

# What Is an L-1 Visa? Who Qualifies?



By Michael Wildes

The L-1 visa is for "intra-company transferees" and has a long history under U.S. immigration law.

To qualify for L-1 classification, the employer must: Have a qualifying relationship with a foreign company (either a 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 intended 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. The term "doing business" refers to the regular, systematic, and continuous provision of goods or services by a qualifying organization. It does not include the mere presence of an agent or office of the qualifying organization both 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.

There are two types of L-1 visas: L-1A visas are for multinational corporate executives and managers, and L-1B visas are for individuals with "specialized knowledge." The L-1A nonimmigrant classification enables a U.S. employer to transfer an executive or manager 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 an executive or manager to the United States for the purpose of establishing one. A manager is a person who manages a function or oversees a component of a company, establishes the goals and policies of an organization or a major part or function of an organization, exercises wide latitude of discretionary decision making, and receives only general supervision or direction from higher-level executives. It is also important that these individuals can prove that they supervise professional and not just first-line employees.

The L-1B nonimmigrant classification 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 an office 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.

An employee with specialized knowledge is defined as an individual "with knowledge of the company product and its application in international markets or with an advanced level of knowledge of processes and procedures of the company." (This and other material in this article is taken from <http://www.uscis.gov>.)

In appropriate circumstances, larger U.S. employers may file "blanket" L-1 petitions, by which they seek approval for a number of employees at the same time, instead of filing separate petitions for individual employees.

L-1 visas are not limited to "for-profit" corporations or partnerships. Accordingly, charitable organizations, as well as religious and non-for-profit organizations, may file for L visas, as well.

The L-1 visa has no annual quota. Therefore, qualified employees entering the United States to establish a new office will be allowed a maximum initial stay of only one year. All other qualified employees will be allowed a maximum initial stay of three years. For all L-1A and L-1B employees, requests for extension of stay may be granted in increments of up to an additional two years, until the employee involved has reached the maximum limit. L-1A visa holders have a maximum time limit of five years and L-1B visa holders have a maximum of seven years. Additionally, the spouse and

children of an L-1 visa holder are admitted in the United States as L-2s, and they are allowed to work in the country as well.

One of the privileges and distinguishing characteristics of the L-1 visa, as opposed to many other nonimmigrant visas, is that it is a "dual intent" visa. In other words, under the terms of the L-1 visa, the L-1 visa holder may have a pending application for a "Green Card" and become a lawful permanent resident without jeopardizing his or her L-1 visa status or his pending visa applications.

Persons who believe they might qualify for an L-1 visa should consult a lawyer with expertise in business immigration law. An experienced immigration lawyer can prepare these complex applications.

\* This article is based on information available as of its publication and is not intended to be all-inclusive or to furnish advice in a particular case. We are not responsible for any changes in regulations that may occur subsequent to publication. Please feel free to contact our office for further information and advice.

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## Exciting Innovations from Dunkin' Donuts

By Sushi Kaplan and Benji Kleiner

Teaneck—A kosher Dunkin' Donuts has been a part of the local kosher food scenery since 1996, when Mirek Musial first established the eatery as a kosher establishment in The Plaza, a strip-mall anchored by Walgreens on Teaneck Road.

Because of excellent sales figures in Musial's first kosher Dunkin' Donuts store, in Elizabeth, NJ, he reasoned that the success would translate to Teaneck, another town with a large Jewish population. Musial was right. Teaneck's kosher Dunkin' Donuts has been open and thriving for the past 18 years.

Agnieszka Blandadudaczky has a long history with Dunkin' Donuts. She has been a manager at the Teaneck store since 2005. Approximately two years ago, she bought into the store and is now co-owner of the establishment.

Though neither of the owners is Jewish, they haven't had trouble keeping kosher; Blandadudaczky says that their *meshgiach* "comes around and looks at everything. He checks all the new products from Dunkin' Donuts to make sure that they're all kosher." The *meshgiach* comes in three times a week, she added.

Blandadudaczky was asked if there were plans to expand by establishing a drive-thru window at the store: "It's impossible to have a drive-thru here," she said about their current location. However, "we are thinking about buying another location like a gas station." They are looking for available space in Teaneck, she said.

Blandadudaczky said that another plan in the works is a partnership like one in many other Dunkin' Donuts franchises. She and Musial are looking for a Baskin Robbins ice cream franchise with which to partner.

Until then, it looks like we will all have to continue to get a little exercise in order to get our sugar and caffeine fix.

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## Wearable Internet



By Shneur Garb

This week Google held its Google IO conference. The keynote speaker went on for over two hours. Anyone who knows me knows I can only sit for about a half hour before my ADD kicks in.

Though I wasn't able to attend—the price tag for admission, if you could get in, was \$1000—there was a large amount of coverage. Google's smartwatch platform made its on-stage debut with the company calling it a "new phase in miniaturization of technology." Google released its new operating system in competition with Apple iOS 8. Those lucky enough to be at Google IO will receive either a watch or, eventually, Motorola's smartwatch, the Moto 360. Now it will be possible to make a powerful computer comfortable on your wrist all day long. It'll make your in-real-life conversations more comfortable too.

With all of the hype over wearable tech, at first glance this technology seems more James Bond than practical technology. Android users typically check their phone 125 times a day. Instead of getting out that increasingly large "Phoneblat," like the Galaxy Note 3, an Android Wear smartwatch will quickly show you relevant information at a glance.

And Android Wear is where it's at. While the LG watch and newly

announced Samsung Gear Live will be available in July, the Moto 360 release date is still stalled with a vague summer launch and still unspecified price. The Google Glass-filled audience didn't much care for this.

Android Wear supports both round and square-shaped displays and follows Google's design trend of appearing as a stream of cards. Swiping and pressing and holding changes cards and options. These watches are going to look good, feel comfortable, and be super functional.

Apple will also be getting into the wearable-tech race. Following recent news that Apple is prepping an iWatch for release this fall, a new report claims that the company has enlisted several professional athletes to test the still-unannounced device. (Top players from U.S. professional sports leagues, including Major League Baseball (MLB), the National Hockey League (NHL) and the National Basketball Association (NBA), are testing the device's "fitness capabilities in intense training environments," according to 9to5Mac.) Reportedly powered in part by Apple's new HealthKit app, the wearable device could serve as a major new tracking and diagnostics tool for professional athletes and amateur fitness enthusiasts alike. Sources claim that the device, which reportedly has a curved screen, is already in production, and will debut in October.

Though the price tag for wearable technology seems to be high, this isn't stopping anyone from trying to



purchase it. It's amazing how wearable technology is coming on the scene and people can't wait to get their hands on it. Being a tech person who grew up in the '80s on a Radio Shack TRS-80, if you would have told me that we'd have this technology on our wrists I would not have believed you.

Stay tuned. Google and Apple are working on vehicles that will broadcast your Smartphone on your car screen. Do we really need cars that will drive themselves? Who knows? But it's being developed.

Here is something I saw at the Google I/O conference called Google Cardboard. Developers at I/O walked away with a strange construction kit for a project named, imaginatively, Cardboard.

If you want to put this together yourself the link is <https://gweb-cardboard.appspot.com/>.

If you want to see some more of the Google I/O show here is the link <http://mashable.com/2014/06/25/google-io-everything-to-know/>