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Eligible for EB-2

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Submitted by Chief Editor on Apr 19th 2012

I have a 4 year bachelor's degree from India and 7 years experience. My company has applied for GC in EB-3 and my I-140 is approved. My PD is Sep 2010. My company name is now changed and they are saying that the process has to be restarted from the perm but I can keep my same PD. I checked with the lawyers to see if I'm eligible for EB2 and they said no. My job description says bachelors' degree and 3 or 5 years of experience and hence the lawyers are saying no. Their argument is that the USCIS will deny the application indicating that the job could be done by a person with 3 yrs experience. Am I qualified for EB-2?

ANSWER:

Note these points. First, a mere name change of the employer does NOT require that green card be started all over again. Second, if the sponsoring employer stops business operations, USCIS can take away your priority date. And, third, the job must REQUIRE 5 year's exp.

Unless the context shows otherwise, all answers here were provided by [Rajiv](#) ^[2] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) ^[3]

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