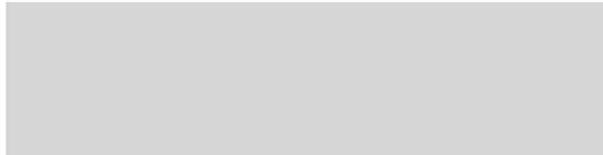
DATE: JUL 24 2015

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 be "Ron Rosenberg".

Ron Rosenberg
Chief, Administrative Appeals Office

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

The petitioner filed the Form I-129, Petition for a Nonimmigrant Worker (Form I-129), seeking to classify the beneficiary as an L-1B nonimmigrant intracompany transferee in a specialized knowledge capacity pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L). The petitioner is a Delaware corporation engaged in the manufacture and sale of styrenic polymers. The petitioner is an affiliate of [REDACTED], located in Mexico. The petitioner seeks to transfer the beneficiary from its Mexican affiliate to serve in the position of “Regional Category Buyer – Direct Procurement, Americas” for a period of three years.

The director denied the petition, concluding that the petitioner did not establish that the beneficiary possesses specialized knowledge or that she has been employed abroad, or would be employed in the United States, in a specialized knowledge capacity.

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 petitioner has established by a preponderance of the evidence that the beneficiary possesses an advanced knowledge of the processes and procedures of the company, consistent with the statutory and regulatory definitions of “specialized knowledge.” *See* section 214(c)(2)(B) of the Act; 8 C.F.R. § 214.2(l)(1)(ii)(D). Further, the petitioner has established that the beneficiary has been and would be employed in a capacity that require this specialized knowledge.

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.