

The visa is a non-immigrant visa that enables a U.S. employer to transfer a professional employee with specialized knowledge relating to the organization's interests from one of its affiliated foreign offices to one of its offices in the United States. This classification also enables a foreign company that does not yet have an affiliated U.S. office to send a specialized knowledge employee to the United States to help establish one. Qualified employees entering the United States to establish a new office will be allowed a maximum initial stay of one year. All other qualified employees will be allowed a maximum initial stay of three years. The employee may be accompanied by their spouse and unmarried children who are under the age of 21. The family members can seek admission in L-2 nonimmigrant petition and will be generally granted with the same period of stay as the employee.

To qualify as a specialty occupation, the position must meet one of the following requirements:

The employer must:

- Have a qualifying relationship with a foreign company (parent company, branch, subsidiary, or affiliate, collectively referred to as qualifying organizations); and
- Currently be, or will be, doing business as an employer in the United States and in at least one other country directly or through a qualifying organization for the duration of the beneficiary's stay in the United States as an L-1. While the business must be viable, there is no requirement that it be engaged in international trade.

Doing business means the regular, systematic, and continuous provision of goods and/or services by a qualifying organization and does not include the mere presence of an agent or office of the qualifying organization in the United States and abroad.

To qualify, the named employee must also:

- **Generally, have been working for a qualifying organization abroad for one continuous year within the three years immediately preceding his or her admission to the United States; and**
- **Be seeking to enter the United States to provide services in a specialized knowledge capacity to a branch of the same employer or one of its qualifying organizations.**

Specialized knowledge means either special knowledge possessed by an individual of the petitioning organization's product, service, research, equipment, techniques, management, or other interests and its application in international markets, or an advanced level of knowledge or expertise in the organization's processes and procedures

For foreign employers seeking to send an employee with specialized knowledge to the United States to be employed in a qualifying new office, the employer must show that:

- **The employer has secured sufficient physical premises to house the new office; and**
- **The employer has the financial ability to compensate the employee and begin doing business in the United States.**

Our Firm has extensive experience in representing clients on L-1A/B initial filing and extension, including new office L-1. Our clients cover a variety of industries including sales and trade, IT, healthcare, food, manufacturing, transportation, etc. We are also skilled at responding complex Requests for Evidence from USCIS, and we can utilize our business knowledge to advise clients on corporate structuring and L-1 compliance matters.