

Immigration: E-2 visa update

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Law Firm wins approval of non-immigrant E-2 status for Korean business investor

Mohammad A. Syed obtained approval from the U.S. Citizenship and Immigration Service for an E-2 investor from Korea to operate a restaurant in Washington, DC.

The Korean restaurant Zannchi, located in the trendy Georgetown neighborhood of Washington, DC was conceived by Eunjung Kim, a recent MBA graduate of Georgetown University. A recent [Washington Post article](#) "Zannchi offers plenty of reasons to get acquainted with the Georgetown newcomer, June 24, 2016" features the exciting story of this incredible entrepreneur.

Ms. Kim wanted to bring to Washington, DC the flavors from her family's multiple Korean restaurants in her home country. In order to qualify for E-2 investor status Ms. Kim had to demonstrate that she met the six requirements for getting E-2 non-immigrant status:

The applicant must be a citizen of a country that has a treaty with the United States. [Click here](#) for a List of treaty countries from U.S. Dept. of State.

1. The applicant must be coming to work in the U.S. for a company that he or she either owns or that is at a minimum 50% owned by other nationals of the country of origin.
2. The applicant must be either the owner or a key employee (executive or supervisor, or someone with essential skills) of the U.S. business.
3. The applicant or the company must have made a substantial investment in the U.S. business. (There's no legal minimum, but the applicant or company

must be putting capital or assets at risk, be trying to make a profit, and the amount must be substantial relative to the type of business.

4. The U.S. company must be actively engaged in commercial activities and meet the applicable legal requirements for doing business in its state or region. It also cannot be merely a means to support the investor. The underlying goal of the treaty investor visa is to create jobs for U.S. workers.
5. The applicant must intend to leave the U.S. when his or her business in the U.S. is completed, although the person is not required to maintain a foreign residence abroad. The applicant will likely be asked to show the U.S. consulate evidence of eventual plans to leave the United States.

Mr. Syed assisted Ms. Kim with this process and successfully obtained approval from the US Citizenship and Immigration for Ms. Kim's E-2 status. He also assisted her top chef from Korea obtain an E-2 visa from the U.S. Embassy in Seoul, Korea as an essential employee. If you are in Washington, DC please visit this amazing restaurant!!!

If you or someone you know is interested in applying for a treaty investor visa, contact us today.

Key Contact



Mohammad Ali Syed
Managing Partner: USA
+1 202 5031425
email@riaabg.com