

**Department of Homeland Security
U.S. Citizenship and Immigration Services****I-797E, Notice of Action**

A #	Application/Petition I-129, Petition for A Nonimmigrant Worker	
Receipt # WAC1714554460	Applicant/Petitioner Synechron, Inc	
Notice Date May 5, 2017	Page 1 of 6	Beneficiary Bhardwaj, Vishal Ramesh

**RICOTTA, CHRISTOPHER
FAKHOURY LAW GROUP
5440 CORPORATE DR STE 100
TROY, MI 48098**



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I-907/G-28 Fax No: 248-643-4907

**PREMIUM PROCESSING CASE
REQUEST FOR EVIDENCE
CSC-Premium.Processing@dhs.gov
Fax: (949) 389-3460**

It has been determined that the above petition requires additional information. Please see attached page(s) for specific information. If the response to this notice contains more than 15 pages, please send your response to: **California Service Center, Premium Processing Team, P.O. Box 10825, Laguna Niguel, CA 92607-0825**. If you choose to send by express delivery, the address is 24000 Avila Rd., 2nd Floor, Room 2302, Laguna Niguel, CA 92677. Clearly mark the envelope with the words "**PREMIUM PROCESSING**". If your response will be 15 pages or less, please reply by fax. If you have any questions, you may contact the Premium Processing Team via e-mail at **CSC-Premium.Processing@dhs.gov** or call our toll free number (866) 315-5718.

You are given until **July 28, 2017** to submit the additional information.

Thank you,

Officer **CSC11152/WS22101 EB1-3 Section**

Please include this cover page with your response to the CSC.

Sent by: DE
(Initials)

You will be notified separately about any other applications or petitions you filed. Save this notice. Please enclose a copy of it if you write to us about this case, or if you file another application based on this decision. Our address is:

**USCIS - CALIFORNIA SERVICE CENTER
P.O. BOX 10590
LAGUNA NIGUEL, CA 92607-0590
800-375-5283**

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REQUEST FOR EVIDENCE
Form I-129, Petition for a Nonimmigrant Worker
L-1B Intracompany Transferee
Specialized Knowledge

On April 26, 2017, your organization, Synechron, Inc.(petitioner), filed a Petition for a Nonimmigrant Worker (Form I-129) with U.S. Citizenship and Immigration Services (USCIS), seeking to classify Vishal Ramesh Bhardwaj (beneficiary) as a nonimmigrant intracompany transferee (L-1).

Documentation submitted with your petition indicates that your organization provides IT Solutions & Engineering. You seek to employ the beneficiary as Assistant Manager-Software from May 8, 2017 to May 8, 2020.

Specialized knowledge is defined as:

- 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.

Petitioning organization, as used in this request for evidence, refers to your organization and/or any qualifying organization. *Qualifying organization* is defined to include the petitioning employer's parent, branch, affiliate or subsidiary.

"Special" knowledge is knowledge of the petitioning organization's product, service, research, equipment, techniques, management, or other interests and its application in international markets that is distinct or uncommon in comparison to that generally found in the particular industry.

"Advanced" knowledge is knowledge or expertise in the petitioning organization's specific processes and procedures that is:

- Not commonly found in the relevant industry, **AND**
- Greatly developed or further along in progress, complexity and understanding than that generally found within the employer.

To process your petition and determine if your organization and the beneficiary are eligible, additional information is required. This request provides suggested evidence that you may submit to satisfy each of the eligibility criteria described below. You may:

- Submit one, some, or all of these items.
- Submit none of the suggested items and instead submit other evidence to satisfy the request.
- Explain how the evidence in the record already establishes eligibility.
- Request a decision based on the record.

Please note that, as the petitioner, you are responsible for providing evidence which shows your organization and the beneficiary meet all requirements and are eligible for the requested benefit at the time you filed the Form I-129 by a preponderance of the evidence. While a petitioner's statement may be persuasive if it is detailed, specific and credible, USCIS may, in appropriate cases, request additional evidence to support a petitioner's statement.

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Please do not include copies of documentation previously submitted with your response.

USCIS checks all petitions filed for this classification in its Validation Instrument for Business Enterprises (VIBE) system. VIBE uses commercially available data to validate basic information about organizations petitioning to employ foreign workers. For more information about this program, please visit USCIS website at www.uscis.gov/VIBE.

Beneficiary Requirements

To qualify a beneficiary for L-1B classification, you must show that he or she:

- Will be employed in a specialized knowledge capacity in the United States;
- Has prior education, training, and employment that qualifies him or her to perform the intended services in the United States; and
- Has at least one continuous year of full-time employment abroad with a qualifying organization:
 - Within the three years before application for admission to the United States; and
 - In a position that was managerial or executive, or involved specialized knowledge.

Managerial, Executive, or Specialized Knowledge Position Abroad: The beneficiary must have at least one continuous year, within the three years prior to his or her application for admission to the United States, of full-time employment with a qualifying foreign organization. The foreign position must have been primarily managerial or executive in nature, or involved specialized knowledge. Any combination of requirements for one of these position types may not be combined with another. Hybrid positions that combine requirements will not establish eligibility.

To satisfy this requirement, you submitted:

- Your cover letter dated April 24, 2017;
- Foreign organizational chart;
- Copies of beneficiary's Performance Appraisals;
- Beneficiary's job offer letter;
- Copies of beneficiary's pay slips for months March 2016 to February 2017;
- SyneMobiSafe- White Paper authored by beneficiary;
- Detailed India Manager Letter;
- SyneMobiSafe- Onshore Training Schedule.

The evidence you submitted is not sufficient. Although you submitted a cover letter noting the beneficiary's position, your description lacks detail to show exactly what the beneficiary's duties are and how the knowledge involved in performing the duties of the beneficiary's position is special. You did not provide sufficient documentary evidence to support your assertions that the beneficiary's duties with the foreign company involved specialized knowledge. Although you state that the position involves specialized knowledge related to your proprietary tool, SyneMobiSafe, you have not provided sufficient corroborating evidence to support your assertion. USCIS is unable to establish what is required to be performed as an Assistant Manager-Software. Furthermore, your description of the beneficiary's foreign position does not sufficiently compare and contrast the beneficiary's duties and knowledge with others employed in similar positions within your organization or within the industry.

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You may still submit evidence to satisfy this requirement. Evidence may include, but is not limited to:

- Copies of the beneficiary's training, pay, or other personnel records.
- A detailed organizational chart or diagram, showing the foreign entity's organizational structure and staffing levels. Clearly identify the beneficiary's position in the chart.
- A list of all employees in the beneficiary's immediate division, department, or team, by name, job title, summary of duties, education level, and salary.
- A letter from an authorized representative of the foreign entity describing the specialized knowledge duties of the position abroad. The letter should also describe the percentage of time spent on each duty. In addition the letter should:
 - Identify which of the petitioning organization's products, services, tools, research, equipment, techniques, management, or processes and procedures involved in the beneficiary's job duties required specialized knowledge;
 - Explain how the knowledge or expertise identified was either "special" or "advanced";
 - State the minimum time required to obtain this knowledge, including training and actual experience accrued after the completion of training;
 - Explain the knowledge required to perform the duties of the foreign position and how it compares to that of similarly employed individuals within the employer and within the industry, if you are seeking to establish that the beneficiary's foreign position involved "advanced" knowledge.
- Additional documentary evidence to support the claims made in your letter and to show the knowledge involved in performing the duties of the beneficiary's foreign position was special and/or advanced.

Beneficiary's Specialized Knowledge: You must establish that the beneficiary has specialized knowledge and that the beneficiary's prior education, training, and employment qualifies him/her to perform the intended services in the United States; however, the work in the United States need not be the same work which the alien performed abroad.

To satisfy this requirement, you submitted:

- Your cover letter dated April 24, 2017;
- Copy of beneficiary's degree and transcripts;
- Surpass Award Nomination Certificate.

The evidence you submitted is not sufficient. Your description of the beneficiary's education and employment does not sufficiently establish how the knowledge possessed by the beneficiary, if "special," is uncommon, noteworthy, distinguished by some unusual qualification, and not generally known by practitioners in the beneficiary's industry; or, if "advanced" is highly developed or complex, at a higher level than others, beyond the elementary or introductory, or greatly developed beyond the initial stage. Although you state that the knowledge obtained by the beneficiary through employment is "special/advanced," you have not provided corroborating evidence to support your assertion. Your description does not sufficiently compare and contrast the beneficiary's knowledge, education, training, and employment with others employed in the industry performing the same or similar type of work.

You may still submit evidence to satisfy this requirement. Please submit:

- Evidence of the beneficiary's prior education, training, and employment and an explanation how that relates to the claimed specialized knowledge.

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- A description of the beneficiary's knowledge or expertise and why it is specialized. Please identify the beneficiary's knowledge as either "special" and/or "advanced."
- A comparison of the beneficiary's knowledge to that of other employees and workers in the same field.

Other evidence you may submit includes, but is not limited to:

- Documentation of training, work experience, or education establishing the number of years the individual has been using or developing the claimed specialized knowledge as an employee of the petitioning organization or in the industry;
- Evidence of the impact, if any, the transfer of the individual would have on the petitioning organization's U.S. operations;
- Evidence that the alien is qualified to contribute to the U.S. operation's knowledge of foreign operating conditions as a result of knowledge not generally found in the petitioning organization's U.S. operations;
- Contracts, statements of work, or other documentation that shows that the beneficiary possesses knowledge that is particularly beneficial to the petitioning organization's competitiveness in the marketplace;
- Evidence, such as correspondence or reports, establishing that the beneficiary has been employed abroad in a capacity involving assignments that have significantly enhanced the petitioning organization's productivity, competitiveness, image, or financial position;
- Personnel or in-house training records that establish that the beneficiary's claimed specialized knowledge normally can be gained only through prior experience or training with the petitioning organization;
- Curricula and training manuals for internal training courses, financial documents, or other evidence that may demonstrate that the beneficiary possesses knowledge of a product or process that cannot be transferred or taught to another individual without significant economic cost or inconvenience;
- Evidence of patents, trademarks, licenses, or contracts awarded to the petitioning organization based on the beneficiary's work, or similar evidence that the beneficiary has knowledge of a process or a product that either is sophisticated or complex, or of a highly technical nature, although not necessarily proprietary or unique to the petitioning organization;
- Payroll documents, federal or state wage statements, documentation of other forms of compensation, resumes, organizational charts, or similar evidence documenting the positions held and the compensation provided to the beneficiary and parallel employees in the petitioning organization; and
- Any other evidence that shows the beneficiary has specialized knowledge.

USCIS will review the entire record to determine whether the petitioner has established by a preponderance of the evidence that the beneficiary has specialized knowledge under the totality of the circumstances.

Evidence of Specialized Knowledge Position in the United States: You must show that the position in the United States involves specialized knowledge.

To satisfy this requirement, you submitted:

- Your cover letter dated April 24, 2017;
- Proposed organizational chart;
- Employment Agreement;

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- Letter from Asurion.

The evidence you submitted is not sufficient. Although you submitted a cover letter describing the beneficiary's position, your description lacks detail to show exactly how the knowledge involved in performing the duties of the beneficiary's position is special. Although you state that the position involves specialized knowledge related to your proprietary tool, your description of the position does not sufficiently explain why the duties involve specialized knowledge. Your description of the position does not sufficiently compare and contrast the beneficiary's duties with others performing the same type of work within your organization or the industry. Furthermore, you did not provide sufficient corroborating evidence to support your assertions. USCIS is unable to determine that the beneficiary will be employed in a position that involves specialized knowledge.

You may still submit evidence to satisfy this requirement. Please submit:

- A detailed description of the services to be performed which may include information regarding:
 - the specific nature of the industry or field involved,
 - the nature of the petitioning organization's products or services,
 - the nature of the specialized knowledge required to perform the beneficiary's duties, and
 - the need for the beneficiary's specialized knowledge.

The letter may also include:

- The percentage of time spent on each duty.
 - The products, services, tools, research, equipment, techniques, management, or processes and procedures of the petitioning organization of which the beneficiary has specialized knowledge;
 - An explanation of how the knowledge or expertise identified is "special" and/or "advanced";
 - The minimum time required to obtain this knowledge, including training and actual experience accrued after the completion of training;
 - An explanation of the knowledge required to perform the duties of the U.S. position and how it compares to that of similarly employed individuals within the employer and within the industry, if you are seeking to establish that the beneficiary's U.S. position involves "advanced" knowledge.
- You may also submit additional documentary evidence to support the claims made in your letter and to show the knowledge involved in performing the duties of the beneficiary's U.S. position is special and/or advanced.

General Reminders

If you are submitting evidence in response to this request also submit the following:

- An index of the evidence and include corresponding tabs for each section of evidence.
- Clear and legible copies of the evidence. If clear and legible copies are not possible, submit the original documents. These originals will be returned, if requested.
- Duplicate copy if you are requesting consulate notification. You must provide a duplicate copy of: Form I-129 and initial evidence (if not previously provided); and any evidence submitted in response to this request. If the beneficiary is in the United States and you are requesting a change of status or extension, you may also choose to submit a duplicate copy of the Form I-129 and supporting evidence in case the beneficiary decides to seek a visa at a consular office abroad.
- Full English language translation(s) of evidence submitted to USCIS containing a foreign language. The translator must certify that the translations are accurate and complete and that he or she is competent to translate from the foreign language into English.