



U.S. Citizenship  
and Immigration  
Services

(b)(6)



DATE: AUG 20 2015

FILE #: [REDACTED]

PETITION RECEIPT #: [REDACTED]

IN RE:

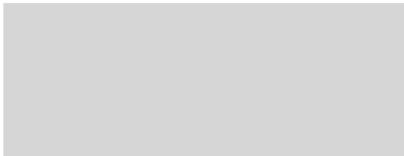
Petitioner:

Beneficiary:



PETITION: Immigrant Petition for Alien Worker as a Multinational Executive or Manager Pursuant to Section 203(b)(1)(C) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(C)

ON BEHALF OF PETITIONER:



Enclosed is the non-precedent decision of the Administrative Appeals Office 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, Vermont Service Center, denied the immigrant visa petition. The matter is now before the Administrative Appeals Office on appeal. The appeal will be sustained.

The petitioner, a telecommunications technology company, seeks to employ the beneficiary in the United States as a director of product management. The petitioner filed Form I-140, Immigrant Petition for Alien Worker, on June 12, 2014, seeking to classify the beneficiary as an employment-based immigrant under section 203(b)(1)(C) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(C), as a multinational executive or manager. The director denied the petition on December 12, 2014, concluding that the petitioner had not established that the beneficiary's duties abroad were primarily managerial or executive.

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.

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.