

# O-1 VISA QUICK-START GUIDE: 7 STEPS YOU CAN TAKE RIGHT NOW TO JUMPSTART YOUR AMERICAN DREAM

## ACTION ITEM #3. MAKE A RUCKUS IN YOUR NICHE: "ORIGINAL CONTRIBUTIONS OF MAJOR SIGNIFICANCE IN THE FIELD."



OK, we've looked at how to structure our O-1 petition, and how to pick our niche. Now we'll be jumping right into the substance of our O-1 categories. We'll be starting with our most important "base" category, what the O-1 regulations call "*original scientific, scholarly, or business-related contributions of major significance in the field.*"

This criterion has 2 elements: "original contributions" and "major significance in the field." "Original contributions" are pretty easy to prove, but "major significance in the field" is a much tougher hurdle for many O-1 applicants.

"Major significance" means impact. It means a list of specific, documented, itemized, measurable,

explainable impacts of your contribution on your field AS A WHOLE, not just a subsegment, a single institution, or a locality. Lots of folks have a very hard time proving this. But you won't.

You're going to nail this factor! You're going to make a ruckus in your niche. You're going to develop a ton of specific examples of situations where your contributions made a major impact on your industry - something your adjudicator is NOT used to seeing. If you can do that, you've pretty much won your case.

In fact, this is so important, we're going to reverse-engineer it. We're going to do it backward. We're going to start with some examples of specific, documented, itemized, measurable, explainable impacts on your field as a whole. Then we're going to work backward to the cool things you might do in your niche (your "original contributions") to achieve those impacts. Maybe you've even already done them!

Let's take a closer look at these elements. We'll also examine some real cases that got this wrong, and others that got it right.

### WHAT'S AN "ORIGINAL CONTRIBUTION"?

This is just what it sounds like. It's something cool that you created, or invented, or did, that's making a dent in the universe. Two obvious things -

It has to be original. It has to be provably your work. It has to be something that hasn't been done before.

And it has to be a "contribution" - something that's actually been completed, not a plan or a future launch.

Some examples of original contributions:

- Patents in use.
- Software for licensing.
- Software as a service.
- New products.
- Apps.
- New methods and techniques for doing things better.
- Scientific, technical, medical, and engineering discoveries and breakthroughs.
- New business systems.
- Just about any cool new thing that helps people, or makes the world run a little better.

Creating the "original contribution" is actually the easy part.

## WHAT'S "MAJOR SIGNIFICANCE IN THE FIELD"?

This is the hard part. In O-1 terms, "major significance in the field" means that the "original contribution" has had specific, documented impacts on your field of endeavor AS A WHOLE.

What does this mean? Maybe it's easier to look first at what it DOESN'T mean. Here are some instances of "category fail" – situations where the O-1 applicants couldn't show the impact of their contributions on their fields as a whole.

- A public health doctor whose methods are improving outcomes in just one local geographical area.
- A researcher whose findings create a stir at a single conference or convention.
- A scientist whose discoveries have an impact only on one prestigious institution.
- An inventor whose product has local or regional distribution.
- An engineer with groundbreaking systems that are used only at his own corporation.
- A robotics scientist with documented contributions to his university, to corporate clients, and to research teams.
- A securities analyst who created a new underwriting system for mortgage-backed securities that was used only by his own employer.
- A 3D graphics modeler whose breakthrough virtual-fitting-room technology for clothing stores had been purchased by only 2 retailers.

In some cases, these applicants were never going to qualify. They'd done some cool stuff, but it was never going to make an impact beyond their own company or institution or geographical area.

In other cases, though, they HAD actually created something revolutionary or game-changing – but the product hadn't quite gotten there yet. Their experts' letters described the product as having "great potential." (This is the kiss of death for your O-1 petition!) Their contributions were still in the early stages of dissemination throughout the industry.

In these cases a little hustle – a few more sales – a marketing campaign – an extra effort at collecting SPECIFIC examples of industry impact – would have made a big difference to the outcome.

Or they could have reverse-engineered it. They could have made a big, focused push to CREATE some specific industry-wide impacts, and THEN filed the O-1 case.

Or they could have redefined their niche, reframing the O-1 "field of endeavor" as a narrower or different specialty, where the product HAS had a big impact.

Instead, these cases were passively prepared and filed. They used whatever random events had happened in the past, and tried to make them look like they fit the criterion. Sadly, by collecting evidence of only local or companywide impact, these applicants actually proved the opposite of what they needed to show.

Here are some examples of more successful cases, where the O-1 applicant DID proactively set out to collect exhibits showing specific, enumerated, documented, itemized, measurable, explainable impacts on the field as a whole.

- A public health doctor whose novel methods to improve rural health outcomes in one small town were adopted and disseminated in a national pilot program throughout rural areas nationwide.
- A neurobiologist who made innovative findings on epilepsy treatment, and who provided specific evidence of 14 separate research projects, run by teams in 4 different countries, that relied on, applied, and extended his research.
- A heart statistics researcher whose results were (1) adopted as recommendations by the World Health Organization, (2) used by a Canadian national agency for solutions to improve women's health, and (3) used by the Canadian government as a major official reference for research.
- A crop researcher whose new discoveries about soil composition were proven to be widely adopted in the farming industry, used to increase crop yields for wheat, and used as recommendations by international agricultural aid agencies.
- A hydrologist who obtained a patent on a technique to remove water from cells, that he subsequently licensed to 6 major oil and gas companies, as well as 11 specialized industry companies, to clean contaminants from fracking water.
- A video game developer whose social-impact game products have been distributed throughout North America to train city managers, help law enforcement fight financial crime, and provide interaction training to children on the autism spectrum. The applicant provided numerous specific examples of situations where the games are being used, and listed actual social impacts that they're making as a result.
- The founder of an online search company that revolutionized "search" by (1) simplifying the search process for users worldwide, (2) adding numerous free services to collect demographic data, (3) creating a novel advertising model by using that data to sell ads, and (4) setting the new industry standard both for search and for online advertising.
- A racetrack developer who brought the first NASCAR-style oval track to the UK. The applicant listed 7 major international motor racing series that added the UK as an itinerary stop to their annual racing schedules. The petition also enumerated a list of specific impacts on the UK motorsports industry, which added several new oval-track disciplines to its traditional road-course races, and attracted several new businesses serving the needs of oval-track racers.

See the difference between these O-1 cases and the unsuccessful ones? In these cases, the applicants basically went on a treasure hunt. They found and collected and documented, numerous VERY specific examples of how their products were making an actual dent in the universe. You can do this too!

This is your Action Item #3: Make a Ruckus in Your Niche. Make a list of some VERY specific, factual, objective ways that your contributions could be adopted or disseminated throughout your industry - and then go make those things happen. An O-1 applicant who can do that, is well on the way to filing a winning case.