

O-1 Visa

The O-1 visa can be particularly helpful to highly talented or acclaimed persons who may not want to use or do not qualify for other types of visas. The visa can be used for many fields of endeavor in the United States of America including science, education, business, sports, art, music, motion picture and TV industry. The O-1 visa usually is the first step for many talented foreigners to obtain green card in the United States.

How to obtain a O-1 Visa

Each O-1 case must meet two requirements: employer or agency sponsorship and proof of exceptional ability of beneficiary. It must be well documented with supporting evidence proving that all legal requirements are met.

The evidence to be submitted must show that employer or agency is willing to hire the beneficiary to perform service in the field of beneficiary's endeavor. Employer must be financially sound.

The evidence must demonstrate that the applicant is truly exceptional. However, "Exceptional" entails a high standard as applied to business persons, scientists, educators and athletes and a lower one as applied to artists and entertainers. Artists and entertainers in the television and motion picture industries fall somewhere in between.

The first step is for the US employer or agent to file a petition with the appropriate Service Center. The petition must include a written advisory opinion from the appropriate union if one exists.

Proving exceptional ability in science, education, business or athletics

The applicant can submit evidence of receipt of a major international award such as the Nobel Prize, Olympic Gold Medal and at least 3 of the following:

- Receipt of nationally or internationally recognized award
- Membership in organization that requires outstanding achievement
- Published materials about the applicant in professional or major trade publication
- Judgment of the work of others
- Original scientific or scholarly work of major significance in the applicant's field
- Evidence of authorship of scholarly work
- Evidence that he or she has been employed in a critical or essential capacity at an organization with a distinguished reputation
- Has commanded or will command a high salary in relation to others in the field
- Other comparable evidence

Proving exceptional ability in arts, motion picture and TV industry

The applicant can submit evidence of nomination for or receipt of a significant international award or prize such as an Academy Award, Emmy, Grammy or Director's Guild Award and at least 3 of the following:

- Has performed/will perform services as a lead/starring participant in productions/events with distinguished reputations as shown by critical reviews, ads, publicity releases, publications, contracts or endorsements
- National/international recognition for achievements through critical reviews, other published materials by or about the applicant in major papers, trade journals/magazines
- Has performed in a lead, starring or critical role for organizations and establishments that have a distinguished reputation evidenced by media articles, testimonials, etc.
- Has a record of major commercial or critically acclaimed success

- Has achieved significant recognition from organizations, critics, government agencies, recognized experts
- Has commanded or will command a high salary in relation to others in the field.
- Other comparable evidence

How long can the O-1 visa holder remain in the US

The regulations impose no limit of the length of admission. However, the US Citizenship and Immigration Service will normally set the initial validity period to three years. The new regulation also requests proposed itinerary be submitted to prove three-year service. Extensions with same employer can be obtained for only one year at a time.

Dependents of the O-1 holder (spouses and children) may normally obtain O-3 visas.

A separate O-2 classification exists for persons who are accompanying and assisting an O-1 artist or athlete in the artistic or athletic performance for a specific event or events.

Law Office of Joan Xie has been cooperating with Gino Moratti Artist Management to obtain O-1 visas for talented young artists since 2008. The success rate is 100% so far. Many talented musicians such as Yinjia Lin, Bruno Pena, Fangtao Jiang, Xun Wang are sponsored by Gino Moratti and successfully represented by Law Office of Joan Xie.

Gino Moratti Artist Management Group

Gino Moratti Artist Management Group was formed in 2001 by Mr. Gino Moratti. It was originally stated as a managing agency for jazz musicians; however, the agency later expanded its services to include classic musicians. Mr. Moratti has an extensive background in both jazz and classical music. He is a pianist who has performed in the jazz and classical music. He is a pianist who has performed in the jazz, pop and rock genre. Mr. Moratti has been involved in the music industry for 30 years. Gino Moratti Artist Management Group is currently representing highly acclaimed international artists of outstanding achievement and also young rising starts in both jazz and classical music. Many have won top prizes at International Music Competitions.

Gino Moratti Artist Management Group consists of a dynamic management team that understands O-1 processing. Their speedy cooperation with Law Office is one important factor to guarantee the high success rate.

For more information about Gino Moratti Artist Management Group, please go to their website at www.ginomoratti.com