



2026

NYIS LAW FIRM

H-1B Guide

NYIS Law Firm Introduction

NYIS Law Firm practices in the fields of litigation, investment, commerce and trade, intellectual property, and immigration. Charles Maurer, the managing attorney, is rated AV by Martindale Hubbell for 40 consecutive years. The AV rating signifies that the rated attorney is recognized for the highest levels of skill and integrity and has reached the heights of professional excellence.

- ◆ Mr. Maurer was awarded the lifetime honor of Best Attorneys in America in 2015. NYIS Law Firm was awarded the lifetime honor of Best Law Firms in America in 2016. Our clients include Fortune 500 companies, China's large-size nation-owned companies, international tier-one artists, well-known directors/singers/athletes, U.S. billionaires, Asian billionaires, international students in the U.S., and start-ups in the U.S., etc.
- ◆ In immigration area, we are experienced and expert in all kinds of immigrant applications (such as employment-based immigration, investment-based immigration, extraordinary ability immigration, multinational manager or executive immigration, family-based immigration, and marriage-based immigration, etc.) and also non-immigrant applications (such as H-1B visa, L-1 visa, O-1 visa, P-1 visa, TN visa, E-3 visa, E-1/2 visa, K-1 visa, F-1 visa, B-1/2 visa, etc.). We are located in New York, New Jersey, California, and Taipei, Beijing, and our clients come from all over the world.

Our Principles



We Customize our Application

Every applicant is unique, from field of study, work experience, to type of employer and position. Based on the applicant's academic/professional background, his/her employer's operating business, the applicant's job title and duties, etc., we create a customized plan for his/her H-1B application. Accordingly, we determine the applicant's prevailing wage and prepare required supporting documents.



We Individually Assign our Attorneys and Paralegals

We will assign an experienced English and Chinese speaking paralegal who assists and supports the attorney's work. The paralegal will aid the attorney in going through and reviewing the application materials, in communicating with the employer, and will act as a liaison between the applicant and the attorney.



We Communicate in a Timely Manner

Clients will always be our priority during the H1B application process. We will keep in touch with our clients via email, and will speak over the phone on a regular basis to make sure our communication is effective and informative. Moreover, we will always share the most recent updates during the application process with our clients.



With an Excellent Customer Service

Our customer service team encompasses ten people, who are always ready to take your phone calls or respond to your emails in a timely manner. We conducted a service quality survey on our previous 1,000 clients, and based on their feedback, we adopted a brand-new customer service system.. Through this IT platform, we guarantee that our clients will be informed of their most updated status at all times during the application process.

NYIS LAW FIRM Application Process



2025 Application Overview



During the 2025 H-1B application season, we represented nearly 400 H-1B lottery applications, with the majority of applicants holding a master's degree. Their fields of study covered a wide range, including but not limited to Business (Finance, Marketing, Accounting, Business Administration), Computer Science, Media, Journalism, Financial Engineering, Information System Management, Data Analytics, Supply Chain Management, Human Resource Management, Electrical Engineering, Architecture and Landscape Design, Mechanical Engineering, Bioengineering, Engineering Management, Mathematics, English (TESOL), History, Economics, Psychology, Medicine, Education, Graphic Design, Public Administration, or Public Policy, etc.

Among our clients, the lottery selection rate was **45%**

The RFE rate was as low as **8%**

and the approval rate was **99%**

Music

The employer is a small arts education institution specializing in instrumental training. After thoroughly reviewing the company's overall operations and employee background, we worked with the employer to designate the position title Music Education Specialist for the H-1B petition. The application materials highlighted the strong match between the position's requirements and the applicant's academic background, demonstrating that it qualifies as a specialty occupation. The petition was smoothly approved in October 2025 without an RFE.

Public Health

The employer is a mid-sized compliance consulting firm. The applicant's position is Regulatory Affairs Senior Project Manager. The employer opted for premium processing with USCIS in late September 2025, and the petition was smoothly approved in early October 2025 without an RFE.

Finance

The employer is a newly established pet store startup with a total of three employees. The applicant's position is Accountant. Despite the company's small size, we submitted detailed documentation, including a comprehensive job description, the company's specific need for the role, and the applicant's relevant background. The petition was smoothly approved in early July 2025 without an RFE.



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Computer Science

The employer is a real estate consulting company with only one full-time employee. In the application, we selected the occupation title of Network and Computer Systems Administrator, providing detailed job descriptions, the company's need for the position, and materials outlining the employee's relevant coursework. This application was approved smoothly in early September 2024 without an RFE.

Biology

The employer is an educational research institution. During the preparation, the employer had certain limitations regarding the H-1B position and salary. To reduce the likelihood of an RFE, we provided a detailed breakdown of the employee's job duties to demonstrate the specialized nature of the position, along with a comprehensive explanation letter about the match between the employee's academic background and the job requirements. This application was successfully approved in August 2024.

Journalism

The employer is a newly established tech company with a small scale, where employees mainly use shared office spaces or work remotely. After submitting the application, USCIS issued an RFE questioning the functionality of the shared office space. In our response, we provided relevant photos, lease agreements, and documentation on how the company uses the shared office space. This application was successfully approved in October 2024.

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Public Relations

The employer is a fashion boutique trading company that was established just over a year ago. As a startup, the company currently has only one employee. The applicant is applying for the position of Public Relations Specialist. After being selected in the lottery, we provided employer's contracts signed with clients, tax returns for the past year, and detailed operational plans for the future. The application was approved in September 2023 without going through the Request for Evidence (RFE) process.

Environmental Engineering

The employer is a small consulting company. Unfortunately, the applicant did not get selected in the H1B lottery for two consecutive years. During this period, the employer supported the applicant in initiating the green card application process. Simultaneously, the applicant found an H1B employer under the cap-exempt category, and upon successfully obtaining a cap-exempt H1B, we assisted the applicant in applying for a concurrent H1B to work for the consulting company at the same time. In the third year, the applicant was fortunate to be selected in the lottery, submitted the H1B application, and finally received approval in August 2023.

Public Administration

The applicant is in China, and the employer is a logistics company with fewer than 25 employees. During the document preparation stage, in order to demonstrate the specialty occupation and the necessity of the applicant's educational background for the daily duties of the position, we submitted the employer's recruitment information, the applicant's resume, and a detailed job description. This application was successfully approved in September 2023.



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Information Systems & Business Analysis

The employer is a small-scale start-up company that focuses on international warehousing solutions, and the applicant is a shareholder of the company. After being selected, our team did a thorough evaluation and strengthened his application by providing critical suggestions on his shareholder status, using an occupation title that is most fitting for his current situation, and highlighting the employer's development plan and the importance of the chosen position. The application later received an RFE (Request for Additional Evidence), questioning the applicant's immigration status maintenance and the legitimacy of the company. We responded to the RFE by providing the applicant's OPT documents, work authorization, and the company's registration information and other supporting documents. The application was approved in September 2022.

Digital Communication

The employer is a software start-up, and the employee is under OPT status which expires in May 2022. Without other alternative solutions to extend his legal stay, we decided to prepare his H1B application prior to the lottery. We prepared his Labor Condition Application in advance and once selected, we immediately started drafting his petitioner letter and other documents. With the help of his employer, we were able to obtain his H1B receipt notice before his OPT expired. His application was later approved in August 2022.

Information System

The employer is a third-party information service provider, and the applicant holds a fully remote position as a test engineer. After being selected in the lottery, we provided relevant documents explaining the nature of the position, prepared an in-depth analysis of the applicant's job responsibilities, and detailed the company address and the applicant's actual work address to explain that the daily communication and report between the employer and the employee are not affected by working remote. The application was approved without any challenges in August 2022.

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Statistics

The applicant is working as a financial analyst in a small-scale start-up financial consulting company. What made this application difficult was the combination of working remotely during the pandemic and being a small company with a shared office space. The applicant was selected in the second round of the H1B lottery. When preparing the application, we provided the company's future projects and business plan to ensure there is a sufficient amount of work for the applicant to perform. We also provided the documents showing the investment received by the company to prove it has enough funding to support its daily operation and the ability to pay the employee's prevailing wage. Due to being a shared office space, we had to provide the office lease, photos of the space, mailing records, to prove to the USCIS the actual existence of the work address. The application was approved in November of 2021.

Business Administration

The applicant is working as a Marketing manager in a trading company with less than 25 employees. In July, we received a Request for Additional Evidence from the USCIS, asking for evidence that this position meets the requirements of Specialty Occupation. We responded by preparing a detailed job description, an analysis of the relevance between the applicant's degree and position, multiple expert opinion letters, and other documents pertaining to the work of the applicant. The application was approved in October of 2021.

Healthcare Analysis

The applicant works as a regulatory affairs manager at a pharmaceutical consulting company. Due to the pandemic, the applicant had to work both on-site and remotely. Since this position is common in multiple industries, The USCIS issued an RFE in June questioning whether this position needs a person with a medical background and requiring proof of the relevance between the applicant's degree and position. We responded by providing a detailed analysis of the academic requirement for the degree, the applicant's work samples, multiple expert opinion letters, to prove this position indeed needs a person with a medical background to fulfill the duty. The application was approved in October of 2021.



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Ph.D. in pharmaceutical sciences

The applicant is working for a biodata company as a Regulatory Affairs Specialist. The USCIS issued a specialty occupation RFE (Request for Evidence) notice in September, requiring supplementary documents to prove the applicant's major is necessary for the daily work of the position. We submitted expert opinion letters, the company's job postings, the applicant's work materials, and degree certificates of other employees in the same position. The petition was successfully approved in October 2020.

Accounting

The applicant applied for the position of an Accountant at a start-up e-commerce company. The company was established in 2019 with 5 employees. The USCIS issued an RFE notice in September because they were unable to match and verify the company information with public records and the VIBE system and questioned the legitimacy of the company and whether it really exists. We prepared nearly 500 pages of materials for the RFE response, including the company's commercial lease, most updated website pages, sales records, tax returns, bank statements, and other materials that established the legitimacy and validity of the company. The petition was successfully approved in November 2020.

Applied Mathematics and Statistics & Economics

The applicant is working for a small online training platform while on OPT. We analyzed the applicant's job description, the company's business model, and finally advised the employer to use Digital Marketing and Analytics Coordinator as the occupation title for the H-1B petition. We submitted a detailed letter explaining the duties of the applicant and the petition was successfully approved in August 2020 without receiving an RFE notice.

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Economics

The applicant majored in economics with a job title of a data scientist. The employer is a data analysis startup that has been established for less than one year, and it has less than 5 employees. Due to the nature of a startup company, the USCIS questioned if the employer can provide a sufficient amount of work for the beneficiary in the next three years, the complexities of the job duty and whether the employer had a physical office. In the process of preparing the response, we worked with the applicant to refine job functions, provided recruitment information from similar companies to prove that the position is complex enough to meet the H1B requirements. We also provided the applicant's work itinerary for the next three years along with physical proof of the work location to validate the bona fide relationship of the employment. The petition was successfully approved in October 2019.

Architecture

The applicant majored in architecture and his employer is a non-traditional construction company. The applicant's primary duty is project design but he has yet to obtain an architect's license at the time. The company didn't have a licensed architect, so the applicant cannot apply for an architect position. In the process of preparing the materials, we analyzed the applicant's job description according to the current circumstances of the company, and we eventually chose to use the title of an Industrial Designer. After analyzed the complexities of the beneficiary's job duty, and explained the reasons why this position required a person with an architecture background, the petition was successfully approved in November 2019.

Computer science

The applicant has a background in computer science and applied for a program instructor at a vocational training institution. Since the applicant is working as an instructor rather than the more traditional title of a computer programmer, we have highlighted the complexity of the applicant's job duty when preparing for the petition. We gathered similar job postings and employment data from companies within the same industry along with letters of expert opinion to prove that this position meets the H1B requirements. The petition was successfully approved in September 2019.

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Business Analytics

The applicant is working as a risk analyst at a financial mortgage company with an education background in business analytics. However, the Department of Labor recently lowered the degree requirement for this position so we had to use a different title to comply with the H1B requirements. After doing extensive research on the company and analyzing the applicant's job description, we eventually chose to use the title of an operation research specialist. The petition was successfully approved in mid-July 2019.

Marketing Analytics

The applicant has a degree in marketing analytics and is currently working at a small e-commerce company as a marketing analyst. Because this is a small company, and the scope of their business is relatively limited, the USCIS questioned whether this position meets the requirements of a specialty occupation. While preparing for the response, we highlighted the company's organizational chart and attached certified degrees of other employees with the same or similar position to demonstrate this position always require a bachelor or higher degree. We also gathered the company's marketing materials along with the applicant's work sample as supplemental evidence for the response, the petition was approved in November 2019.

Hotel Management

The applicant majored in hotel management and graduated in 2017. The applicant serves as an Assistant Manager in a golf club. Due to the low professional requirements, hotel management is one of the most difficult professions to get approval for H-1B. In the process of preparing the materials, we carefully analyzed the working guidelines in the hospitality industry, refined the functional classification, provided employers and similar companies employment records. The application was approved in August 2018.

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3D Animation

The applicant majored in 3D animation. In the case that Web developers are no longer classified as Special Occupations by the USCIS, the original lawyer applied this position for the applicant and was questioned by the USCIS about the complexity of the job. In the RFE preparation process, we especially focused on the preparation of the documents of employee's job description and work content, which proved that in addition to ordinary web developer's job duties, the applicant also involves in the front-end and back-end programming work, which is similar to the content of a software developer. The applicant was successfully approved in September 2018.

Movie Study

The applicant majored in Movie Studies, working in a small film distributor under OPT visa as a Public Relations Specialist. The USCIS issued an RFE supplement notice, challenging the relevancy of the applicant's professional background and job content, as well as the complexity of the position. In the process of preparing the supplementary materials, we not only provided the basic expert letters, job advertisements of similar companies, job samples and other materials but also provided photos and results of the applicant's work, and the employers results that were supported by the applicants. This case was successfully approved in October 2018.

Photography and News clips

The applicant obtained a degree in photography and news clips and works as a Video Editor at a real estate-related company. After submitting the application for the first time, the USCIS questioned that it did not require a higher education and Job Specialty. The applicant reached out to us during the supplementary materials phase. We provided employer's previous recruitment information, company size and description of the company's structure, explaining that the applicant's work is not simply video editing. We also provided the applicant's detailed work materials and previous work results. The case was approved in October 2018.



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Sports Management and Policy

The applicant has a Master's Degree in Sports Management and Policy. The employer is an international sports media. The company employed the applicant as a Sports Consultant. Working as the Special Project Consultant in the company, the applicant is mainly responsible for targeting and docking the Chinese market. In October 2017, the case was approved by USCIS.

Education concentrating in Counseling

The applicant achieved a Master's Degree in Education concentrating in Counseling and has a Professional Counselor License in her state. Her employer is a mental health nonprofit organization. The non-profit organization hired the applicant as a Licensed Professional Mental Health Counselor. In August 2017, the case was approved by the USCIS.

Civil Engineering

The applicant achieved his Master's degree in Civil Engineering, with concentration on Structural Engineering. The employer is an architecture firm located in New York and New Jersey area, and employed the Beneficiary as a full-time Project Architect. In July, USCIS issued an RFE notice requiring additional evidence of the position level's match with LCA Level 1 Wage. We submitted abundant materials as proof, including the employer company's organization chart, other employees' background documents, and advertisements of similar positions throughout industry. This case was approved by USCIS in October 2017.

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Computer Science

The applicant majored in computer science and works in an application development startup company. The employer is relatively small in scale and the time of establishment is relatively short. The USCIS questioned whether there was enough workload for the applicant to handle. We provided the company's financial proof, equipment certification and introduction of related software for software development in the material preparation. The applicant's work content and work plan were also elaborated to the USCIS. The case was successfully approved in August 2018.

Financial Consulting

Four applicants worked in a financial consulting company, with 10+ employees, at the same time. During the application process, we applied for Risk Analyst and Credit Analyst for the four applicants. However, the company changed their address for operational reasons. The USCIS questioned the complexity of the position and the qualifications of the employer. In the supplementary materials phase, we provide detailed job descriptions, expert letters, and employer recruitment information for each applicant. We also provided the company's photo, the lease after the address replacement, the company's business license and other materials to prove the company's legality and qualifications. The cases of all four applicants were approved in October and November 2018.

Education

The applicant achieved a Master's Degree in Education. Employed as an Education Counselor by the employer, a small-size international study services startup, the applicant is responsible for providing clients with counselling and coaching services in U.S. college admission. In May, USCIS issued an RFE notice requesting for additional evidence to prove the specialty occupation and that the Master's Degree in Education is relevant to the daily work of the job position. After receiving the RFE Notice, we prepared and submitted materials of detailed description and evidence of the employer's business operations, as well as documents regarding other employees' academic/professional background. In September 2017, the case was approved by USCIS.



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Public Policy

The applicant achieved Master's degree in Public Policy and Bachelor's degree in International Journalism. Her employer is the U.S. branch of a foreign TV station, and the company employed the applicant as a Political Correspondent. This was the first time that this U.S. branch applied an H-1B work visa for its employee. In August, USCIS issued an RFE notice requiring additional evidence on specialty occupation, Beneficiary's academic background, and the position level's match with LCA Level 1 Wage. We submitted evidence including the precedent cases, expert opinions, and work samples of the applicant to demonstrate the work's complexity. This case was approved by USCIS in October 2017.

Accounting

The applicant earned his Master's degree in Accounting major. His employer is a traditional boutique accounting firm, established for years but small in size. The accounting firm hired the applicant as its Accountant. In 2017, USCIS has been reviewing H-1B petitions more strictly than ever. Although The applicant's academic background appeared to be perfectly matching his job title as an Accountant in an accounting firm, in July 2017, USCIS issued an RFE notice on this case, still requiring specialty occupation evidence. We submitted evidence emphasizing the employer accounting firm's size and the accounting industry's universal standard, as well as expert opinion letters regarding this specific position. This case was approved by USCIS in September 2017.

Marketing

The applicant earned her Bachelor's degree in Marketing overseas, and she got hired as a Marketing Manager of the employer. The employer company has been established for only one year, working on U.S. marketing projects of Chinese corporation clients. The employer is on its initial business development stage. In August 2017, USCIS issued an RFE notice, requiring additional evidence to prove the company's business operations. After we submitted the requested materials, USCIS approved this case in October, 2017.

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Business Administrator

The applicant graduated in 2015 with a Bachelor's degree in Business Administration and with a concentration in Accounting. She worked as an accountant for a small food company. Considering the scale of the company, we focused on the importance of having this position and this applicant's particular background. During the preparation process, we also ensured that administrative work would be completed by other employees, so the applicant would not perform work outside of the accounting field. The application was approved in May 2016.

Historic Preservation Planning

The applicant graduated with a Master's degree in Historic Preservation Planning in 2014. The applicant provided research and consulting work in documentary filming related to the city's historic architecture. The applicant's employer filed an H-1B petition for the applicant in 2015, but the application was not selected. In 2016, the same employer again filed an H-1B petition for the applicant. Considering the very specific field the applicant was operating in, we advised the occupation title of Historian for the applicant. We detailed the job duties and scope of the applicant's work in the petition letter. In June 2016, USCIS issued a Request for Additional Evidence questioning the applicant's specialty occupation. In response, we submitted supporting evidence and documents from various sources. USCIS approved the application in September 2016.

Acupuncture

The applicant earned her Master's degree in Acupuncture from a for-profit university. In 2016, the employer filed an H-1B petition for the applicant with the occupation title of Acupuncturist. In June 2016, USCIS requested additional evidence, questioning the applicant's specialty occupation and her degree classification. In particular, USCIS doubted the applicant's eligibility for the H-1B cap reserved for U.S. advanced degree holders. At first glance, USCIS's doubt was unlikely to be dismissed. However, we made a very strong and convincing argument in the response letter, and USCIS approved the application in September 2016.



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Landscape Architecture

The applicant graduated with a Master's degree in Landscape Architecture. The employer is a landscape design firm with less than 20 employees. In 2016, the employer filed an H-1B petition for the applicant with the title of Landscape Designer. In early June of 2016, the application was approved by USCIS.

Education

The applicant graduated with a Master's degree in Education. The employer is a small size education consulting firm. The employer filed H-1B for the applicant in 2016. The application was initially represented by another law firm that prepared the H-1B petition with the title of Education Administrator. USCIS requested additional evidence at the end of June. USCIS questioned the necessity of the employer's need to have such a position and rebutted the documents that had initially been submitted. The application was transferred to NYIS Law Firm after the RFE. We argued that the applicant's position is specialized and geared towards the company's specific situation, and we compiled various supporting documents to argue our case. USCIS approved the application in September 2016.

Economics

The applicant graduated with a Master's degree in Economics. The employer is a clothing company. After comprehensive communication with the employer and the applicant, we learned about the job duties of the applicant and the development plan of the employer; we suggested that the applicant use an H-1B occupation title of Operations and Research Analyst. USCIS requested additional evidence in July 2016, questioning whether this was a specialty occupation. In response to the RFE, we cited abundant cases in the same industry and provided expert opinion letters from industry professionals. USCIS approved the application in October 2016.

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Accounting

The applicant has a Master's degree in Accounting. The employer is a commercial enterprise focused on the wholesale and retail of nutrition related products. In February 2016, the applicant started working for the company in F-1 OPT status as an Accountant. In April, the employer filed an H-1B petition for the applicant. We listed the accounting tasks that the applicant had previously performed for the employer. In June 2016, USCIS approved the application.

MBA

The applicant graduated in 2014 with an MBA degree and a concentration in marketing. The applicant applied for an H1B visa during his OPT. The petition position was Market Analyst. The company is an education agency with 20-30 employees. The application was approved by USCIS in June 2015.

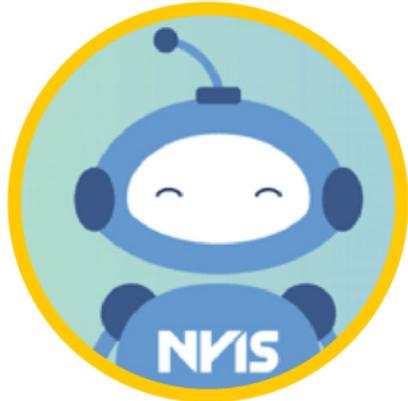
Civil Engineering

The applicant graduated in 2013 with a Master's degree in Civil Engineering. The applicant found a job through an IT staffing company during his OPT extension in 2015. The applicant soon started working as a contractor in a third party company. In July 2015, USCIS issued a Request for Additional Evidence and questioned the authenticity of the employer-employee relationship. In the petition package, we detailed that the employer was responsible for providing a work toolbox for the applicant and also for periodically reviewing the applicant's work, so as to prove their direct employment relationship. USCIS approved the application in September 2015.



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NYIS LAW FIRM



We are committed to building productive relationship and maintaining good communication with our clients. We work hard on every case, and we put in our best efforts to make a positive difference in the lives of our clients.



CONTACT

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