§ 404. Summons; personal jurisdiction by acts of non-residents. (a) Acts which are the basis of jurisdiction. The court may exercise personal jurisdiction over any non-resident of the city of New York, or his executor or administrator, as to a cause of action arising from any of the acts enumerated in this section, in the same manner as if he were a domiciliary of the state and a resident of the city of New York if, in person or through an agent, he:

1. transacts any business within the city of New York or contracts anywhere to supply goods or services in the city of New York; or

2. commits a tortious act within the city of New York, except as to a cause of action for defamation of character arising from the act; or

3. owns, uses or possesses any real property situated within the city of New York.

(b) Service of summons. Service of summons under this section may be made in such manner and at such place, regardless of city or state lines, as would confer jurisdiction on supreme court in a like case.

(c) Effect of appearance. Where personal jurisdiction is based solely upon this section, an appearance does not confer such jurisdiction with respect to causes of action not arising from an act enumerated in this section.

(d) Corporation or association. If service of the summons cannot be effected by personal delivery thereof within the city of New York so as to acquire in personam jurisdiction of a corporation or unincorporated association, such corporation or association shall be deemed a non-resident of the city of New York for purposes of this section.