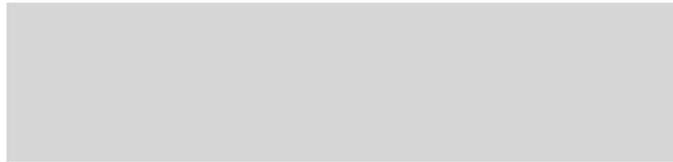


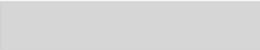


U.S. Citizenship
and Immigration
Services

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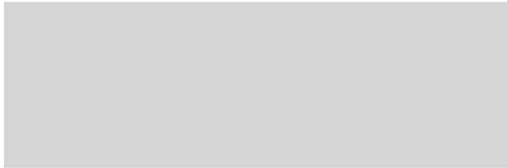
DATE: JUN 11 2015

FILE #: 

IN RE: Petitioner: 
 Beneficiary: 

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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Thank you,


Ron Rosenberg

Chief, Administrative Appeals Office

DISCUSSION: The Director, Vermont 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 Delaware corporation engaged in the business of SAP software development, implementation and consulting. The petitioner originally filed a blanket petition, which was approved, thus allowing the petitioner to transfer the beneficiary to be employed in the United States in the position of [REDACTED] technical team lead. Due to a change in circumstances regarding the beneficiary's former employer abroad, the petitioner filed a nonimmigrant individual visa petition seeking to amend the previously approved blanket petition in order to continue to employ the beneficiary in the United States as an L-1A 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 additional period of three years.

On July 15, 2014, the director denied the petition, finding that the petitioner failed to establish that: 1) the beneficiary was employed abroad in a qualifying managerial or executive capacity for one year during the requisite three-year time period; and 2) the beneficiary's position with the petitioning entity would be in a qualifying managerial or executive capacity.

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

Based on our review of the record in its entirety, we find that the petitioner has provided sufficient evidence to meet the preponderance of the evidence standard in establish that the petitioner has satisfied the statutory 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.